

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

62nd Legislative Day

June 16, 1987

Speaker Greiman: "The hour of 12:00 having arrived, the House will be in Session. Members will be at their seats. Those not entitled to the floor will withdraw. The Chaplain for today will be the Reverend Neil Ristow, Assistant Pastor of Our Saviour's Lutheran Church of Springfield. Reverend Ristow is a guest of Representative Karen Masara. The guests in the gallery may wish to rise and join us in the Invocation. Reverend Ristow."

Reverend Ristow: "We pray. Lord, we remember from Your Scriptures when You were governing Your Hebrew people, how You gave them teachings and regulations as to how to live their lives, and Your statute served well, but we don't have a theocracy here, Lord, we have a democracy, so we ask that You work through our people, our leaders, that good statutes and regulations would serve the land. Give them Your wisdom, Lord. We ask this in our Messiah's name, Jesus. Amen."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm, to lead us in the Pledge to the Flag."

Klemm - 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 Greiman: "Roll Call for Attendance. Mr. Matijevich, are there any excused absences on the Democratic side?"

Matijevich: "Before I do that, Mr. Speaker, I've been happy to be seated... next to me, Nolan Lewis is here from Washington. He and a team are evaluating the Community Action Agencies in the State of Illinois and I am on the Board of my Community Action Agency, so I want to welcome Nolan to Illinois. He is enjoying his stay here."

Speaker Greiman: "We welcome you."

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Matijevich: "The excused absent on this side of the aisle is Representative Douglas Huff who is away on official business. Thank you."

Speaker Greiman: "Let the record so reflect. Mr. Piel..."

Matijevich: "Wait, Mr. Speaker."

Speaker Greiman: "Oh, yes. Mr. Matijevich."

Matijevich: "Before I close, I also want to say that I was so happy yesterday to receive a call at my office from Myron Olson. He sounded strong. He sounded in good health. He said he misses everybody and he can't drive yet, so he won't make it to the rest of the Session, but he's feeling real good."

Speaker Greiman: "Great. We're all pleased to hear that. Mr. Piel, are there excused absences on the Republican side?"

Piel: "Yes, Mr. Speaker. Would the record show that Representative David Harris, Representative Myron Olson and Representative Fred Tuerk are excused today?"

Speaker Greiman: "Let the record so reflect. Mr. Clerk, take the Roll. 114 Members having answered to the call of the quorum, a quorum is present. Mr. Tate, for what purpose do you seek recognition?"

Tate: "Thank you, Mr. Speaker. I would... the Gentleman that represents Wrigley Field is not here on the floor right now. I would just like to point out that there is a broom on his desk today and that the Bears pre-season starts very shortly."

Speaker Greiman: "Committee reports."

Clerk O'Brien: "Corrected Committee Report. Representative Terzich, Chairman of the Committee on Executive and Veterans Affairs, to which the following Bills were referred, action taken June 10, 1987, and reported the same back with the following recommendations: 'do pass' Senate Bill 47."

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Speaker Greiman: "On page 25 of the Calendar, on the Order of Consent Reading (sic - Calendar) Second Reading. Mr. Clerk, read the Bills."

Clerk O'Brien: "Consent Calendar Second Reading, Second Day, Senate Bill 12, a Bill for an Act to amend the Illinois Notary Public Act, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 41, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Senate Bill 66, a Bill for an Act to amend Township Organization Law, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 146, a Bill for an Act to amend an Act to revise the law in relation to recorders. Second Reading of the Bill. Senate Bill 165, a Bill for an Act to amend the Probate Act, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 185, a Bill for an Act to amend the School Code, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 203, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. Senate Bill 233, a Bill for an Act in relation to township officials, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 257, a Bill for an Act to amend an Act to prohibit minors from buying or selling tobacco. Second Reading of the Bill. Senate Bill 298, a Bill for an Act to amend the State Property Control Act. Second Reading of the Bill. Senate Bill 353, a Bill for an Act to amend the Retailers Occupation Tax Act. Second Reading of the Bill. Senate Bill 379, a Bill for an Act to amend the Illinois Administrative Procedure Act. Second Reading of the Bill. Senate Bill 380, a Bill for an Act to amend the Township Law. Second Reading of the Bill. Senate Bill 383, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Senate Bill 388, a

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Bill for an Act to amend the School Code, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 418, a Bill for an Act to amend an Act in relation to pharmacies, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 454 has been removed from the Consent Calendar. Senate Bill 461, a Bill for an Act to revise the law in relation to counties, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 466, a Bill for an Act to amend an Act in relation to natural resources, research, data collection and environmental studies. Second Reading of the Bill. Senate Bill 487, a Bill for an Act in relation to the regulation of podiatry medicine. Second Reading of the Bill. That was Senate Bill 478. Senate Bill 488, a Bill for an Act to amend an Act in relation to United States Olympic Committee. Second Reading of the Bill. Senate Bill 537, a Bill for an Act concerning regulation of Optometry, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 667, a Bill for an Act in relation to county zoning. Second Reading of the Bill. Senate Bill 687 has been removed from the Consent Calendar. Senate Bill 702, a Bill for an Act to amend an Act in... to amend the Religious and Charitable Risk Pooling Trust Act. Second Reading of the Bill. Senate Bill 760, a Bill for an Act to amend the Illinois Public Aid Code, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 769, a Bill for an Act providing for grants to local governmental units. Second Reading of the Bill. Senate Bill 798 has been removed from the Consent Calendar. Senate Bill 820, a Bill for an Act in relation to fire protection districts. Second Reading of the Bill. Senate Bill 826, a Bill for an Act to amend the Illinois School Student Records Act, together with Committee Amendment #1.

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Second Reading of the Bill. Senate Bill 936, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. Senate Bill 956, a Bill for an Act in relation to the calculation of State aid to school districts. Second Reading of the Bill. Senate Bill 962, a Bill for an Act to amend the Beer Industry Fair Dealing Act, together with Committee Amendment #1. Second Reading of the Bill. Senate Bill 986, a Bill for an Act to amend an Act to revise the law in relation to counties. Second Reading of the Bill. Senate Bill 992, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Second Reading of the Bill. Senate Bill 1003 has been removed from the Consent Calendar. Senate Bill 1052, a Bill for an Act to amend the Retailer's Occupation Tax Act. Second Reading of the Bill. Senate Bill 1085, a Bill for an Act to revise various Acts. Second Reading of the Bill. Senate Bill 1230, a Bill for an Act to amend various Acts affecting the Department of Revenue. Second Reading of the Bill. Senate Bill 1239, a Bill for an Act to amend an Act to create Self-employed Manufacturing Assistance Program Act. Second Reading of the Bill. Senate Bill 1278, a Bill for an Act to amend the Illinois Physical Therapy Act. Second Reading of the Bill. Senate Bill 1282, a Bill for an Act to amend an Act to revise the law in relation to the definition, registration, regulation in the practice of land surveying. Second Reading of the Bill. Senate Bill 1386 has been removed from the Consent Calendar. Senate Bill 1387 has been removed from the Consent Calendar. Senate Bill 1390 has been removed from the Consent Calendar. Senate Bill 1391, a Bill for an Act to amend the Township Law. Second Reading of the Bill."

Speaker Greiman: "Third Reading. Mr. McCracken, for what purpose

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do you seek recognition?"

McCracken: "To request a Republican Conference immediately, Mr. Speaker. It will take about one hour."

Speaker Greiman: "The Gentleman from DuPage requests a Republican Conference in Room 118 beginning now and it will take about one hour. The Democrats have not put forth a similar request, so they will be at lunch, but all will return at a quarter after one. We will begin immediately final action on Senate Bills. Accordingly, the House will stand in recess until the hour of 1:15. Republican Conference, Room 118, immediately. Ladies and Gentlemen, we're going to stand at ease... continue to stand at ease until the hour of 2:15, and at 2:15 we will reconvene, so the House will stand in recess until 2:15. The hour of 2:15 having arrived, the House will be in Session. Yes, Mr. Matijevich, for what purpose do you seek recognition?"

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, could I for a moment violate the rules. I've been told that in the gallery in the back here are young students who have competed in the Congressional Arts Competition, which is competition in each Congressional District. They are here to take their picture with the Governor of the State of Illinois and I think we all... they deserve a welcome from us for the good work that they have done."

Speaker Greiman: "On page 2 of the Calendar, on the Order of Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 124. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 124, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

Homer: "Thank... thank you, Mr. Speaker. The Bill was amended in Committee. House Amendment 1 became the Bill. It provides that in cases where the defendant is found guilty by reason

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of insanity, that that defendant shall be held in the custody of the Department of Mental Health until that Department can develop a report for the court for permanent assignment of that particular defendant. Current law is that the defendant shall remain in the custody of the Sheriff. Be happy to answer any questions. Otherwise, I would move for adoption of the Bill."

Speaker Greiman: "The Gentleman from Fulton has moved for the passage of Senate Bill 124, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now 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 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 169. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 169, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave to bring Senate Bill 169 back to the Order of Second Reading for the purposes of Amendment, please."

Speaker Greiman: "The Chair asks... the Gentleman asks leave of the House to return the Bill to the Order of Second Reading for the purposes of Amendment. The Gentleman has leave. Mr. Clerk, are there any Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, on Amendment #1."

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Steczo: "Thank you, Mr. Speaker. Amendment #1 provides that a teacher who elects to accept employment within 60 miles of a teacher's residence for the Teacher Shortage Scholarships, or who chooses that option, or cannot find a job if they are currently certified, would have a two year period to wait in order to fulfill the requirements rather than being let off... being let off the hook after one year. And I would move for its adoption."

Speaker Greiman: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 169, and on that, the Gentleman from DuPage, Mr. McCracken."

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

Speaker Greiman: "Indicates he will yield for questions."

McCracken: "If I understand it, as amended, the Bill would give these teachers two years in which to accept a teaching position as a requirement of getting the scholarship, and in addition to being required to take a position within 60 miles, they could also take one which is more 60 miles, in their own discretion. Is that correct?"

Steczo: "Mistaken, Mr. Speaker. The Bill provides that a teacher that is currently holding a certificate who chooses to go back to school under the Teacher Shortage Scholarship provisions, presently would have to accept a position within one year any place in the state. We're saying that a person who has... who currently has a certificate, as opposed to a new teacher, may have some difficulties. So we are providing that they would have, they would not have to travel out beyond 60 miles. We're also lengthening the period to two years instead of one to find a position."

McCracken: "Okay. So they would have to take a position within 60 miles at sometime within two years... "

Steczo: "At sometime within two years."

McCracken: "... if it opened up. And that's only for currently

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certified teachers. For new teachers the current law would remain unchanged."

Steczo: "Current."

McCracken: "Okay. Thank you."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Steczo, asks leave of the House using the Attendance Roll Call to allow this Bill to be heard at this time. The Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 169, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo."

Steczo: "Thank you, Mr. Speaker. The discussion on Amendment 01 detailed exactly what the Bill did. It provides that for those teachers that are currently certificated, if they do go back to school under the Teacher Scholarship, they could elect to stay within a 60 mile radius of their homes and would have to fulfill that within two years. I would move for its passage, Mr. Speaker."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for the passage of Senate Bill 169. Is there any discussion? There being no discussion, the question is 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', none voting 'no', none 'present'. This Bill, having received the Constitutional

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Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 289. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 289, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. Senate Bill 289 is the revisory Bill. It revises, on an annual basis, the credit hour grant and formula distribution for the public community colleges. I'd be happy to answer any questions. I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of Senate Bill 289, and on that, the Gentleman from DuPage, Mr. McCracken."

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

Speaker Greiman: "He indicates he will, for questions."

McCracken: "Does this allow or does it revise contract rates which would be reimbursable to the district if they contract with the Department of Corrections for teaching?"

Keane: "This... could you do that again? I didn't quite hear the whole question."

McCracken: "Does this provide for... "

Speaker Greiman: "Let's give the Gentleman your attention, please."

McCracken: "... higher contract rates for teaching for purposes of reimbursement?"

Keane: "Would it be under the... would these people be teaching under the Community College... Public Community College? Yes."

McCracken: "Okay. What is the fiscal impact, if any? Does this result in more money to the district that is not part of a... or it doesn't come from the state, or is this something that the state would be paying through the Department of Corrections?"

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Keane: "Where there is a bona fide community college program in a penal institution, that would be treated... the state reimbursement would cover it up to its reimbursement. The general funding formula for public... for the public community colleges is one-third state, one-third local real estate tax and one-third tuition, so the one-third... now, you know, this is my understanding, the one-third that the state would give in would be reimbursed to the community college that does provide the instruction in the penal institution."

McCracken: "So there would be some increase of the state's share assuming these contracts are entered into in fiscal '88."

Keane: "No, actually it could be a decrease, because if you look at the Bill, certain... certain of the numbers have come down. If you look at the Bill, what it does is it just gives the per hour reimbursement rate. It's on page 2."

McCracken: "Right."

Keane: "... and those are based... those rates are based on actual experience of community colleges last year."

McCracken: "What is the net effect of this Bill? Is there a fiscal impact on the state?"

Keane: "Well, it's a companion to the 288, which is the appropriation for the Illinois Community College Board."

McCracken: "And that appropriation is introduced, or as requested by that Board is 14 million dollars less than last year? Am I reading that right?"

Keane: "Well, what I have here is that the Appropriation Bill needs to be amended to reflect the Governor's recommended level of funding, which is 202.5 million, or 1.9 million less than the original request, or to that level of funding which corresponds to whatever the final appropriation funding is."

McCracken: "So they can't spend any more than is appropriated?"

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Keane: "Than they get. That's right."

McCracken: "Is there a line item for that in our appropriation or do we appropriate on a lump sum basis?"

Keane: "There is a grant and formula line item to..."

McCracken: "Line item?"

Keane: "Yeah."

McCracken: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'aye', none voting 'no', 2 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 355. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 355, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Saline, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 355 actually provides that a distinction right now currently exists in the Statute between people arrested under a warrant and those without a warrant, and the person that is arrested under a warrant shall be taken to the Judge who issued the warrant, if he is available. What Senate Bill 355 does is allow for it to be taken to the nearest accessible Judge and the genesis of this legislation, which we specify in the Bill by 'as it was amended in the Senate Committee', was that those counties that are participant in a regional jail authority should be having the opportunity to be taken to the nearest and most accessible Judge, which would save a lot of

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expense, especially downstate. I appreciate your support."

Speaker Greiman: "The Gentleman from Saline moves for the passage of House (sic - Senate) Bill 355, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears (sic - Senate) House Bill 377. Mr. Hannig? Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker. I would ask leave at this time to bring this Bill back for purposes of an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Ryder and Richmond."

Speaker Greiman: "The Gentleman from Morgan, Mr. Ryder, on Amendment #1."

Ryder: "Thank you, Mr. Speaker. This Amendment incorporates into this Bill, with the agreement of the Sponsor, the Illinois Rural Diversification Program, a program that was recommended by the Task Force on Rural Illinois, and has been supported by others. I thank my Cosponsor, Representative Richmond, for assisting me in the Sponsorship of this Bill, and I would ask a favorable vote."

Speaker Greiman: "The Gentleman asks... moves for the adoption of Amendment #1 to Senate Bill 377, and on that, the Gentleman

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from Jackson, Mr. Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise to strongly support this Amendment and urge its adoption. It does provide some needed changes in the Bill that for instance... "

Speaker Greiman: "The Gentleman... yes."

Richmond: "I just urge its adoption."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

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

Speaker Greiman: "He indicates he will yield for questions."

Homer: "Representative Ryder, this Bill was identical to Senate Bill 1452, which you presented to Committee."

Ryder: "No, Representative, it is identical, but unfortunately I did not have an opportunity to present that to the Committee. The Committee was very gracious. They stayed much longer waiting for me to have the opportunity to be there, but unfortunately, due to the overlap of Committees and Subcommittees, as is oftentimes the case, the Bill was just not able to be presented at that time, which was my fault, not the fault of the Committee."

Homer: "I see. I think you've got a very good Amendment there, Representative Ryder."

Ryder: "Thank you, Representative."

Homer: "Particularly on this Bill. Thank you and I urge support for it."

Ryder: "You're welcome to join should you see so to do."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Macoupin, Mr. Hannig, asks leave of the House to suspend the rules so

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that this Bill may be heard at this time using the Attendance Roll Call. Is there leave? Leave to use the Attendance Roll Call. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "Senate Bill 377, a Bill for an Act to improve rural economy through the Rural Diversification Program and provide for the financing thereof. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. The underlying Bill merely provided that agricultural loans could be sold in the secondary market, a clarification of the law. Now it's amended to also include the initiatives that Representative Ryder included in Amendment #1 to provide some relief to small towns and ag businesses. It's a good piece of legislation and I would ask for your 'yes' vote."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig, moves for the passage of Senate Bill 377, and on that, there being no discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', none voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 398. Ms. Jones, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk O'Brien: "House (sic - Senate) Bill 398, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Jones."

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Jones: "Thank you, Mr. Speaker. This Bill... actually what this Bill does, it prohibits the school from giving any information regarding a child that has been removed for suspected child abuse. It simply states that direct any information to the Department of Children and Family or to the nearest police station or law enforcement agency."

Speaker Greiman: "The Lady from Cook, Ms. Jones, moves for the passage of Senate Bill 398, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears House (sic - Senate) Bill 405. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 405, a Bill for an Act to amend an Act to revise the law in relation to coroners. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Black, Mr.... The Gentleman from Vermilion, Mr. Black."

Black: "Thank you, Mr. Speaker, I think. Ladies and Gentlemen of the House. Senate Bill 405 simply amends the Coroner/Medical Examiners Act in any death where the circumstances do not require an inquest or the services of a coroner or medical examiner, and the remains are to be cremated, it shall be the duty of a funeral director or person having custody of the dead body to notify the coroner or M.E. that the body is to be cremated. This simply gives the final responsibility for closing the case to the coroner or the medical examiner. I would urge

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favorable passage on Senate Bill 405."

Speaker Greiman: "The Gentleman from Vermilion moves for the passage of Senate Bill 405, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 492. Mr. Clerk."

Clerk O'Brien: "Senate Bill Bill 492... "

Speaker Greiman: "Excuse me, Mr. Clerk. Mr. Hicks? Out of the record. On this Order appears Senate Bill 601. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 601, a Bill for an Act to amend the Carnival and Amusement Rides Safety Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 601 is a Bill developed by the Joint Committee on Administrative Rules, and most of the concerns JCAR had have been resolved, so in its present form the Bill simply provides that fees paid by carnivals may be mailed in to the Agency as opposed to being handed to the inspector."

Speaker Greiman: "The Gentleman from Cook, Mr. Levin, moves for the passage of House (sic - Senate) Bill 601, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108... I'm sorry, Mr. Leverenz, do you wish to explain your vote?"

Leverenz: "Inquiry of the Chair. Is this the Consent Calendar?"

Speaker Greiman: "On this question there are 108 voting... Yes, Mr. Martinez... oh, Mr. Berrios. Berrios, 'aye'. Turner, 'aye'. On this question there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 684. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 684, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich."

Terzich: "Yes, Mr. Speaker. Senate Bill 684 simply allows the Metropolitan Sanitary District to extend the existing Statute which requires the Hearing Officer to be an employee or an officer of the District. The Bill will also let them... other people be on the Board because some respondents have expressed concern that a District employee might not be biased. A similar Bill passed out of the House 112 to 2, and I would appreciate your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves for the passage of Senate Bill 684, and on that the Gentleman from DuPage, Mr. McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Greiman: "He indicates he will yield for questions."

McCracken: "This would allow any person to be a hearing officer, but would not require that the hearing officer not be an employee or officer of the District."

Terzich: "Of the District. That's correct."

McCracken: "Okay. Is it the District's intent to use hearing

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officers other than employees or officers of the District?"

Terzich: "The... I believe the intent of it is that they would like to put a non-employee on the... as a hearing officer."

McCracken: "Okay. Thank you."

Speaker Greiman: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House (sic - Senate) Bill 695. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 695, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 695 requires that school boards include in their in service training for teachers some type of training to afford teachers and other school personnel the ability to recognize the warning signs of likely candidates for teen suicide, so it will sensitize teachers and others in the school environment to be aware of what those signs are, to give these teachers some in service training in that area. I'd be glad to answer any questions and I solicit your 'aye' vote."

Speaker Greiman: "Yes. The Gentleman from Cook, Mr. Preston, moves for the passage of House (sic - Senate) Bill 695, and on that, the Lady from Cook, Ms. Pullen."

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

Speaker Greiman: "He indicates he will."

Pullen: "Are you familiar with the legislation that passed from

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this House a few weeks ago? I think the number is House Bill 394, by Representative O'Connell."

Preston: "I am."

Pullen: "Can you tell me whether this Bill is identical to that, or if it is different, how it is different?"

Preston: "I think Representative O'Connell would be the one to best answer that. I'm familiar... I recall his Bill having come up, as did other Bills, one by Representative Daley, and I believe one by Representative Hasara. But as far as where this Bill differs from those, I could not, without reviewing that Bill right now, answer that. Perhaps Representative O'Connell could."

Pullen: "Is that in order, Mr. Speaker, for Representative O'Connell to answer my question on behalf of Representative Preston? Then I have another one for Representative Preston, if I may."

Speaker Greiman: "Well, with leave of the House, we'll allow Mr. O'Connell to impart us with that knowledge, if he wishes. Mr. O'Connell."

O'Connell: "I'm sorry, Mr. Speaker, could you repeat the question?"

Pullen: "Does this Bill differ from the Bill that you sponsored that passed the House a few weeks ago, and if so, how?"

O'Connell: "Well, as we've talked, Representative, my Bill did not address in-house classrooms. It strictly dealt with teachers' institutes, and I believe that this Bill actually provides for in-classroom discussions, which my Bill did not."

Pullen: "Thank... thank you. Mr. Speaker, may I address a question now to Representative Preston?"

Speaker Greiman: "Proceed, Ms. Pullen."

Pullen: "Thank you. In the digest I do not see a reference to in-class discussion and in your comments I did not hear a

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reference. Could you tell me, please, is there anything in this Bill that authorizes or directs classroom discussion of suicide or is this strictly related to the training of teachers to notice signs of possible emotional difficulty that could lead to suicide and then what the teacher should do about referring those students?"

Preston: "This has nothing to do with in-class instruction. This deals only with in-service teacher and guidance counselor institutes. That's all that this Bill does."

Pullen: "So that this is to train the teachers in observing the possible signs of a child having emotional difficulties that could lead to suicide and in what the teacher should do about referring that child for counseling?"

Preston: "That's correct. Teachers and school guidance counselors and other school personnel."

Pullen: "But it does not deal at all with instruction in the classroom or discussion in the classroom."

Preston: "It does not."

Pullen: "Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 696. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 696, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

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

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House. Senate Bill 696 provides that teachers employed in a special education joint agreement program shall no longer be able to enter upon tenure in each of the participating school districts. Currently if you have a joint agreement with other school districts, those teachers in that joint agreement can bump teachers with less seniorities if there is a problem in the school district itself. This would take away that authority except within the joint agreement itself and I'd be happy to try to answer any questions."

Speaker Greiman: "The Gentleman from Jefferson moves for the passage of House... Senate Bill 696, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 720. Out of the record. On this Order appears Senate Bill 792. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 792, a Bill for an Act to amend the Illinois Chemical Safety Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Berrios."

Berrios: "This Bill... thank you, Mr. Chairman, I mean Mr. Speaker, Members of the Assembly. This Bill would simply require the Illinois Emergency and Services Disaster Agency to notify people 48 hours when there is a release rather than seven days. The reason this Bill is in is basically because of the fact there have been some chemical spills and people have not been notified."

Speaker Greiman: "The Gentleman from Cook, Mr. Berrios, moves for

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the passage of Senate Bill 792, and on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker, will the Sponsor yield?"

Speaker Greiman: "He indicates he will yield for questions."

McCracken: "Representative, there is a reference to a 24 hour local emergency agency. Is that a unit of local government? Is that it? Does ESDA have to make the report to that unit within 24 hours, and to other units within 48 hours, or how does that work?"

Berrios: "Basically, what we're really looking for is so that the residents are notified within 48 hours that there is such a spill and that there is a danger."

McCracken: "What about the 24 hour reference, though? I'm just not clear on what that is."

Berrios: "I believe it requires ESDA to establish a procedure within 24 hours and then notifying the residents within 48 hours."

McCracken: "Okay. Alright. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We will return now to Senate Bill 492. Mr. Clerk, read the Bill. 492."

Clerk Leone: "Senate Bill 492, a Bill for an Act to amend the Radiation Protection Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. This Bill is a Bill that was recommended by the JCAR Committee and passed through

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Committee with no problem whatsoever, through the Environment Committee. It amends the Radiation Protection Act to require the promulgation of rules regarding the addition or dismissal of parties and additional modification of allegations of defense in administrative hearings. It was a recommendation of JCAR and I would ask for its approval."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks, moves for the passage of Senate Bill 492, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. 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 'aye', 1 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 884. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 884, a Bill for an Act to amend the County Cooperative Extension Law. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig."

Hannig: "Thank you, Mr. Speaker, Members of the House. Senate Bill 884 does three things. First of all, it changes the name of the Farmer in Transition Program to the Rural Transition Program. Secondly, it provides that farmers who are forced out of the business and under existing law, perhaps, would not be entitled to help under DCCA, would now clearly be entitled. And thirdly, the Bill provides and expands the services as to who can seek help under this Rural Transition Program. It was requested by the County Cooperative Extension Law and it is supported by every farm

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group that I am aware of and I'd ask for your 'yes' vote."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig, moves for the passage of Senate Bill 884, and on that, the Gentleman from Livingston, Mr. Ewing."

Ewing: "Yes. Would the Sponsor yield?"

Speaker Greiman: "He indicates he will yield for questions."

Ewing: "Representative Hannig, will the functions and services that you envision under this legislation, are they just to farm families or to rural families... all rural families?"

Hannig: "Basically, as I read the Bill, the thrust of the underlying Bill would be to try to provide help to agricultural families in agriculturally related businesses, but I don't think that in all cases you could preclude people from rural communities from being helped under some circumstances."

Ewing: "Isn't it true that these services are now offered by other agencies and under some of the legislation that we passed in this General Assembly?"

Hannig: "Representative, the Extension Service has asked us to introduce this Bill, and that's why Senator Demuzio has done so, and that's why I'm offering it here in the House. Apparently we're not aware of these initiatives in other agencies."

Ewing: "So you... you said you merely introduced this at the request of the Extension Service?"

Hannig: "That's what the analysis says and I believe that to be true."

Ewing: "Alright. One other question to you. Do you know what the cost of this is?"

Hannig: "According to our analysis there are no appropriations for this agency. It would have to... or for this program... It would have to be included as part of the DCCA budget and at this point there is no funding, but perhaps

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at some point there will be."

Ewing: "Alright. Mr. Speaker, Ladies and Gentlemen of the House. Could we have some order?"

Speaker Greiman: "Give the Gentleman from Livingston your attention. Mr. Ewing, proceed."

Ewing: "Yes, I surely hope you have better decorum in your court room. This matter, Mr. Speaker, is according to our analysis going to cost up to a million dollars. Now a million dollars doesn't amount to a lot, but when you add them all together, we all know it adds up to real money. I know from my own personal experience that I believe this is duplicative of other services we already offer, and the Sponsor of this Bill says, kind of halfheartedly and lukewarm, well I introduced it because they asked me to. Ladies and Gentlemen, we can't spend money that way this year unless we're going to provide more revenue. You should vote 'no' on this Bill. It should never have been on Short Debate. It costs money. It's an extension of the bureaucracy. And there really isn't any strong support from it even from the Sponsor, at least as I read him, and I would suggest a 'no' vote."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock."

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

Speaker Greiman: "He indicates he will."

Hallock: "What does this do beyond what is currently already provided by Statute and by this agency?"

Hannig: "Well, Representative, if you look at the Bill, basically what it does is it adds career counseling, financial management training, job service skills to the list of things specifically that the cooperative extensions can do, and it also clearly delineates the rural individual families that are eligible for the program and it changes the name. Now, Representative that spoke before said that

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we offered this Bill halfheartedly, and that is not the case. We introduced the Bill because of specific problems that exist in the agricultural community and because we're trying to make a good faith effort to address those problems, and I think that this Bill does take a step forward in trying to help the small towns around our state, and the farmers who are run out of business because of the agricultural problems, at least look for alternatives."

Hallock: "Well, Mr. Speaker, Members of the House, to the Bill. First of all, I think we have a couple of issues here, and the first one, of course, is whether or not this is done right now. I know in many areas of the state, currently, they offer these kind of services. But if you assume that in fact this does offer a new program, then we have to deal with that issue as well. We, here in the General Assembly, for the last few weeks, have been agonizing over what cuts to make in the budget. We've looked at every budget in the State of Illinois and cut them all back to FY87 levels. The thought that we can comprehend at this point in time a brand new program which may or may not do anything, is incomprehensible. Vote 'no'."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken. Further discussion? Mr. McCracken, did you wish to proceed? No. Alright. Further discussion? The Gentleman... there being none... I'm sorry, the Gentleman from Cook, Mr. Cullerton. Mr. Homer at Mr. Cullerton's desk."

Homer: "Thank you, Mr. Speaker. I, frankly, am surprised by the late opposition that is coming forward from the other side of the aisle to this Bill. This Bill was not controversial all the way through the Senate, and all the way through the House Committee. It came out without dissent, got put on Short Debate, and for good reason. The Bill is a very

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simple extension of an already existing program that's promoted by the cooperative extension offices to allow them to provide transition training, not just to the farmers who are being displaced by the ruination of the agricultural economy across the state, but by those other individuals and small businesses that live in rural areas that depend upon the farm economy for a livelihood. Why in the world would we want to single out those individuals and those small businesses for not having these basic services to allow them to have transition into other areas of livelihood? Why do we want to let them hang out there? I can't understand that opposition at all. They are under just as much duress and financial stress as are the farmers upon whom they rely for their livelihood. The Bill, I think, makes a good deal of sense. It's not a costly Bill. The Bill is supported by the Illinois Farm Bureau and the Illinois Farmers Union. DCCA has no opposition to the Bill. There doesn't... there is no appropriation for the Bill in this year's appropriation. It doesn't appear to have a cost assigned to it. Why in the world the opposition is coming forward at this late moment, I have no idea, but I hope that we'll all use good judgment and put our 'aye' votes up for this Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor please yield?"

Speaker Greiman: "He indicates he will."

Ropp: "Representative Hannig, can you tell me exactly what the Farm Resource Center currently does?"

Hannig: "Representative, this Bill is directed at trying to provide help to farmers who are out of the farming business, people who are out of the ag related businesses because of the hard times that currently exist in our farm economy."

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Ropp: "Well, I guess what I'm saying is that the Farm Resource Center, in effect, attempts to deal with those people who are on the verge of losing their farm or have lost their farm and attempt to restore within them some sense of pride in looking for new employment, and I guess the concern is not from this side of the aisle that we're so much opposed to this concept. The fact that with the additional million dollars that it would require, is something that is duplicating programs that are already on line, and I think though the cause is certainly worthy and notable, and I'm sure that there are very few agencies in state government, if they see an extra million dollars coming into their budget, they're certainly not going to say we're opposed to it, because most of them are attempting to expand those operations wherever they can. I think it... it's a worthy cause, one that certainly we have dealt with over the last two or three years in providing help for farmers and it appears that this is more of a duplication of effort rather than a new, innovative program, so I would urge you to certainly reconsider on supporting of this Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig, to close."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. First of all, let me say that this Bill received bi-partisan support in the House Agricultural Committee because it addresses a problem. Now this is not a new initiative. This program's been on the books for some time now, but what we are doing is clarifying what the cooperative extension services can do, and I don't think that what they've been doing in the past is any different from what we're asking them to do here. We're simply clarifying it and making it more inclusive. Now, there's been some issue raised that this is going to cost us a

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million dollars in more money. First of all, let me say that that is not necessarily the case at all, because we will not have any special appropriation for this program. We will simply go through the budget process and whatever amounts of money that this legislature sees fit to appropriate for that program, then this agency will use to try to their very best abilities to carry out the initiatives in the program. So it's not a new initiative and it's not going to cost extra money. It's simply to try to clarify what is a problem in the agricultural areas and try to help people who are forced off the farm, forced out of ag businesses and have nowhere to go in many cases, to give them some alternatives. Now we know we have a problem in the rural areas. We've tried to address it with other pieces of legislation here today, some of which costs more, but what we're trying to do here is a very tightly drawn and small step forward, and I believe that if you look at the proposal you will see that it will not cost the additional dollars and I'd ask for your 'yes' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. The Gentleman from McDonough, Mr. Slater, one minute to explain your vote. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 72 voting 'aye', 39 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 893. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 893, a Bill for an Act to amend the Illinois Credit Union Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold."

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

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House. Senate Bill 893 would do three things. One, it defines 'share' and 'share accounts' throughout the Act, which would make it consistent. Number two, it would define 'societies, associations, clubs and partnerships' and give them full membership rights and number three, it will add fully... full share secured loans to a list of non-risk assets for the Illinois Credit Union Reserve purposes. And that's what it does. I know of no opposition to the Bill and would ask for its passage."

Speaker Greiman: "The Gentleman from Rock Island moves for the passage of Senate Bill 893, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now 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 'aye', 1 voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears Senate Bill 915, Mr. Piel. Mr. Piel, do you wish to proceed? Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 915, a Bill for an Act to amend the Sales Finance Agency Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 915 basically amends the Sales Finance Agency Act, the Credit Union Act and it creates a credit union fund. This was introduced at the request of the Department of Financial Institutions and I would also mention that it is... as a proponent is the Illinois Credit Union League. It basically increases the fees that credit unions pay to the Department of Financial Institution, and these fees are what an... administer all the Acts dealing with the

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Department of... dealing with the credit unions in the State of Illinois. They are all in favor of this and I would be more than happy to answer any questions that you might have."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 915. Note Representative Breslin in the Chair, Mr. Clerk. On the question, the Gentleman from Cook, Representative Martinez."

Martinez: "I'd just like to change my vote on Senate Bill 893 from 'no' to 'aye'."

Speaker Breslin: "The record will reflect that. Is there any discussion on this Bill, Senate Bill 915. There being no further discussion, the question is, 'Shall Senate Bill 915 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 933, Representative Regan. Clerk, read the Bill."

Clerk Leone: "Senate Bill 933, a Bill for an Act to amend the Intergovernmental Missing Child Recovery Act. Third Reading of the Bill."

Speaker Breslin: "Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. Senate Bill 933 is just some technical changes in regards to Intergovernmental Missing Children Recovery Act of 1984. The primary change in regards to the 50% local government funding, that was only allowed 50% in the past, and many times they could received more than 50% from their local government funding and this will allow them to do that. I urge for its passage."

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

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Senate Bill 933, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 933 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 935, Representative Mays. Out of the record. Senate Bill 955, Representative Preston. Clerk, read the Bill."

Clerk Leone: "Senate Bill 955, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of the Bill."

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 955 amends the Mental Health and Developmental Disabilities Code and permits the Department of Mental Health and Developmental Disabilities to award grants to programs that evaluate the effectiveness of Adolescent and Teen Suicide Prevention Programs. We have a number of those programs, pilot projects that have been developed throughout the state, but we have not yet had a great deal of evaluation of the effectiveness of those programs. This adds to the grants that the Department gives out, their ability to give a grant to somebody that wants to study the effectiveness of the Teen Suicide Prevention Programs. I'll be glad to answer any of your questions and I solicit your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 955, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 955 pass?' All those in favor vote 'aye', all those

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opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 958, Representative Hoffman. Out of the record. Representative Rice, for what reason do you seek recognition? Representative Rice indicates that on Senate Bill 955 he wished to be recorded as voting 'aye'. The transcript will show that. On Senate Bill 961, Representative Hoffman. Out of the record. Senate Bill 998, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "Senate Bill 998, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. I would like to take Senate Bill 998 from the position of Third Reading, take it back to Second for purposes of an Amendment which has been filed."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Representative McCracken."

McCracken: "I don't have the Amendment. Would be happy to accommodate you if I can get a copy of the Amendment."

Speaker Breslin: "Has it been printed and distributed, Mr. Clerk? Representative McCracken?"

McCracken: "I'd like to accommodate the Sponsor. I've been given a copy of the Amendment. If he would explain it, I would be willing to proceed now."

Mautino: "Yes, Mr. McCracken. It's a penalty clause for any entity, a distributor, a brewer or a supplier that goes above the amounts that are specified in the Bill. That's all it does. It sets penalties for non-compliance with the

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law."

McCracken: "Will you yield for a question?"

Mautino: "Certainly."

McCracken: "What restrictions are you talking about? Restrictions on advertising that accompanies the product or that's given in... as part of the cost of the product? Is that it?"

Mautino: "Basically, the Bill says... the existing law says you can provide to a retailer signs that will not exceed 'X' amount of dollars. That has been raised in the original Bill, and this provides a penalty if, in fact, they are not adhered to by the supplier."

McCracken: "Okay. First offense, a hundred dollar fine?"

Mautino: "Yes."

McCracken: "Then a five hundred, if a second offense within two years and a third within two years for a thousand dollars?"

Mautino: "Yes, Sir."

McCracken: "Who is the proponent of the Amendment, other than yourself?"

Mautino: "This was brought up in the Committee to make, basically, people in the business, such as myself, make sure... to put some teeth in the fines to make them comply with the law."

McCracken: "And this is an increase over current law, this fine schedule?"

Mautino: "Yes."

McCracken: "Okay. Thank you."

Speaker Breslin: "Is there any further discussion? The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Mr. Clerk, this Bill was on the Order of Second Reading when we adopted that Amendment, so the Bill has been

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amended. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Mautino now asks leave for immediate consideration of Senate Bill 998, as amended. Does he have leave? Hearing no objection, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 998, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Senate Bill 998, as amended, the Amendment just provided the penalties if, in fact, it is not adhered to by those individuals in the industry. This Bill increases the limit that is allowed on outside signs from \$500.00 to \$600.00. It combines the \$200.00 limit on inside signs to the \$200.00 limit on window decals, etc. It increases the limit in accordance with inflation on the product, and I move for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 998, and the question is, 'Shall Senate Bill 998 pass?' 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 this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1046, Representative Preston. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1046, a Bill for an Act relating to rental-purchase agreements. Third Reading of the Bill."

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1046 creates a new Act that regulates the rental-purchase agreements of personal property and it requires disclosures within those agreements so that

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consumers know what it is they are purchasing or what it is they are renting, what the terms of the contract are, what the price of the contract... of the... what the purchase price of the personal property is, what the terms of the payment will be. The requirement is that the agreement has to state whether the merchandise is new or used equipment, what the amount and the period of each payment shall be, the cash price of the merchandise, and it prohibits confession of judgment clauses, as we have prohibited confession of judgment clauses in other contracts in Illinois, and it requires the consumer to... it prohibits any requirement that the consumer purchase any insurance on the property. I'd be glad to answer any of your questions and I solicit your 'aye' vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1046, and on that question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "He indicates he will."

McCracken: "What would actual damages be here? Is this limited to the type of agreements where, as a rental applied to an option to purchase, or does it apply regardless of whether the rent goes toward the option to purchase?"

Preston: "I'm not sure I understand your question. It does apply to 'option to purchase' contracts as well as to outright rental agreements."

McCracken: "Oh, it doesn't just relate to rental-purchase agreements? You mean... "

Preston: "I... I believe it relates also to options to purchase agreements as well."

McCracken: "Okay. There are civil remedies here. Does the defrauded consumer have to show actual damages in order to recover?"

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Preston: "Yes. Yes, he does."

McCracken: "And what... what would those damages be?"

Preston: "The purpose, Representative, is not to create the... the civil... new civil tort for the consumer who purchases this product where there is a violation. The purpose is to require the lessor to have certain restraints on what he can require in the rental/purchase agreement."

McCracken: "Well, plus... plus disclosure. There is disclosure plus substantive requirements of the Act, and a violation of either of those, except for some inadvertent errors, which you specify, gives rise to a civil liability."

Preston: "A business offense. A business offense."

McCracken: "Plus civil liability."

Preston: "Right."

McCracken: "Okay. And are actual damages necessary to be shown to sustain an action under the civil portion of the Act?"

Preston: "Yes. Actual damages are required, that's in... "

McCracken: "In addition to that there are exemplary or punitive damages available. Is that right?"

Preston: "I'm trying to recall whether or not there are exemplary damages available. Courts in Illinois are extremely reluctant to award exemplary damages and do so only in very rare and extreme circumstances."

McCracken: "Okay. And attorney's fees and court costs are awarded to a prevailing plaintiff or consumer. Are they available to a prevailing lessor or defendant?"

Preston: "I... the Act does not provide that the prevailing defendant can get reasonable attorney's fees and court costs. It should also be understood that the courts, again, are... have been, in Illinois, extremely reluctant to award attorney's fees and costs, outside of Federal court, where they readily do award such matters, but in the State courts, the courts have been very reluctant to award

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attorney's fees and court costs."

McCracken: "Okay. Thank you."

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

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

Speaker Breslin: "He will."

Countryman: "Representative, did this Bill go before the Consumer Protection Committee?"

Preston: "Yes, it has."

Countryman: "We had a Bill in the Judiciary Committee, I think it didn't make it out of Committee, which shifted the, well, in essence said that the lessor would receive the benefit of all interest on a security deposit. I assume that this Bill doesn't deal with a security deposit in any way."

Preston: "No. It does not."

Countryman: "Does this... when you answered Representative McCracken and indicated that this would apply to an option for purchase, is that a rental with an option to purchase?"

Preston: "Yes."

Countryman: "What if I wanted to buy or take an option on a \$50,000.00 tractor and I wanted an option on that for six months, but I didn't want to rent it. Would that... would this Act apply?"

Preston: "No. It... you mean you're talking about where it is not a rental agreement, where it's strictly you're purchasing an option?"

Countryman: "Right."

Preston: "This Bill applies to rental/purchase agreements as defined in Paragraph 6 of Section 1 of the Bill, so it would not apply to where you strictly have an... where you are purchasing an option only, only to rental/purchase agreements."

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Countryman: "Well, is it your intent that this apply to the type of thing where they advertise on television, come on in and rent this refrigerator with the option to buy it after some period of time?"

Preston: "Yes, it is."

Countryman: "So, in essence, you're taking the installment purchase agreement and reversing it, making it a rental agreement, and at the end of the time, you've either paid enough or you pay a little bit more, and you own it."

Preston: "That's correct."

Countryman: "Is that right? It's really not designed to regulate the sale or option of personal property otherwise?"

Preston: "Certainly not."

Countryman: "Okay. No further questions. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 1046 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Cook, Representative Krska. The Gentleman's light is on. Can you turn it off, please? Thank you. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1101, Representative Martinez, or Martinez. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1101, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill."

Speaker Breslin: "Representative Martinez."

Martinez: "Thank you, Madam Chairman, Members of the House. Senate Bill 1101 amends the Act relating to the Board of Higher Education. It requires the Board to report annually to the General Assembly and the Governor relative to its

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findings concerning under representation of minorities in education programs and activities of public institutions of higher education. This Bill requires the Board of Higher Education to report to the General Assembly and the Governor annually with a description of the plan submitted by each public institution of higher education for the implementation of plans designed to increase the participation of minorities, women and handicapped individuals who are traditionally under represented in education programs and activities. It provides that such a report shall also include the effectiveness of such plans and the effectiveness of the methods and strategies developed by the Board of Higher Education, the degree of compliance by each institution and the findings made by the Board of Higher Education in conducting its studies and monitoring student access. I ask your favorable vote on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1101, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1101 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 3 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1156, Representative Black. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1156, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Black."

Black: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1156 amends the Unified Code of

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Corrections to permit the Prisoner Review Board to schedule a parole review after denying parole to a person who is sentenced or became eligible for parole between January 1, '73, and September 30th, '77, or no later than three years from the date of that denial. However, the Prisoner Review Board must find that it is not reasonable to expect that parole would be granted at a hearing prior to the scheduled rehearing. This is essentially the same Bill that you passed out of here on Consent, as House Bill 1507. It's designed to correct an anomaly in the law and I would ask your favorable action on Senate Bill 1156."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1156, and on that question, the Gentleman from Cook, Representative Leverenz."

Leverenz: "If we passed it out on Consent, why do we need this Bill?"

Black: "You probably don't, Representative..."

Leverenz: "Thank you."

Black: "... but I think the Senate Sponsor would like the Bill called, so that's why I'm doing it."

Speaker Breslin: "The question is, 'Shall Senate Bill 1156 pass?' 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 this question there are 112 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1225, Representative Peterson. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1225, a Bill for an Act to amend an Act in relationship to species of flora and fauna. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker. Senate Bill 1225 amends the

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Wildlife Code and the American Ginseng Act to make changes to clarify and update the Statutes. This is proposed by the Department of Conservation and I would appreciate your affirmative vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1225, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1225 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1270, Representative Deuchler. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1270, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Madam Speaker, Ladies and Gentlemen of the House, Senate Bill 1270 amends the School Code. Downstate school boards shall permit school officials to withhold information from any person suspected of child abuse on the whereabouts of the child who is removed from school premises because it was a suspected victim of child abuse. The child has been taken into protective custody as a suspected victim. School officials shall be authorized to withhold information from any person suspected of child abuse seeking the whereabouts of the child. Currently there is no language in the Statutes which expressly authorizes school personnel to withhold the whereabouts of a child suspected of being the victim of child abuse."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 1270, and on that question, the Gentleman from Cook, Representative McNamara."

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

Speaker Breslin: "She will."

Deuchler: "Yes."

McNamara: "Thank you. Why would the school want to withhold the information from any parent on the whereabouts of their child?"

Deuchler: "Well, these would be instances where the child has been a victim of child abuse and the suspected perpetrators would be the parents or other possible abusers, so they are in protective custody."

McNamara: "But there are... there is no proof that child abuse has been caused. The child is in protective custody and yet at the same time we then want to allow the school district to withhold that information when, if they said to the parent, 'Your child is being held in protective custody.', at least the parents would know where their child was."

Deuchler: "Well, Representative McNamara, I believe that that's going to be the case. The legislation does say that the child is, at this time, the instance that we are trying to cover, in protective custody as the suspected victim of child abuse. However, up till this time there has been no language in the Statute that would expressively allow school officials to withhold the information from any person who is suspected of child abuse. This could be the parents or this could be some other perpetrator, as to the whereabouts of the child."

McNamara: "I can understand... I can understand that, except that you are saying that anybody that is suspected of child abuse, there is no proof at all in this. We'll say that I have a child that goes to school with a broken arm, and all of a sudden somebody there happens to say, 'Wait a minute, I suspect the parents of breaking the arm.', therefore,

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when I go to ask that school where my child is, they're going to tell me that I have no right to that information, and there is protection for the child already, I believe, because that child is under protective custody."

Deuchler: "Well, that's correct, and there would be all sorts of legal procedures and legal ramifications here, that would be for the protection of the child."

McNamara: "I would like to request that this, perhaps, be taken off Short Debate, because of the fact that it is... it is much more serious than what we see right now."

Speaker Breslin: "Representative McNamara has moved that this Bill be taken off of the Order of Short Debate. Let's see how many friends Representative McNamara has. Plenty. Plenty. This Bill is off of Short Debate. Do you wish to speak to the Bill, Representative McNamara? Other people are seeking recognition as well."

McNamara: "Yes. I think it's a very... probably, well meaning legislation, but, first of all, why the school? The question comes up as to why would the school withhold the information from a parent about their child? The child is already in protective custody and is being protected, and no proof is required for anybody in the school district. All they have to do is suspect that that child is a person... that child abuse was done upon that person and the school district will merely assume the person is guilty. I think it's probably well meaning legislation, but it doesn't do the right thing. It's extremely poorly written and it's a very dangerous thing to withhold information from a parent about their children."

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

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

Speaker Breslin: "She will."

Parcels: "If this Bill applies to only downstate schools, I'm

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wondering why?"

Deuchler: "Well, Senate Bill 398 is an identical Bill, Sponsored by Senator Smith, and it does apply to Chicago, as well as downstate schools."

Parcells: "But I would think that it would be necessary, then, to change this Bill, because there's as much... if child abuses are objective here, there's certainly as much in Cook County as the rest of the state, and therefore, I think this is a very bad Bill. Furthermore, to the Bill, Madam Speaker, I think that it would be a horrendous thing if, perhaps, the child's uncle had been scuffling with him and hurt him, and the child went to school with some scars on him, and when Mother comes to school at 3:30 to pick her child up, the child is gone, and Mother never touched the child, but the teacher says 'I'm not going to tell you where your child is.' I think it's a very bad policy and I don't think we should pass this Bill until it's cleaned up a little."

Deuchler: "Well, Representative Parcells, this Bill does not..."

Speaker Breslin: "Representative... excuse me, Representative Deuchler, that was not a question. Ladies and Gentlemen, Members have complained that they are not able to hear the debate. We have other people seeking recognition. The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Breslin: "She will."

Leverenz: "Under what conditions would a parent not be told where their child is?"

Deuchler: "When they are in protective custody, and the parent would be able to go to DCFS and ask these questions and other law enforcement officials. They would make the decision."

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Leverenz: "Have you ever... a parent would be not told where their child is when they are in protective custody. Is there actually a fear of what the parent would do to the child that would be in protective custody?"

Deuchler: "Well, they are in protective custody because the concern is that the parent is suspected of abusing them."

Leverenz: "I'm sure they would do that in front of a police officer, but how... do they have to go to DCFS or the police to find out where their child is?"

Deuchler: "Well, because they would have jurisdiction."

Leverenz: "Would they have an 800 number to call if they don't have a car or car fare to get there?"

Deuchler: "I don't know."

Leverenz: "Have you ever called DCFS and asked a question about a missing child?"

Deuchler: "This is not a missing child. This is a child... "

Leverenz: "An abused child?"

Deuchler: "An abused child, who is in protective custody for their own protection."

Leverenz: "And is it different for upstate and so called 'downstate'? Does this apply only to so called 'downstate'?"

Deuchler: "At this time, yes."

Leverenz: "Ladies and Gentlemen of the House. The Lady has a Bill and I admire her guts to offer it, yet under no conditions should the whereabouts of a child ever be held from the parent, especially if they are in protective custody, as she has said. I would ask you to vote against the Bill."

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

Regan: "Will the Sponsor yield, please?"

Speaker Breslin: "She will."

Regan: "Representative, what hearing process goes on before a

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child is put into protective custody?"

Deuchler: "Well, Representative Regan, I think that I'm going to take this Bill out of the record until we can prepare an Amendment to include Chicago."

Speaker Breslin: "The Bill is out of the record. Ladies and Gentlemen, going to page 4 on your Calendars, Senate Bills Third Reading, Short Debate Calendar, appears Senate Bill 1275, Representative Kulas. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1275, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Kulas. Representative Curran, would you move out of the way so that Representative Kulas can speak?"

Kulas: "Thank you, Madam Speaker. Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1275 amends the Criminal Code and it changes the offense of Criminal Housing Management. It provides that that Criminal Housing Management is committed when an owner or a managing agent recklessly allows residential real estate to become or remain in any condition which endangers the public health or safety. This Bill changes the mental state requirement to commit the offense from knowingly to recklessly, and I would ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1275, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1275 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 5 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1302, Representative McCracken.

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Clerk, read the Bill."

Clerk Leone: "Senate Bill 1302, a Bill for an Act to amend an Act in relationship to coroner's inquests. Third Reading of the Bill."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker, this would amend the Coroner's Act and the Jury Commissioners' Act to require the coroner's jurors be selected on the same basis as petit or grand jurors in those counties and that they be paid the same rate. This rate would be less than is currently paid to coroner's jurors, but in a nominal amount, and should make the process for conducting these inquests more efficient and reasonable, and I move the passage of Senate Bill 1302."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1302, and on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1302 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111... 110 voting 'aye', none voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1353, Representative Preston. Clerk, read the Bill. Out of the record. Senate Bill 1403, Representative Novak. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1403, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Novak."

Novak: "Thank you. Thank you, Madam... Lady Speaker, Members of the General Assembly. This Bill amends the Unified Code of Corrections to provide that where a person charged with a felony commits a separate felony while on pre-trial

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release, the sentences imposed upon conviction of these felonies shall be served consecutively, regardless of the order in which the judgments of conviction are entered. It's a good Bill. It's supported by the many state's attorneys' associations and I urge its adoption. Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1403, and on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Is this... is this going to have any impact on the necessity of building new prisons and spending more money to hire prison personnel, and so forth, or is there... is there an impact? I think... I thought we had a Bill to provide for a prison impact note. If so, has it been filed?"

Novak: "No, it has not been."

Johnson: "And if not, what's your projection? Does this mean more people in the penitentiaries for longer periods?"

Novak: "Well, I don't know what the statistics would provide, but I'm sure that's something you could presume, but there was no evidence in any Committee hearings, neither in the Senate or in the House to indicate anything like that."

Johnson: "Well, I think we ought to all support this. I think we ought to support all these Bills throughout this Session to eventually arrive at the place where everybody in the State of Illinois is incarcerated and we just make exceptions for certain people, like the Legislators, while we're in Session, and other people. So I think this is a great idea and I would vote for it."

Speaker Breslin: "The question is, 'Shall Senate Bill 1403 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this

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question there are 106 voting 'aye', 5 voting 'no', and 1 voting present. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1453, Representative Petka. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1453, a Bill for an Act to amend an in relationship to prisoners in jails. Third Reading of the Bill."

Speaker Breslin: "Representative Petka."

Petka: "Thank you, Madam Chairman and Members of the House. Senate Bill 1453 is a, first of all, the Amendment #1 became the Bill, and this revises the jail standards in the State of Illinois. And basically what it does is it forbids the Department of Corrections from mandating local jail standards. Also, it introduces a new classification system for prisoners. Currently, under Illinois Law, felons cannot be locked up with misdemeanants and misdemeanants cannot be locked up with felons. However, the realities of the situation are that certain individuals who are sometimes locked up as misdemeanants may, in fact, pose a greater danger and threat to fellow inmates than if they was a fellow person who was locked up for a felony. For example, a person who is picked up for the offense of battery may be a very, very dangerous person who has inflicted great bodily harm on other individuals in the past. What this classification system would basically do would be to permit the warden of the jail, or the superintendent of the jail to place individuals who are classified as being dangerous to the health of other individuals, perhaps, classifying a misdemeanant to be placed with other felons simply because that misdemeanant is an individual who is likely to possibly cause bodily harm to other misdemeanants. I would ask for a favorable Roll Call on this."

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Speaker Breslin: "The Gentleman has moved... The Gentleman has moved for the passage of Senate Bill 1453. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Do I understand the Bill then, to allow for the incarceration of people charged with misdemeanors as well as felonies to be confined in the same location and the same... within the same cell?"

Petka: "Reduced to its lowest common denominator, that would be the case, Representative, but as I pointed out..."

Cullerton: "What is the law right now with regard to misdemeanor..."

Petka: "There is an absolute prohibition from mixing felons with misdemeanants, Representative, but sometimes those classifications are simply not in tune with the realities of the aggressive jail population. If I may give you an example, a person may have just been released from the Department of Corrections for a very serious offense involving an offense against another individual, such as, criminal sexual assault or heinous battery or one of the serious forceful felonies. He may be picked up for a misdemeanor violation, such as, driving under revoked license. However, he may pose a significant threat to people who are picked up for disorderly conduct, who are picked up, for example, for DUI. So rather than having an absolute prohibition, what this seeks to do is to permit the warden of the jail to classify him as a person who poses a danger to misdemeanants."

Cullerton: "Well... but, getting back to my point, though, does it change the law with regard to people who are convicted? Are convicted misdemeanants eligible to be housed with

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convicted felons?"

Petka: "I don't believe that that's the intent. We're talking about detention in a county jail, Sir."

Cullerton: "Okay. So, it doesn't... it would allow for the possibility of a person charged with vagrancy to be housed with a person charged with multiple murders in the same cell. Possible."

Petka: "If you're dealing with the mathematical possibility, yes, that that would be, but the practicalities of the situation are, Sir, that the chances are the person who was accused of a mass murder would not be charged with a vagrance. No, Sir."

Cullerton: "Now, with regard to the issue of double celling or minimum floor space, what does it say about the Department of Correction's jail standards? Does it say that they shall not mandate minimum floor spaces for inmates housed in cells and detention rooms of county jails?"

Petka: "In county jails. Currently, the Department of Corrections will be making up certain types... has the power to mandate standards. And what this Bill will do is permit on a county by county basis for the superintendent of the jail or the superintendent... or the sheriff to make decisions, but, in no event, can more than two individuals be housed in any one jail cell."

Cullerton: "We... right now, the current state law is that there is... there are detention standards imposed by the Department of Corrections. Isn't that correct?"

Petka: "That is correct."

Cullerton: "And these change those standards?"

Petka: "They certainly do, yes, Sir."

Cullerton: "Now, do you know how this Bill relates to the current status of the Lake County Jail that's under construction?"

Petka: "I can't tell you about the status of the Lake County

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Jail, Representative Cullerton, I do know that State's Attorney, Fred 'Foreman', testified on behalf of this Bill as a proponent in the Judiciary Committee, but I do not know the stage of the construction of that particular jail. No, Sir."

Cullerton: "No further questions. Thank you."

Speaker Breslin: "Is there any further discussion? Hearing no further discussion, Representative Petka, to close."

Petka: "I would simply ask for a favorable Roll Call, and I think this is a good Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 1453 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 97 voting 'aye', 11 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McCracken, for what reason do you rise?"

McCracken: "Thank you, Madam Speaker. A Member from our side of the aisle has filed a Motion to reconsider the vote by which House (sic - Senate) Bill 398 passed, and it certainly is timely to consider it at this moment. As a matter of fact, I believe the rules require it to be considered when it's filed. And I would ask the Chair to entertain that Motion which is in writing and on file today."

Speaker Breslin: "Representative Parcells, you are recognized on your written Motion pertaining to Senate Bill 398. This Motion... Ladies and Gentlemen, this Bill appears on page 2 on your Calendar, Senate Bill 398. Representative Parcells is going to make a Motion. Proceed."

Parcells: "Thank you, Madam Speaker. I move to reconsider the vote. I voted on the prevailing side of Senate Bill 398."

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My reason for doing so is that this Bill moved out very quickly without much debate, and then, when we came to Senate Bill 1270, which is the identical Bill, except that it does not apply to Cook County, we discovered that there was much more objection to the Bill than just the fact that Cook County was not included, and I thought because we were moving rapidly when 398 went by all of the concerns that were shown on both sides of the aisle should be addressed by reconsidering Senate Bill 398. And I so move."

Speaker Breslin: "The Lady has moved, having voted on the prevailing side, Representative Parcels moves to reconsider the vote by which Senate Bill 398 passed. And on that Motion, the Chair recognizes the Lady from Cook, Representative Jones."

Jones: "Thank you, Mr. Speaker (sic - Madam Speaker), I move to lay that Motion on the table."

Speaker Breslin: "Representative Jones has moved to lay Representative Parcels' Motion on the table. All those in favor of laying the Motion on the table, tabling the Motion, shall vote 'aye', all those opposed should vote 'no'. Representative McCracken, for what reason do you seek recognition?"

McCracken: "I'd ask the Lady to withdraw the Motion to table. All that's going to happen is we're going to have a negative Roll Call and then a positive Roll Call. If the Motion to reconsider fails, she can make her Motion to table by a voice vote and we can get it done with. It's going to require the possibility of two Roll Calls instead of one. The fact of the matter is that the Bill is identical to one which engendered a lot of controversy when it was called by a Member from this side of the aisle. Why don't we just get to the merits of it and reconsider the the vote and then vote on the Bill."

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Speaker Breslin: "Ladies and Gentlemen, this Motion is not debatable. Representative Jones persists in her Motion to table Representative Parcells' Motion. All those in favor of Representative Jones' Motion should vote 'aye', all those opposed should vote 'no'. Voting is open. Ladies and Gentlemen, this is a Motion to table. It only requires a majority of those voting on the question for the Motion to carry. Have all voted who wish? The Clerk will take the record. On this question there are 59 voting 'aye', 52 voting 'no', and none voting 'present'. Representative McCracken, for what reason do you seek recognition? Representative McCracken, for what reason do you seek recognition?"

McCracken: "I'm waiting for the light to go on. I'd ask the Chair to rule that this requires 60 votes. The tabling Motion in Committee, at least, requires an extraordinary Majority. A Motion to table a Committee Bill may be adopted only by a vote of 60 Members. I believe this vote requires 60... this Motion requires 60 votes, not a simple Majority."

Speaker Breslin: "Representative McCracken, the Chair would note that the only time that there is any mention of a required number of votes on a Motion to table is in Rule 75(b) and that only pertains to tabling a Committee Bill. Since that is the only place where a record number is required, it is the Chair's ruling that a Majority should prevail. Is there any further discussion? On this question, there are 59 voting 'aye', 52 voting 'no', and none voting 'present'. And Representative Jones' Motion to table carries. Ladies and Gentlemen, we are now going to go to the next Order of Business, it is on page five on your Calendar, Senate Bills Second Reading Short Debate Calendar, the first Bill is Senate Bill 39. Representative Panayotovitch. Clerk, read

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the Bill."

Clerk Leone: "Senate Bill #39, a Bill for an Act to amend the Law Enforcement Officers, Civil Defense Workers, Civil Air Patrol Members, Paramedics and Firemen Compensation Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

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

Speaker Breslin: "Third Reading. Senate Bill 68, Representative LeFlore. Clerk, read the Bill."

Clerk Leone: "Senate Bill 68, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 172, Representative Matijevich. Out of the record. Senate Bill 213, Representative Piel. Representative Piel. Clerk, read the Bill."

Clerk Leone: "Senate Bill 213, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 226, Representative Keane. Representative Keane. Is the Gentleman in the chamber? Out of the record. Senate Bill 232, Representative Steczo. Representative Steczo. Clerk, read the Bill."

Clerk Leone: "Senate Bill 230..."

Speaker Breslin: "No. Out of the record. Senate Bill 241, Representative Sutker. Out of the record. Senate Bill

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264, Representative Capparelli. Representative Capparelli. Out of the record. Going to page six on your Calendar appears Senate Bill 295. Representative Black. Clerk, read the Bill."

Clerk Leone: "Senate Bill 295, a Bill for an Act to amend the Land Trust Recordation and Transfer Tax Act. Second Reading of the Bill. There are no Committee Amendments."

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

Clerk Leone: "Floor Amendment 21 is being offered by Representative Black."

Speaker Breslin: "Representative Black."

Black: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment 21 was suggested by some Members on the other side of the aisle. I concur with it. It simply exempts Cook County from this particular Bill."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 21 to Senate Bill 295. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment 21 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 356, Representative Rea. Clerk, read the Bill."

Clerk Leone: "Senate Bill 356, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the court. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. With leave of the Body, I'd like to go back to Senate Bill 264, since Representative Capparelli is on the floor now. Mr. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 264, a Bill for an Act to amend an Act in relationship to state monies. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Going back now to page six on your Calendar, the next Bill is Senate Bill 387, Representative McGann. Clerk, read the Bill."

Clerk Leone: "Senate Bill 387, a Bill for an Act to amend the Uniform Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 389, Representative Keane. Out of the record. Senate Bill 440, Representative Satterthwaite. Representative Satterthwaite. Out of the record. Senate Bill 445, Representative Wolf. Clerk, read the Bill."

Clerk Leone: "Senate Bill 445, a Bill for an Act to amend the Uniform Commercial Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 458, Representative Piel. Clerk, read the Bill."

Clerk Leone: "Senate Bill 458, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 472, Representative Cowlshaw. Clerk, read the Bill."

Clerk Leone: "Senate Bill 472, a Bill for an Act to amend the

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Public Community College Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 495. Out of the
record. Senate Bill 505, Representative Kirkland. Clerk,
read the Bill."

Clerk Leone: "Senate Bill 505, a Bill for an Act in relationship
to the conveyance of certain state lands. Second Reading
of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 542, Representative
Keane. Out of the record. Senate Bill 549, Representative
Olson. Representative Olson, there is a request that the
Bill be taken out of the record because the Democratic
staff has not prepared the Amendment that was contemplated,
is that okay? Out of the record. Senate Bill 591,
Representative Steczo. Out of the record. Senate Bill
650, Representative Davis. Clerk, read the Bill."

Clerk Leone: "Senate Bill 650, a Bill for an Act to amend the
Illinois Job Training Coordinating Council Act. Second
Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker Breslin: "Any Floor... Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Senate Bill 655, Representative
DeLeo. Clerk, read the Bill."

Clerk Leone: "Senate Bill 655, a Bill for an Act in relationship
to construction contracts of public agencies. Second
Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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Clerk Leone: "There are none. Correction. Floor Amendment #1 has been filed, offered by Representative McCracken and Parcels."

Speaker Breslin: "Representative McCracken, on Amendment #1."

McCracken: "I would give leave to the Sponsor to get back to this. The Amendment isn't in my file."

Speaker Breslin: "Representative DeLeo, the Gentleman does not have the Amendment in his file. He requests that you take the Bill out of the record until he can be prepared. What is your pleasure, Sir?"

McCracken: "Oh, no, it isn't... it isn't preparation I lack. It's the Amendment."

Speaker Breslin: "I see. Representative DeLeo."

DeLeo: "Speaker, the Amendment has not been printed and distributed?"

Speaker Breslin: "Mr. Clerk. It has not been printed and distributed. I understand it was just filed moments ago."

DeLeo: "Well, out of total respect to the Amendment's Sponsor, I will ask this be taken out of the record at this time."

Speaker Breslin: "The Gentleman agrees to take the Bill out of the record at this time. Senate Bill 662, Representative Capparelli. Representative Capparelli. Out of the record. With leave of the Body, I'd like to go back now to Representative Olson's Amendment... or rather Bill. That's Senate Bill 542. Mr. Clerk, read the Bill. Excuse me, 549. 549."

Clerk Leone: "Senate Bill 549, a Bill for an Act in relationship to transfer of various property rights by the state. Second Reading of the Bill. Amendment #1 was adopted."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Amendment #1 and 2 were adopted in Committee. There is a Motion to table Amendment #2, offered by Representative McPike."

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Speaker Breslin: "Representative McPike. Representative McPike, on a Motion to table Amendment #2."

McPike: "Withdraw the Motion."

Speaker Breslin: "Withdraw the Motion. Are there any further Motions or Amendments?"

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

Speaker Breslin: "Representative McPike, on Amendment #3. Representative McPike."

McPike: "Madam Speaker, I apologize. Amendment #2 is technically incorrect, and so, I would like to renew my Motion to table Amendment #2 and we have a further Amendment to correct it."

Speaker Breslin: "Representative McPike moves to table Amendment #2. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is tabled. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative McPike, on Amendment #3."

McPike: "Alright, the 3 is technically correct. It does the same thing as #2 does. There is a name change correction, and that's all."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to Senate Bill 549. And on that question, the Gentleman from Logan, Representative Olson."

Olson: "Madam Speaker, I understand that there is an Amendment #4 and Amendment #5. Have those Amendments been distributed?"

Speaker Breslin: "It... does that pertain to Amendment #3, Sir?"

Olson: "Excuse me?"

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Speaker Breslin: "You're suppose to confine your remarks to Amendment #3. Do you have any objections to Amendment #3?"

Olson: "No."

Speaker Breslin: "No objections. The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And Amendment #3 is adopted. Are there any further Amendments, Mr. Clerk, and if so, are they printed and distributed?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Mulcahey."

Speaker Breslin: "It is not printed and distributed, Representative Olson. For... What is your pleasure? Representative Olson."

Olson: "Proceed with 4."

Speaker Breslin: "Even though the Amendment has not been printed and distributed? I'm afraid that's a violation of our rules. The question is, will you take the Bill out of the record?"

Olson: "Okay. Take it out of the record. Alright."

Speaker Breslin: "Very good. The Bill is out of the record and we will come back to it when the Amendments are printed and distributed. And now, with leave of the Body, Representative Stange has been authorized to handle Senate Bill 542. So, if there are no objections, read 542 on Second, Mr. Clerk."

Clerk Leone: "Senate Bill 542, a Bill for an Act to amend the Hotel Operators' Occupation Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk Leone: "There are no further Amendments."

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Speaker Breslin: "There are no further Amendments, Representative Stange. However, a fiscal note has been requested. So, the Bill will remain on Second Reading until a fiscal note is provided. On page seven of your Calendar appears Senate Bill 682, Representative Brunsvold. I mean, Representative Steczo. Clerk, read the Bill. Excuse me. Representative Steczo, you are not listed as the Sponsor of this Bill. For what reason do you seek recognition?"

Steczko: "Madam Speaker, Representative Brunsvold asked if I'd handle it for him. If that's not appropriate, we can always come back to it when he returns."

Speaker Breslin: "I think it would be better if we would come back to it. Thank you. Senate Bill... Oh, Representative Brunsvold is here. Clerk, read the Bill."

Clerk Leone: "Senate Bill 682, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "There are no Motions filed?"

Speaker Breslin: "Are there any Amendments?"

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

Speaker Breslin: "Who is the Sponsor again?"

Clerk Leone: "Representative Hultgren."

Speaker Breslin: "Representative Hultgren, on Amendment #3."

Hultgren: "Withdraw #3."

Speaker Breslin: "Withdraw #3. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4 is being offered by Representative Hultgren."

Speaker Breslin: "Representative Hultgren, on Amendment #4."

Hultgren: "Wish to proceed with #4."

Speaker Breslin: "Proceed."

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Hultgren: "Thank you. This would amend the tax increment financing legislation which was earlier passed to permit those TIF districts that have been established in 1987... excuse me, in 1986 to participate in the sales tax rebate from the state. It would just extend the deadline for one year for those counties and municipalities TIF districts and... which have high unemployment. I would ask for a favorable Roll Call on the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to Senate Bill 682. And on that question, the Gentleman from Rock Island, Representative Brunsvold. Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentleman of the House. I would stand in opposition to Amendment #4, Representative Hultgren has offered. With the TIF districts and the problem we have now funding the TIF districts, the mayors were down this week trying to get funding above the 3.4 million dollars, trying to raise it to almost 10,000,000 which is not in the budget. I would stand in opposition to Amendment #4."

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

Steczko: "Thank you, Madam Speaker. Will the Sponsor of the Amendment yield for a question, please?"

Speaker Breslin: "He will."

Steczko: "Mr. Sponsor, the language that you have seek to add as Amendment #4, what specifically does that do?"

Hultgren: "It extends by one year the deadline for establishing TIFS districts that would be eligible to participate in the rebate of sales tax, the incremental sales tax within those TIF districts from the state. I might add that this deadline is extended only for counties with unemployment rates in excess of eight percent."

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Steczo: "So, that would be TIF districts statewide?"

Hultgren: "TIF districts statewide where the unemployment rate is in excess of eight percent and in counties with populations below 300,000."

Steczo: "Do you have any idea of what the anticipated cost might be?"

Hultgren: "I don't think one can estimate the cost because you'd have to know the TIF districts that would be established."

Steczo: "Thank you, Mr. Sponsor. Madam Speaker, to the Amendment. I rise in opposition to this Amendment as well. We tried to draft very carefully Amendments last year in language last year dealing with tax increment financing districts. And while it's true that some municipalities may have missed that... deadlines and what have you. If this legislation or this Amendment were written more to clarify and allow those municipalities that may have just missed the deadline or may have had some technical deficiencies in their applications, that's one thing, but the way the Amendment is written, as I understand it, leaves it completely wide open to the state and my understanding, too, is the Department of Revenue cannot even give an estimate on how much it would cost. Representative Brunsvold was correct that local municipalities that currently have TIF districts are here right now trying to seek additional funds, which we may not have. By opening this up even further, I think we're just asking for trouble right now, and I would seek that the... to have the House oppose Amendment 34."

Speaker Breslin: "The Gentleman from Cook, Representative O'Connell. Do you still wish to speak Representative O'Connell? Representative O'Connell, you are recognized to speak on this issue."

O'Connell: "Thank you, Madam Speaker. Question of the Sponsor."

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Speaker Breslin: "Proceed."

O'Connell: "I'm sorry, Representative, I didn't hear the explanation, but let me just ask you this in preface to that. Has this appeared in a Bill form this Session?"

Hultgren: "Yes, it has, Representative O'Connell."

O'Connell: "Okay. So, could you repeat your explanation?"

Hultgren: "This would extend for one year the deadline for establishing TIF districts that were eligible to participate in the sales tax incentive, whereby the incremental sales tax is rebated to the TIF district, it would apply only in counties of high unemployment and with populations under 300,000."

O'Connell: "Okay. I think this refreshes my recollection now. Now, we agreed in our discussion last time... excuse me, that every municipality had the same opportunity to adopt their TIF ordinances by December 31, 1986. Is that correct?"

Hultgren: "Well, I think you made that argument last time. I'm not certain that I totally agreed. I think I pointed out last time that often... oftentimes smaller counties and municipalities don't have the staff in order to be cognizant of and be able to take advantage of some of the economic development incentives that we offer down here and because they, like the staff, become aware of them and then to take the steps to implement them, oftentimes the smaller communities get left out. Not, as you point out, because the deadlines aren't the same, but perhaps because of the fiscal constraints of the staff."

O'Connell: "Well, actually there are no fiscal constraints from putting one together. The problem is, Representative, I might speak to the Bill... or the Amendment, the problem is that we allocated a certain amount of money that would be the state's share of a sales tax would go toward these TIF

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development programs. And it was an expenditure and a sacrifice on the part of the state to enhance local community development. And in order to make it attractive, we also had to put a certain window of opportunity which had to terminate on December 31, 1986. Otherwise, the state's sacrifice would overwhelm the amount of benefits that we're giving to these local municipalities. So, we put a finality to it. Everybody in the state involved in local government was aware of the finality. Everybody had the same opportunity, be they large or small communities, and now we're trying to extend the deadline. We're opening up the door and before you know it, the whole program will not only be on perilous grounds which it is now, but it will be over. And all the... opportunities that we made available to the local communities will not be there. So, Representative, while I respect your intentions, the Amendment is a bad one. It should be defeated."

Speaker Breslin: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. I, too, rise to oppose the Bill in spite of what I recognize is the Gentleman's sincere effort to help his area, which is similar to mine and a neighbor to mine, in opening the window of opportunity for the sales tax TIF enactments to January 1 of 1988. And the problem, however, with this legislation is that all communities in the state were empowered prior to the previous legislation that was on the books to enact a sales tax TIF up to January 1, 1987. Every community out there was on a level playing field. Every community had the same opportunities under that legislation. Some took advantage of it. Some decided not to take advantage of it. When that legislation was crafted, it was done so with the view that there ought to be a very limited opportunity for

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communities to utilize legislation which would allow them to subsidize these projects through utilization of sales tax revenue, because that is state money. TIF legislation as it was originally proposed a few years ago would allow a community to boot strap its district using its own real estate tax dollars, but this legislation allowed them to use state dollars. And because we're allowing them to use state dollars for these purposes, we put in a deadline of January 1, 1987. When we did that, we also, through negotiations established a cap as to how much the maximum amount of state money that would have to go into these TIF districts. Last year, the cap was \$7,000,000 dollars. This year the cap is \$10,000,000 dollars. In spite of the fact that we have that 10,000,000 dollar cap, our appropriation for this legislation is only at three and a half million dollars. Now, everyone in here who has communities in their district that adopted sales tax TIF legislation prior to January 1 of '87, you're going to be hearing from them about this appropriation that we're now considering at three and a half million because that appropriation is inadequate to fund the TIFs that are already on the books. They can't do it with three and a half million dollars. You're going to be hearing from them. I'm already hearing from mine. The Gentleman's Bill would attempt to open this TIF legislation up again so as to allow more communities to come in where they're already inadequate resources available for the communities that operated within the prior law and adopted their TIF within the prescribed times. That seems irresponsible, and I would urge all Members of the General Assembly to oppose this Amendment."

Speaker Breslin: "Representative Hultgren to close."

Hultgren: "Thank you, Madam Speaker. Let me simply say that I

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share the concerns of the Representative from Canton and Representative from Western Springs with regard to the fiscal impact. However, the intention of this legislation, of course, is to spur development and to spur state tax revenues and let me suggest that perhaps without these TIF districts, the state would not be receiving the sales tax which they envision the state is losing. So, nothing ventured, nothing gained. With that in mind, I would urge Members to vote 'aye' on the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 25 voting 'aye', 82 voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, is being offered by Representatives Steczko and Stephens."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #5 is offered by myself and Representative Stephens, and it adds the provisions of Senate Bill 240, which we, in the Cities and Villages Committee, didn't understand really when it was before us, but all the Amendment does is says that in the areas where you have mayors and commissioners, current law requires that when those municipalities reach a population level of 20,000 or over, that then each mayor and commissioner shall devote at least 30 hours per week to the performance of their official duties. What Amendment #5 does is delete that time requirement. I would answer any questions or would move for the adoption."

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

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Amendment 25 to Senate Bill 682. And on that question, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I would just rise as the Bill Sponsor to stand in support of Representative Steczko's Amendment."

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

Stephens: "I urge this side of the aisle to support that Amendment."

Speaker Breslin: "The question is, 'Shall Amendment 25 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. With leave of the Body, Ladies and Gentlemen, I'd like to go back to Senate Bill 662 for Representative Capparelli. Clerk, read the Bill."

Clerk Leone: "Senate Bill 662, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Going back to page seven again appears Senate Bill 690, Representative Piel. Is the Gentleman in the chamber? Representative Piel. Out of the record. Senate Bill 709, Representative Steczko. Clerk, read the Bill."

Clerk Leone: "Senate Bill 709, a Bill for an Act to amend the Illinois Library Systems Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

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Representative Steczo."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Amendment #1 deals with some technical change. It seems that when the Bill was drafted that certain language was dealing with the Section on federal revenue sharing was mistakenly... was not put in one area that it should have been. That's all that it does, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 709. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 779, Representative Piel. Out of the record. Senate Bill... excuse me. Clerk, read the Bill. 779."

Clerk Leone: "Senate Bill 779, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Representative Piel, would you also like to go back to 690? No. The next Bill then is Senate Bill 787, Representative Sieben. Representative Sieben. Clerk, read the Bill."

Clerk Leone: "Senate Bill 787, a Bill for an Act to amend the Revenue Act. Second Reading of this Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

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Representative Sieben."

Speaker Breslin: "Representative Sieben."

Sieben: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 answers a concern that Representative Keane as Chairman of the Committee raised concerning the incompatibilities of the duties that we're addressing here, and I would move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 787. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 809, Representative Frederick. Clerk, read the Bill."

Clerk Leone: "Senate Bill 809, a Bill for an Act in relationship to the licensing of clinical psychologists. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Amendment #1 is the product of negotiations between the clinical psychologists and the medical society. It provides that persons licensed as clinical psychologists to render services to persons in need of mental treatment or who are mentally ill shall, as appropriate, initiate genuine collaboration if the physician is licensed in Illinois to practice medicine in all its branches. That language provides that now there is

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agreement between the medical society and the clinical psychologists. I would move for its adoption and that adoption will make this an agreed Bill."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 809. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 848, Representative DeJaegher. Representative DeJaegher. Clerk, read the Bill."

Clerk Leone: "Senate Bill 848, a Bill for an Act to create the Quad City's Regional Economic Development Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. Amendment #1 would delete the provision that the authority chairman's required to certify to the Governor on or before September of each fiscal year the amount of bond principal or interest which the authority is unable to pay. This Bill currently allows for the authorization of indebtedness by the authority and any pay back requirements that cannot be met will be paid by the state out of the General Revenue Fund. This will merely require that the authority advise us in advance that it will be required to pay more than it is able to do so and that the excess is a debt of the state, or at least has to be appropriated out of the General Revenue Fund."

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Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 848. And on that question, the Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Madam Speaker, I'm sorry, but I didn't hear the intent of the Amendment."

Speaker Breslin: "Representative McCracken, would you explain the Amendment one more time, please?"

McCracken: "Yes. This would require that the authority is certified to the Governor on or before September of each fiscal year that amount of bond principal or interest which the authority is unable to pay. The Governor is then required to include this amount in the state budget. This would become subject to an appropriation by this Body. So, all this does is ask that he be notified or that the authority certify to the executive branch that amount."

DeJaegher: "Madam Speaker, Tom, basically, this Bill, in its present form, is a shell Bill. The Governor's staff is basically putting Amendments to this particular Bill. With your indulgence or assistance, hopefully that you will leave this Bill, go to Third Reading because we are meeting with the Governor's office very shortly and then possibly put your Amendment on at that same particular time."

McCracken: "I would like to do that. I'm unable to agree to that, however. So, I have to move for the adoption of the Amendment."

Speaker Breslin: "Representative Brunsvold, on the Amendment."

Brunsvold: "Thank you, Madam Speaker. The Bill as its going to be amended, and it is present now, the Governor does have control over the authority. And he... Is Representative McCracken, can I ask him... ask a question, please?"

McCracken: "Yes, I misstated that. This deletes that provision. I apologize."

Brunsvold: "Deletes what, Representative?"

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McCracken: "The certification requirement that's currently there in the placement of that amount in the budget. I apologize. This deletes that."

Brunsvold: "What role, then, would the Governor have? He has control of the authority. How does this change that, Representative?"

McCracken: "I don't believe it changes that."

Brunsvold: "So, you're just asking him to report to the General Assembly every year?"

McCracken: "No. The Bill currently requires that. This Amendment would delete that."

Brunsvold: "It deletes his requirement to report to the General Assembly."

McCracken: "And also, that it be appropriated or placed in the budget for appropriation by the General Assembly. The point is that we're trying to encourage the authority to be self-sufficient and not to come to the General Assembly or not to issue bonds in excess of an amount which it can repay."

Brunsvold: "Representative McCracken, that is going to be a large part of what the Governor's proposed Amendment to the Bill is going to be. And I would ask that... with Representative DeJaegher that we resist this Amendment and proceed to Third Reading and then apply the Governor's Amendment to this Bill. So, I would stand in opposition to Floor Amendment 81 by Representative McCracken."

Speaker Breslin: "Representative McCracken, to close."

McCracken: "Thank you, Madam Speaker. To my knowledge, we are not privy on this side of the aisle to what the Governor intends to do regarding this Bill. We don't know what his intent is relative to Third Reading or Amendment. You know, I just don't see how in this year we can agree to move a Bill to Third Reading on the premise that it will be

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taken care of. This has fiscal implications for the state which will be unresolved and moved to Third Reading. I respectfully request a Roll Call vote and an 'aye' vote in support of this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer, one minute to explain your vote."

Homer: "Thank you, Madam Speaker. I would urge Members to vote 'no' on this Amendment. This Bill is sponsored by the Representatives from the Quad City area to implement and address the concern that the Governor put before us when he gave the State of the State message in announcing that he was going to form a Quad City Regional Economic Development Authority. In order to have that Authority be viable, there is a necessity that they be allowed to issue revenue bonds. Nobody, Ladies and Gentlemen, is going to buy those bonds if we delete the paragraph that the Gentleman's Amendment would address. By taking out the ability of the state to provide financial backing for those revenue bonds, we've, in effect, nullified the entire intent of the Governor's program as being implemented by the Quad City Legislators. So, I'm glad to see that a number of Members will join with their colleagues in the Quad Cities to oppose this Amendment."

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

Cullerton: "I just wanted..."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, whatever Democratic Member ordered a coke and an apple, we've got a Page who's looking for them, so if they want to come over to my desk and identify themselves, we can get their coke for them. The apples aren't available."

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Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 44 voting 'aye', 66 voting 'no', and none voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 892, Representative Rea. Representative Rea. Out of the record. Senate Bill 914, Representative Daniels - Hallock. Clerk, read the Bill."

Clerk Leone: "Senate Bill 914, a Bill for an Act in relationship to Superconducting Super Collider Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 921, Representative Regan. Clerk, read the Bill."

Clerk Leone: "Senate Bill 921, a Bill for an Act to amend an Act in relation to fire prevention fund. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Saltsman. Representative Saltsman, on Amendment #2."

Saltsman: "Yes, Madam Speaker. This is a Bill for the State... I mean, Amendment for the State Fire Marshal's office, and what it is is a duty of a person conducting any medical facility to report any incident where a person has over more than five percent of burns upon their body. It would have to be recorded."

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

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Amendment #2 to Senate Bill 921. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 925, Representative Piel. Out of the record. Senate Bill 927, Representative Piel. Clerk, read the Bill."

Clerk Leone: "Senate Bill 927, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 928, Representative Piel. Clerk, read the Bill."

Clerk Leone: "Senate Bill 928, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 934, Representative Myron Olson or Monroe Flinn. Neither Gentlemen are in the chamber. Out of the record. Senate Bill 952, Representative Ronan. Clerk, read the Bill. Mr. Clerk, have you read this Bill?"

Clerk Leone: "Senate Bill 952, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 959. Out of the

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record. Senate Bill 960. Out of the record. Senate Bill 982, Representative Kubik. Is the Gentleman in the chamber? Representative Kubik. Out of the record. Senate Bill 990, Representative DeLeo. Clerk, read the Bill."

Clerk Leone: "Senate Bill 990, a Bill for an Act to amend the Bank Holding Company Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Going to page eight on your Calendar, Ladies and Gentlemen, appears House Bill 1009, Representative Braun. Out of the record. Senate Bill 1032, Representative Johnson. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1032, a Bill for an Act to amend an Act to revise the law in relationship to notices. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Senate Bill 1040, Representative Barger. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1040, a Bill for an Act to amend an Act in relationship to county zoning. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions are Amendments?"

Clerk Leone: "Floor Amendment #1, is being offered by Representatives Klemm and Barger."

Speaker Breslin: "Representative Klemm, on Amendment #1."

Klemm: "Thank you, Madam Speaker. Amendment #1 was a provision that we discussed in Committee, and that is that if there variance is to be given, that it would have to be given after a certified notice was sent to the adjoining property owners giving them an opportunity to object to a variance without a public hearing. If, in fact, they have no

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problems with the variance being given, then the county or the city could go ahead with the variance without a public hearing. I'll answer any questions; otherwise, I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1040. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Barnes, on Amendment #2 to Representative Barger's Bill."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1040 adds provision authorizing boards of health in collar and metro east counties to establish a stipend for board members as compensation for board services, limits reimbursement to 150 dollars per meeting or 2,000 dollars per year, whichever is less. I would ask for an 'aye' vote."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to Senate Bill 1040. Is there any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you. Will the Lady yield?"

Speaker Breslin: "She will."

Homer: "Representative Barnes, under current law, is there any remuneration to the Members of the Board of Health?"

Barnes: "Not to my knowledge."

Homer: "Your Amendment would apply to counties having a population of more than 100,000 but less than Cook County."

Barnes: "That's right."

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Homer: "So, you're talking about the collar counties and some of the large downstate counties."

Barnes: "That is correct."

Homer: "The 2,000 dollars a year or 150 dollars per meeting, where would this money come from?"

Barnes: "That's a very good question. In the county funds."

Homer: "Is there a good answer to it?"

Barnes: "Well, I'm very serious about this Bill. I would say that it would come from the county funds. The Gentleman that gave me this Bill said that there were many worthwhile citizens that serve on these boards and that they felt that it was time that they were compensated, and really, just 2,000 dollars a year, that isn't very much, Representative Homer, for some of the time well spent that some of our citizens do donate."

Homer: "Well, there's no question that the people who serve on our boards of health provide a valuable service. I would also suggest those in counties of less than 100,000, and I have some in my area also are deserving, but under your Bill, they would continue to serve without remuneration. But, the question I have, was this money that would come out of the county to pay for the stipend, would this come out of the county treasury?"

Barnes: "Yes, Representative."

Homer: "And who would authorize or approve the payment?"

Barnes: "I would imagine it would be the county board."

Homer: "Did you introduce or was there a Bill introduced that would have accomplished this objective?"

Barnes: "Yes, Representative Homer."

Homer: "What happened to the Bill?"

Barnes: "I'm glad you asked that question. I had a House Bill and I had a Senate Bill. And they were both denied their passage."

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Homer: "In Committee? Where did they lose, in Committee or on the floor?"

Barnes: "They lost in Committee."

Homer: "Okay."

Barnes: "I'm very good at counting the number of votes that I have, Representative, and I didn't have the votes."

Homer: "Alright. Well, to the Bill... to the Amendment, Madam Speaker. I think that this Amendment is something that Members ought to take a good look at before giving their 'aye' vote. This Amendment was considered by the House Committee, in both a House Bill and a Senate Bill. And after hearing in Committee, the Committee in its judgment opposed the Bills. Now is not the time, I would submit, for us to be imposing upon the taxpayers of counties an obligation to pay up to 2,000 dollars stipend per year, 150 dollar per meeting to these members of the boards of health. Granted they provide a valuable service, so do the members who serve on our 708 boards or our 377 boards and all of the other quasi-governmental boards that are appointed by the county boards, they all serve an invaluable service to the members of the county. My concern is that by opening up and creating a stipend for the members of the boards of health, that this will be followed in sequence in subsequent Sessions or in subsequent Amendments by requests for other deserving individuals who serve their communities in a volunteer capacity to also, rightfully, if this Amendment passes, to ask where their stipend is. And I think it would be a mistake for this General Assembly to get into the business at this point through the Amendment process of determining that members who sit on the boards of health in counties of more than 100,000 population, but not Cook County, are deserving of this stipend, but no other members of boards

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of health in any of the other counties and no other members of the quasi-governmental boards and agencies that serve our counties throughout the State of Illinois. So, I would rise in opposition to the Lady's, I'm sure, well intended Amendment, and I would ask that Members on both sides take a good long look at this and oppose the Amendment."

Speaker Breslin: "Representative Barnes, to close."

Barnes: "Thank you, Madam Speaker. Well, I live in Cook County, I'm very willing to help the smaller counties obtain this stipend for the health board members, such as, Kane County, Will County, Lake County and several other counties. I think this is a very worthwhile Amendment. I never did really get a hearing in Committee with my House Bill or my Senate Bill because the Democrats had a down arrow on it. And I feel this is such a worthwhile endeavor that I have introduced House... Floor Amendment #2 to Senate Bill 1040. And I would ask an 'aye' vote. I think all those other boards that Representative Homer mentioned that he feels are deserving, if he wishes to introduce an Amendment, I will be very happy to support. I'm always for paying worthwhile people for a job well done."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are... Representative Mulcahey votes 'no'. Representative Hallock votes 'aye'. Representative Leverenz votes 'no'. On this question there are 35 voting 'aye', 66 voting 'no', and... 36 voting 'aye', 67 voting 'no', and one voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Representative Barger, there has been a fiscal

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note requested on this Bill. The Clerk informs me that it is not filed. For what reason do you seek recognition, Sir?"

Barger: "I would like to speak in regards to the fiscal note, Madam Speaker."

Speaker Breslin: "Do you wish to..."

Barger: "I move that it is not applicable because there are no state funds involved. There are no county funds involved and the small amount of money that is involved is money that belongs to the contractor or the person applying for the zoning change."

Speaker Breslin: "Representative Barger has moved that the Fiscal Note Act is inapplicable. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Madam Speaker, I would withdraw the request for the fiscal note."

Speaker Breslin: "Representative Cullerton withdraws the fiscal note, and the Bill moves to Third Reading. Senate Bill 1050, Representative Keane. Excuse me. Representative Ropp is recognized for the purposes of making an announcement."

Ropp: "Thank you, Madam Speaker. I would just like to call the attention to everyone that tonight is the annual House/Senate softball game. It is at Iles Park and it will begin around 6:15. And we certainly welcome all of your support to continue that unbeaten string that the House has against the Senate. It is for a good cause and; as you know, those tickets have been being sold or you can buy them. They go for the Boys Club here in the City of Springfield. So, we all come. Thank you."

Speaker Breslin: "Senate Bill 1050, Representative Keane. Out of the record. Senate Bill 1056, Representative Phelps. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1056, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1074, Representative Deuchler. Is the Lady in the chamber? Out of the record. Senate Bill 1112. Representative McPike, do you want this Bill called? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1112, a Bill for an Act in relation to finance and development. Second Reading..."

Speaker Breslin: "Out of the record. Senate Bill 1113, Representative Countryman. Out of the record. Senate Bill 1161, Representative Keane. Out of the record. Excuse me. Is Representative Keane in the chamber? Out of the record. Senate Bill 1179, Keane. Out of the record. Senate Bill 1222, Representative McAuliffe. Representative McAuliffe, you want this Bill called? Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1222, a Bill for an Act in relation to taxes. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Senate Bill 1223, Representative Frederick. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1223, a Bill for an Act in relation to income taxation. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Senate Bill 1232, Representative Ryder. Representative Ryder. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1232, a Bill for an Act codifying the powers and duties of the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1263, Representative Curran. Representative Curran. Is the Gentleman in the chamber? Out of the record. Senate Bill 1267, Representative Flowers. Is the Lady in the chamber? Representative Flowers. Out of the record. Senate Bill 1269. Excuse me. Representative Flowers has returned to the chamber. Read 1267, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1267, a Bill for an Act to amend Sections of the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1269, Representative McPike and Madigan. Representative McPike, do you want this Bill called? Urban rangers. Out of the record. Senate Bill 1286, Representative DeLeo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1286, a Bill for an Act to amend the Trust and Trustees Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1290, Representative DeLeo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1290, a Bill for an Act in relation to compensation of the General Assembly. Second Reading of the Bill. No Committee Amendments."

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Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions. Floor Amendment #1, offered by Representative DeLeo and Cullerton."

Cullerton: "Thank you, Madam Speaker, Members of the General Assembly. Amendment #1 merely... it's a technical Amendment. It's deleting line eight of the Bill. I ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1290. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1291, Representative Hannig. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1291, a Bill for an Act in relation to the installation of fire hydrants. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1296, Representative Didrickson. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1296, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1303, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1303, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No

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Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1322,
Representative Wojcik. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1322, a Bill for an Act to amend
Sections and repeal certain Sections of the Illinois
Clinical Laboratory Act. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker, Members of the House. Amendment #2
is an agreed Amendment with the (tape malfunction), and the
Department of Public Health. I ask its favorable passage."

Speaker Breslin: "The Lady has moved for the adoption of
Amendment #2 to Senate Bill 1322. Is there any discussion?
Hearing none, the question is, 'Shall Amendment #2 be
adopted?' All those in favor say 'aye', all those opposed
say 'no'. In the opinion of the Chair, the 'ayes' have it.
The Amendment is adopted. Are there any further
Amendments?"

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

Speaker Breslin: "Representative Saltsman, on Amendment #3."

Saltsman: "Yes, thank you, Madam Chairman. This Amendment here,
it makes a person to be qualified a general supervisor
pursuant to the medical regulations promulgated by the
federal health care financing administration Department of
Health and Human Services. It also let's a person who is a
manager of a... and who is licensed to have this type of
clinical laboratory to be able to be a director of three

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laboratories. When they were grandfathered in, when this law was made, they were only allowed to keep the laboratories that they were director of at that time. And this... and the new people coming in afterward were allowed to have up to three laboratories. This will let the people who are grandfathered in, who are directors of these laboratories also have three."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 33 to Senate Bill 1322. And on that question, the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House, I rise in opposition to this Amendment. This is not agreed to and the docs have not come aboard regarding this specific request. I would like to inform the Members of the House that I have set and the Department had sat down and talked with this gentleman and we are trying to work an amiable agreement. Perhaps, it would be better for them to come in at another time with another Bill pertaining to the same subject."

Speaker Breslin: "The question is, 'Shall Amendment 33 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 30 voting 'aye', 81 voting 'no', and 2 voting 'present'. And the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Wojcik. Representative Wojcik, the Calendar notes that a fiscal note has been requested on this Bill, so the Bill will remain on the Order of Second Reading."

Wojcik: "Is the fiscal note applicable?"

Speaker Breslin: "That's for you to decide and this Assembly to

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decide, not the Chair."

Wojcik: "I move that it's not applicable."

Speaker Breslin: "Representative Wojcik moves that the Fiscal Note Act is not applicable to Senate Bill 1322. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Would the Sponsor yield?"

Speaker Breslin: "She indicates she will."

Cullerton: "Are you sure she indicated that?"

Wojcik: "I did."

Speaker Breslin: "Representative Wojcik, yes."

Cullerton: "Could you tell me what the Bill does as amended?"

Wojcik: "The Bill as amended requires that all clinical laboratories in the state be licensed, including those operated by the Department of Public Health, local health departments, physicians offices, HMOs, medical technologists, ambulatory care centers and hospital satellite laboratories, and it makes additional, technical and clarifying changes."

Cullerton: "Licensed by whom?"

Wojcik: "By the Department of Public Health."

Cullerton: "And you're suggesting... you're suggesting that this Bill has no fiscal impact on the state?"

Wojcik: "There is no net cost to the state, Sir."

Cullerton: "Well, let me ask you this. Who is going to... in what department are they going to have to file their registration?"

Wojcik: "I cannot hear you. Could you..."

Cullerton: "Well, you said that they're going to be... have to be required to be registered with the state. I would assume that would be in the Department of Registration and Education."

Wojcik: "License fees are increased in the Bill and it's the

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Department of Public Health."

Cullerton: "Oh, it's the Department of Public Health?"

Wojcik: "Yes."

Cullerton: "And so, there will be no need to have any additional employees of the Department of Public Health?"

Wojcik: "Revenues would offset the increased expenses."

Cullerton: "Well, what are those anticipated revenues?"

Wojcik: "First year, 153,000."

Cullerton: "Well, why don't you file a fiscal note? If you've got the figures."

Wojcik: "They did. The Department did. It's filed as amended."

Cullerton: "I see. Well, why are you moving that the Fiscal Note Act be inapplicable?"

Wojcik: "They just thought it would be a nice idea to wake you up over on the other side of the aisle and it happened. So..."

Speaker Breslin: "Representative Cullerton, they have just filed a fiscal note. So, the fiscal note..."

Cullerton: "So you see what you get when you ask a couple of questions?"

Speaker Breslin: "That's right. We have a fiscal note. So, the Bill now moves to the Order of Third Reading. Senate Bill 1326, Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1326, a Bill for an Act to amend an Act in relation to the promotion of consumer protection. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative O'Connell, on Amendment #2."

O'Connell: "Madam Speaker, could we take this out of the record for a minute?"

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Speaker Breslin: "Representative Ronan."

O'Connell: "It's not printed. The Amendment #2 is not printed."

Speaker Breslin: "Representative Ronan, Representative Cullerton... Representative O'Connell, rather, asks that the Bill be taken out of the record. Representative Ronan."

Ronan: "Yeah, I've just given Representative O'Connell the commitment I'll move it to Third and then I'll bring it back if his Amendment gets printed. So move it to Third."

Speaker Breslin: "Okay. Representative Ronan, then, moves to table Representative O'Connell's Amendment #3... or rather, 2. Representative..."

O'Connell: "With the commitment on the part of Representative Ronan that he'll bring it back to Second Reading, I'll withdraw Amendment #2 at this time."

Speaker Breslin: "Okay. Withdraw Amendment #2. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1415, Representative Piel. Clerk, read the Bill. Out of the record. Senate Bill 1417, Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1417, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Ronan. Withdraw Amendment #1. Are there any.... take the Bill out of the record. Okay. Take Senate Bill 1417 out of the record. Senate Bill 1454, Representative Ryder. Representative Ryder. Out of the record. Senate Bill 1483, Representative Madigan."

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Representative Madigan. Out of the record. Excuse me.

Representative Cullerton, do you wish to present this Bill on behalf of the Speaker? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1483, a Bill for an Act to amend an Act in relation to the Chicago Park District. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, with leave of the Body, I'd like to go back to some Bills for Representative Keane who is now able to be with us, Senate Bill 1050. Senate Bill 1050. It appears on page eight on your Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1050, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1161. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1161, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1179. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1179, a Bill for an Act to amend an Act in relation to state finance. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative Keane... Okay. No Floor

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Amendments. Then, the Bill moves to Third Reading. Representative Keane, for what reason do you seek recognition?"

Keane: "Yes, Madam Speaker, could you also go back to Senate Bill 389?"

Speaker Breslin: "Senate Bill 389 appears on page six on your Calendar. With leave of the Body, call that Bill on Second, Mr. Clerk."

Clerk O'Brien: "Senate Bill 389, a Bill for an Act in relation to the effect of tax rate changes on business in this state. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Amendment #1 is a request by Economic and Fiscal Commission to... not to have them do a fiscal... a Business Impact Note when it deals with local government. And I agree... it's a good Amendment, and I'd ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 389. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, we are now going to the Order of Senate Bills Third Reading. On page four on your Calendar, under that Order of Business is Senate Bill 74. Representative Richmond. Representative Richmond. Out of the record. Senate Bill 91,

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Representative Shaw and Rice. This Bill is on Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 91, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Shaw."

Shaw: "Thank you, Madam Speaker. The only thing that this Bill does is to notify parents of transportation grants, and I ask for..."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 91. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 91 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 2 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 126, Representative Cullerton. Out of the record. Senate Bill 155, Representative Bugielski. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 155, a Bill for an Act to amend Sections of the Carnival and Amusement Rides Safety Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bugielski."

Bugielski: "Thank you, Madam Speaker, Members of the House. Senate Bill 155 amends the Carnival and Amusement Rides Safety Act. It eliminates the 50 dollar maximum permit fee for each amusement ride or amusement attraction."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 155. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 155 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who

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wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 218, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 218, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is identical to a Bill that we passed out of the House. The Senate Sponsor is Senator Schuneman. He and I have teamed up in order to eliminate from Illinois these detachable pull-tabs that are found on beverage cans. Would indicate that we... we have allowed for the industry to phase these things out so that as of June 30, 1988, they would not be allowed to manufacture or sell these. If they have some inventory on hand, the effective date would be extended so that they could continue to sell all of their product. But the benefits to the State of Illinois are obvious. These detachable pull-tabs frequently are put back into the cans and then when... occasionally, when someone is drinking it the pull-tab cuts the lip, and if they don't put it back in the can and they throw it on the ground, someone ends up stepping on it. So, I think it's a very beneficial Bill, not only for environmental reasons, but also for health reasons. And I would appreciate your favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 218. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill... The Gentleman from Cook, Representative McNamara,

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on the Bill."

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McNamara: "Thank you, Madam Speaker. A possibility of a conflict of interest exists on this, since I have the patent on the pull top tab which he is proposing to outlaw. And therefore, I will vote my conscience on this Bill."

Speaker Breslin: "There being no further discussion? The question is, 'Shall Senate Bill 218... Representative Cullerton, do you wish to close?'"

Cullerton: "Yes, I think I just discovered another reason to vote for the Bill, and I wanted to raise that. Representative McNamara says he has the patent on these pull-tabs."

Speaker Breslin: "That's correct."

Cullerton: "So, that what we're doing here is we're going to ban the sale of these tabs that he has the patent on."

Speaker Breslin: "That's correct."

Cullerton: "Okay. So, I appreciate your favorable vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 218 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 2 voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 248, Representative Hicks. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 248, a Bill for an Act to amend the Illinois Farm Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 248, as amended, amends the Illinois Farm Development Act. Basically creates a third fund called the Illinois Agri-business Venture Investment Fund that goes along with the two special funds currently operating under Illinois Farm Development Act. I'd be

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happy to try to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 248. And on that question, is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "No, I just wanted to rise in support of this fine Bill for southern Illinois."

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

Ewing: "Would the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Ewing: "I wonder if he could explain to me what the anticipated costs are on this?"

Speaker Breslin: "Representative Hicks."

Hicks: "As I understand it, Sir, the cost of the fund is simply a transference of dollars and establishes the fund, and then, the fund operates off of a... the interest which would be involved where... somewhere between one and a quarter million dollars per year, that would be actually invested in from the fund. I believe the initial investment of the fund is 10,000,000 dollars."

Ewing: "The initial investment's 10,000,000 dollars, and did you say something about a transfer? I really couldn't hear."

Hicks: "No, Sir. What I said was the interest from the fund itself would be... the interest gained from that 10,000,000 dollars, the 10,000,000 dollars would not be spent, but simply the establishment of the fund. The interest off of that which should amount to somewhere between one and one and a quarter million dollars per year would then be used for investment in agritype businesses."

Ewing: "Is the 10,000,000 dollars... is that bonded money?"

Hicks: "Excuse me, Sir."

Ewing: "The 10,000,000 dollars, is that going to come from

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general revenue or is that bonded money?"

Hicks: "Sir, I believe that's a transfer of funds from the Illinois Farm Development Act that they currently have. I can't actually tell you whether that's brand new money from general revenue or not. I can't answer that truthfully."

Ewing: "Thank you."

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

McCracken: "Thank you, Madam Speaker. Apparently, this is seen as an extension of a Bill passed last year, I believe, or the year before, where we guarantee up to 85% principal amount on loans in support of agri-business or the agri-industries. However, in this Bill, there is no loan position. The state takes an equity position in the company, and the value of its investment obviously lies with the value of the company. You know, this is as risky as risky can get. The... it's venture capital. There is no loan agreement. It is to be invested and start up only, it is not to be applied to mature companies. And the fact of the matter is that what currently goes to GRF, that is the Farm Development Authority's interest on... its funds of about 1.5 million dollars annually will not go there any more. A similar Bill passed by this House, apparently, over in the Senate, has a companion appropriation of 10,000,000 dollars. So, the fact of the matter is, we're talking about a very substantial commitment of a very insecure nature. This equity investment concept is radically different and a radical departure from a loan concept, where the state has a reason for... to believe its loan is going to be repaid. I respectfully stand in opposition to this Bill and ask for a 'no' vote."

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

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

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House. The Bill does make some changes in the Illinois Farm Development Act simply by adding a third category which would be the Illinois Agri-business Venture Fund. The 10,000,000 dollars does come from available appropriations to the Illinois Farm and Agri-business Loan Guaranteed Fund, and I'd ask for the passage of the Bill. Thank you."

Speaker Breslin: "The Gentleman has... the question is, 'Shall Senate Bill 248 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 68 voting 'aye'... there are 72 voting 'aye', 36 voting 'no', and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 260, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 260, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 260 provides that a person who uses or possesses with the intent to use any theft detection shielding device or any theft detection device remover with the intent to permanently deprive a merchant of retail merchandise commits retail theft. Theft detection device remover means any tool or device designed to remove any of the detection devices from the merchandise."

Speaker Breslin: "Representative Barnes has moved for the passage of Senate Bill 260. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "She will."

Cullerton: "The offense includes the elements of possessing the

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theft detection shielding device. Is that correct?"

Barnes: "That is...it had been amended by Representative Countryman because he felt if a workman was walking into a store and he happened to have his tools on his body, such as a... some fellow was coming in and he would have a screwdriver, was working around the house, that this would not affect him, but that would be the exemption."

Cullerton: "Well, the question then is, what does the state have to prove in order to find someone guilty of the offense of possession of a theft detection shielding device?"

Barnes: "Well, Representative Cullerton, this Bill is very similar to a Bill that we had passed two years ago, but they found out that the offense didn't refer to retail theft. So, it was recommended by many attorneys, such as yourself, that if they really expected the Bill to do the job that we want it to do, that we had to change the statute to include retail theft. What it does is anybody that goes into a store with the intent to steal the merchandise and remove those little white tags that they have on clothing, for instance, that they can be found guilty."

Cullerton: "Alright. I'm going to ask you a specific question now, with regard to... it might be considered kind of a technical one, but I just... I'm not trying to kill the Bill, I'm just trying to make it clear as to what the intent of the Bill is. Now, you have... first of all, you have a definition of a theft detection shielding device, and it means a bag or device designed and intended to shield merchandise. Now, does that mean it's intended by the designer of the device that it's intended to shield merchandise, or does the state have to show that the defendant intended for the device to shield merchandise?"

Barnes: "The answer to your first question is, yes."

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Cullerton: "No, I didn't ask a yes or no, at least I didn't intend to maybe I can rephrase it. The definition of theft detection device... I'm sorry, we have two definitions, theft detection shielding device and theft detection device remover, and the theft detection shielding device means any laminated or coated bag or device designed and intended to shield merchandise from detection by electronic or magnetic theft alarm sensor, and then the second part is a theft detection device remover which means any tool or device, and as amended by Representative Countryman's Amendment, specifically designed and intended to be used to remove any theft detection device from any merchandise. So, my question to you is, what does it mean to say it has to be intended? Does that mean that the state has to show a specific intent by the possessor of one of these items to try to shield merchandise or remove a theft detection device?"

Barnes: "Yes, that is... Representative, that's why I answered your question, yes. So, that if... it has to be the intent that when they go in that they're intending to remove the device or to use that plastic bag that you were talking about, to walk out with merchandise and actually be committing the retail theft that we're talking about."

Cullerton: "Okay. So, I mean, if he uses it, then it's clear it's against the law. And then, my only question was with regard to possession... possessing. In other words, someone has a what could reasonably be believed to be a theft detection device remover, they have it in their possession, for some reason they're stopped and they're questioned and they... they're searched and they find the theft detection device remover, the state would have to show that this device was intended to be used by that particular defendant, is that correct?"

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Barnes: "He must have the device with the intent to commit the crime and deprive the retail merchant of his merchandise."

Cullerton: "Okay. Thank you."

Barnes: "Thank you."

Speaker Breslin: "Is there any further discussion? Hearing none, the question is, 'Shall Senate Bill 260 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 4 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 97, offered by Representative Barnes. House Joint Resolution 98, Klemm. House Joint Resolution 99, Klemm. House Joint Resolution 100, Klemm. House Joint Resolution 101, Klemm. House Joint Resolution 102, Curran. House Resolution 554, Hallock; 555, Hultgren; 556, Churchill; 557, Giglio; 558, Greiman, et al; 559, Curran; 560, Panayotovitch; 561, Panayotovitch; 562, Ronan; 567, Keane; 569, Sutker; 571, Novak; 572, Novak; 573, Panayotovitch; 574, Kubik; 575, Phelps; 577, Ewing, and 578, Hultgren."

Speaker Breslin: "Representative Matijevich, on the Agreed Resolutions."

Matijevich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, we have examined the Resolutions, they are agreed to and by the way, House Resolution 559, the Springfield Griffin team did finally win that State Class AA Tournament, that team's sponsored by our staffer, Joe Hanley, so, congratulation to Springfield. They beat a Lake County team, Barrington. And we, therefore, move to adopt the Agreed Resolutions."

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

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Agreed Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted.
General Resolutions."

Clerk O'Brien: "House Resolution 576, offered by Representative Novak."

Speaker Breslin: "Committee on Assignments. Death Resolution."

Clerk O'Brien: "House Resolution 563, offered by Representative Morrow, with respect to the memory of Margaret Bell Strickland. House Resolution 564, offered by Representative Morrow, with respect to the memory of Delphine Roberts Jones. House Resolution 565, offered by Representative Morrow, with respect to the memory of Alex Stanford. House Resolution 566, offered by Representative Morrow, with respect to the memory of Lester J. Knight. House Resolution 568, offered by Speaker Madigan and Kubik, with respect to the memory of Johnny Genna. House Resolution 570, offered by Representative Martinez, with respect to the memory of Elizabeth L. Zefran."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted.
Committee Reports."

Clerk O'Brien: "Committee Report corrections. Senate Bill 697 reported was from the Committee on Insurance as 'do pass'. It should have been reported 'do pass Consent Calendar'. Representative Krska, Chairman of the Committee on Registration and Regulation, to which the following Bills were referred, action taken June 10, 1987, reported the same back with the following recommendation: 'do pass Consent Calendar' Senate Bill 1342. Representative Levin, Chairman of the Committee on Public Utilities, to which the

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following Bills were referred, action taken June 9, 1987,
reported the same back with the following recommendation:
'do not pass' Senate Bill 794."

Speaker Breslin: "Representative Matijevich now moves that this
House stand adjourned until 11:00 a.m. tomorrow. All those
in favor say 'aye', all those opposed say 'no'. In the
opinion of the Chair, the 'ayes' have it, and this House
stands adjourned until 11:00 a.m. tomorrow."

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