

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

86th Legislative Day

July 9, 1991

Speaker McPike: "The House will come to order. The guests in the balcony may wish to rise and join us for the invocation. We'll be led in the invocation this morning by Representative Andy McGann."

McGann: "Oh Lord, My God. How great thou art. Send down thy powers conciliation. Send down thou powers to help our leaders to help our Governor. Send those powers that are needed to bring about good government and continue its government here in the State of Illinois. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Ann Stepan."

Stepan - 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 McPike: "Roll Call for Attendance. Representative Kubik."

Kubik: "Yes, thank you Mr. Speaker. Let the record reflect that Representative Klemm, Balthis, Ewing, and Sieben are excused today."

Speaker McPike: "Thank you. Representative Matijevich."

Matijevich: "Mr. Speaker on this side of the aisle Representative Mary Flowers is excused."

Speaker McPike: "Mr. Clerk take the record. One hundred thirteen Members answering the Roll Call a quorum is present...Page 4 of the Calendar under nonconcurrences approp. Bills. Appears Senate Bill 302, Representative Weaver. These are all nonconcurrences."

Weaver: "Thank you very much, Mr. Speaker. I move to nonconcur in Senate Bill 302."

Speaker McPike: "The Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 302 and

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requests a Conference Committee. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. Senate Bill 303, Representative Ropp. I believe the Gentleman makes the same Motion. The Motion is the House refuse to recede from House Amendment #1 to Senate Bill 303. The Gentleman asks for a Conference Committee. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Senate Bill 304, Representative Richmond. On the same Motion, Gentleman moves the House refuse to recede from House Amendment #1 to Senate Bill 304 and asks for a Conference Committee. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. Senate Bill 306, Representative McGann. On the same Motion, the Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 306 and ask for a Conference Committee. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 310, Representative Weaver. I believe on the same Motion. Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 310 and asks for a Conference Committee. All in favor in the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 311 on the same Motion. The Gentleman moves... Representative Weaver moves the House refuse to recede from House Amendment #1 to Senate Bill 311 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Senate Bill 334, Representative Bob Olson. Representative Weaver on the same Motion."

Weaver: "Yes, Sir."

Speaker McPike: "The Gentleman moves that the House refuse to recede from House Amendments #1, 2, and 4 to Senate Bill 334 and asks for a Conference Committee. All in favor say

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'aye', opposed 'no'. The 'ayes' have it. The Motion carries. On Senate Bill 336, Representative Ryder. On the same Motion, Representative Ryder moves the House refuse to recede from House Amendment #1 to Senate Bill 336 and request a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. Senate Bill 337, Representative Bob Olson. On the same Motion, Representative Olson moves that the House refuse to recede from House Amendment #2 to Senate Bill 337 and asks for a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Senate Bill 338, Representative Ryder. On the same Motion, the Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 338 and requests a Conference Committee be appointed. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. On Senate Bill 339, Representative Ryder on the same Motion. Representative Ryder moves the House to refuse to recede from House Amendment #1, 3, and 4 to Senate Bill 339 and requests that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 340, Representative Ryder again on the same Motion. Representative Ryder moves the House refuse to recede from House Amendment #1, 2, 3, and 4 to Senate Bill 340 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 341, Representative Bob Olson on the same Motion. Representative Olson moves that the House refuse to recede from House Amendment #1 and 2 to Senate Bill 341 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 334, Representative

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Ryder on the same...On Senate Bill 344, Representative Ryder on the same Motion. The Gentleman moves that the House refuse to recede from House Amendment #1 to Senate Bill 344 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Motion carries. On Senate Bill 346, Representative Ryder makes the same Motion the House refuse to recede from House Amendment #1 to Senate Bill 346 and requests a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Senate Bill 348, Representative Bob Olson on the same Motion. The Gentleman moves that the House refuse to recede from House Amendments #1, 2, 3, and 4 to Senate Bill 348 and requests that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 352, Representative Bob Olson. On the same Motion, the Gentleman moves that the House refuse to recede from House Amendments #1 and 2 to Senate Bill 352 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Senate Bill 354, Representative Ryder on the same Motion. The Gentleman moves that the House refuse to recede from House Amendments #1...House Amendment #1 to Senate Bill 354 and requests a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Motion carries. Senate Bill 356, Representative Bob Olson makes the same Motion. The Gentleman moves that the House refuse to recede from House Amendments #1 and 2 to Senate Bill 356 and requests a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 357, Representative Bob Olson makes the same Motion. The Gentleman moves that the

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House refuse to recede from House Amendment #1 to Senate Bill 357 and requests a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Senate Bill 358, Representative Bob Olson moves that the House refuse to recede from House Amendment #2 to Senate Bill 358 and requests that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 360, Representative Bob Olson moves that the House refuse to recede from House Amendment #2 to Senate Bill 360 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 361, Representative Bob Olson moves that the House refuse to recede from House Amendment #1 to Senate Bill 361 and asks that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 366, Representative Ryder moves that the House refuse to recede from House Amendments #1, 2, 5, 6, and 7 and requests that a Conference Committee be appointed. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 367, Representative Ryder moves that the House refuse to recede from House Amendments #1, 2, and 3 to Senate Bill 367 and requests that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 369, Representative Ryder moves that the House refuse to recede from House Amendment #5 to Senate Bill 369 and requests that a Conference Committee be appointed. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 371, Representative Ryder moves...moves that the House refuse to recede from House Amendment #1, 2, 3,

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4, 6, and 7 to Senate Bill 371 and requests a Conference Committee be appointed. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 372, Representative Weaver moves that the House refuse to recede from House Amendments #3, 4, 5, 6, 7, and 8 to Senate Bill 372 and requests a Conference Committee be appointed. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 373, Representative Ryder moves that the House...On Senate Bill 373, Representative Ryder moves that the House refuse to recede from House Amendments #1 and 2 to House...Senate Bill 373 and requests that a Conference Committee be appointed. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. On Senate Bill 374, Representative Ryder moves that the House refuse to recede from House Amendment #1, 2, 3, and 5 to Senate Bill 374 and requests that a Conference Committee be appointed. All in favor of the Motion say 'aye', opposed 'no'. The 'ayes' have it, and the Motion carries. Page 4 of the Calendar under nonconcurrency appears Senate Bill 214. Representative Hicks."

Hicks: "Thank you, Mr. Speaker. Ladies and Gentleman of the House. I would move to recede from House Amendment #2 and ask for passage of Senate Bill 214 with House Amendment #2 off."

Speaker McPike: "On the Motion, is there any discussion? This is final action. Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Because this final action, could the Sponsor explain what the Bill does and what the Amendments do?"

Hicks: "Yes...Representative I'll be happy to do that. Let me first tell you that we'd try very hard House Amendment #2

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which was the quick take...for DuPage County Airport. We were unable to do that and get it worked out. What this Bill now does...this creates the regional airport authority which...board is appointed by the Governor over O'Hare. Excuse me, Representative let me take that back it does not. This provides that the seven members of the Metropolitan Airport Board shall be from the county with the population between 600,000 and 3,000,000 which basically sets up the new board for DuPage County in that area."

Speaker McPike: "Further discussion? The Gentleman moves that the House recede from House Amendment #2 to Senate Bill 214. All those in favor of the Motion vote 'aye', opposed vote 'no'. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 106 'ayes' and no 'nays' and the House does recede from House Amendment #2 to Senate Bill 214, and this Bill having received a Three-Fifths Constitutional Majority, is hereby declared passed. Conference Committee Reports on page 6 of the Calendar. House Bill 56, Representative Santiago. Out of the record. House Bill 121, Representative Currie. Out of the record. House Bill 175, Representative Farley. House Bill 434, Representative McAfee. Representative Homer. I'm sorry, Representative Homer."

Homer: "Thank you, Mr. Speaker. This Bill...this Conference Report has three parts, none of which I believe are controversial. And the first part has to do with the confidentiality and the accessibility of juvenile court records provides a tenth exception for the administrative a bonafide substance abuse student assistance program with the permission of the presiding judge of the juvenile court. The second part of the Bill is a request of the

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Department of Corrections which would authorize the use of potassium chloride in the administration of a capitol execution, which is as I understand a more lethal drug and would allow for more human carrying out of...execution. Also allows for the confidentiality of those participating in the execution. The third part of the Bill...modifies a earlier prohibition that was passed by the General Assembly that prohibited using glass or plastic covers over license plates. This would clarify that tinted glass or tinted plastic covers would be prohibited, however, clear plastic covers or glass would not be prohibited. I would try to answer any questions. Again, I don't think the Bill is controversial, and I would urge adoption of the Report."

Speaker McPike: "On the Motion, Representative Wojcik."

Wojcik: "I'm sorry. Would the Sponsor yield?"

Speaker McPike: "Yes."

Wojcik: "Representative, the conservation police were opposed to some parts of this. Have they removed their opposition?"

Homer: "Yes, Representative Wojcik, that was taken completely out of this Bill. There's nothing in here now pertaining to conservation police, so they are no...they no longer have an interest in this Bill."

Wojcik: "Okay, thank you."

Speaker Giglio: "Representative McCracken."

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

Speaker Giglio: "He indicates he will."

McCracken: "I've looked at the Report and I don't see it. I'm just asking to confirm. This does not address the concerns raised by the AMA about physicians participating in executions, none of that language in there?"

Homer: "No, it doesn't deal with that issue at all. It just authorizes the use of a third drug that's...apparently when they carried out the execution last year there was some

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problem with the drugs that were used. This would authorize the use of...potassium chloride, which as I understand it, is an ultra short acting...drug."

McCracken: "Okay, thank you."

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

Homer: "Thank you..."

Speaker Giglio: "Representative Young..."

Homer: "...Support for the Bill..."

Speaker Giglio: "Excuse me, Representative Young."

Young: "Mr. Speaker and Ladies and Gentlemen of the House. I have to apologize I didn't quite hear all the discussion as to everything that's in this Conference Committee Report. Could you?"

Homer: "Yes. There are three items in here. One pertains to the juvenile...accessibility to juvenile court records currently there are 9 exceptions. This would provide a tenth for the administrator of a bonafide substance abuse student program with the permission of the presiding judge of the juvenile court. The second provision is a request of the Department of Corrections to authorize the use of potassium chloride in administering the death penalty, which is as I understand it, is more lethal and more human drug than those that had previously had been authorized, also that portion of the Bill allows for the confidentiality of the people who participate in the execution process. The third part of the Bill modifies a prohibition passed a couple of years ago that outlawed the use of glass or plastic covers over license plates. This Amendment would say that only tinted glass or tinted plastic covers would remain a violation of the law and that clear plastic covers would now be legalized."

Speaker Giglio: "Further discussion? Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Is the provision still in this Bill that if you are in possession of a dairy container you're guilty of a felony?"

Homer: "That's out of the Bill..."

Black: "That's been taken completely out."

Homer: "That was taken out of the Bill."

Black: "Alright, what about on the license on the plate cover, has the State Police removed their objection to that? I know at one time they were adamantly opposed, but they didn't like the idea because they think even clear glass covers reflect light at night and have some problems and then they have problems reading the license plate."

Homer: "It's my understanding that they have withdrawn their objection at this time."

Black: "Okay. Thank you very much."

Speaker Giglio: "Question is, 'Shall the House adopt the Second Conference Committee Report to House Bill 434?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 95 voting 'yes' and 8 voting 'no' and the House does adopt the Second Conference Committee Report to House Bill 434 and this Bill having received the required Three-Fifths Constitutional Majority, is hereby declared passed. House Bill 738, Representative Edley. Edley, 738. Representative Edley, do you want this Bill called?"

Edley: "Thank you, Mr. Speaker. House Bill 738...the difference in this Bill and what we passed out of the House, is that we put the effective date as July 1, 1992, where the state

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would automatically be required to pay a 2% interest penalty, and I would urge...acceptance of this Conference Committee Report."

Speaker Giglio: "Any discussion? Hearing none the question is, 'Shall the House adopt the First Conference Committee Report to House Bill 738?' Representative Black."

Black: "Mr. Speaker, if I might ask the Sponsor and it's certainly up to him, we have some confusion over what this First Conference Committee Report actually says, and we noticed our people didn't sign it. We'd be grateful if he take it of the record for a few minutes and let us check and see what...what we have here."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk."

Black: "Thank you very much."

Speaker Giglio: "Representative Wolf, House Bill 971. Representative Sam Wolf, House Bill 971. Out of the record. House Bill 1415, Representative Homer. Representative Homer, 1415. Representative Curran, House Bill 1499. Out of the record. House Bill 2125, Representative Regan. House Bill 2125, Representative Regan."

Regan: "Thank you, Mr. Speaker. Members of the House. I move to accept the Conference Committee Report 2125. The basis of this Bill was...drug offenders and drug offenses would be accessed additional amount of moneys and these moneys would go for the treatment of cocaine babies. There was a considerable amount of time taken to come to an agreement, as far as where the money would go. The way it stands now and is accepted as 70% of these moneys would go to Cook County Hospital from Cook County money and 30% would go to other agencies as help addicted pregnant mothers and cocaine babies. The Bill itself certainly makes sense. Those that cause the problem should pay for it's solution

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or part of the solution. Right now Maryville Academy will be applying for money they have over 370 some cocaine babies on there on hands right now. The second part of the Conference Committee Report deals with a certificate of evidence of drugs rather than having an expert come in and testify in court. This is a way in which to cut back on the expense of the court trials and there's been some agreements made in concessions, so that the Bill is now in a better state for the offense as well as the defense. I urge it's adoption."

Speaker Giglio: "Any discussion? Representative Anthony Young."

Young: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I rise in opposition to this Bill. Particularly, there's a section in the Bill that says, 'a lab technician no longer has to come to court to introduce personally the evidence he received when he tested it in the lab', which means the defendant doesn't have the right to cross examine. All types of mistakes can be made, and it makes the system ripe and open for abuse. If someone is going to be convicted of a crime, he should at least have the right to confront the person who he wants to see. I know they say there's a provision to bring him in with all types of previous notice, but in a criminal court proceeding you never know what's going to happen, and the defendant ought to have a right to call anyone who's gone to introduce evidence to cross examine him on that point. Also, I think some of the fines impose are ridiculous when you look at who they are being imposed upon, but I think we can live that section of the Bill if the Gentleman would remove the portion that says you can introduce reports without the people. It's a dangerous precedent. We shouldn't do it, and once we do it we'll start accepting more and more paperwork without people in the courts to say what motivate

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them to write what was on the paper. I urge a 'no' vote."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. This is a common sense approach to a major problem affecting children. and I think that this is something that's needed in this state and...even though the previous Speaker claims that they won't have the right to cross examine. I think that they will always have the right to cross examine, and I think he is mistaken on that, and I would this Body rise in support of this timely legislation...with a Sponsor that has traditionally made a point of making sure that he protects the rights of children in this state. And I commend Representative Regan for his insight for legislation, and I ask this Body to pass it."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. The right of the defendant to cross examine witnesses against him is unimpaired. The sixth Amendment is not raised by this Bill. There is no Constitutional problem with it, and it makes good policy sense. Today what happens often times is that lengthy and...how shall I say onerous requirements for chain of title and technical testimony has done much to slow down and impede our criminal justice system. This Bill requires disclosure of that evidence substantially prior to a trial, allows the defense to contest it at anytime, does not impair the rights to cross examination, but if there is no fair issue on this point that is the identity of the contraband and whether it is in fact contraband, is something which often times is not contested. This Bill would allow the process to be streamlined, but only where there's no contest as to those facts. Anytime there is a reasonable contest on the point, the standard rules of

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evidence apply and the defendant can cross examine on these points. This does not do violence to the right of confrontation, and it makes good policy sense."

Speaker Giglio: "Representative Regan to close. Excuse me, Representative Levin."

Levin: "If you look on page 4, the Conference Committee Report, it really does cut back the rights of the defendants. It requires prior notice by the defendant that they're going to contest the chain of title. You know, it doesn't give the defendant the adequate protections that they're guaranteed under the sixth Amendment. They've got in it advance, a number of days before the trial decides there going to contest this issue. All it's going to do is...good defense attorney your going to protest every single situation. This is not a fair sit...approach. It's one that will probably end up delaying rather than expediting the process given the way that it's set up. I urge a 'no' vote."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I...I initially was one of conferees on the Report and refused to sign the Report...was replaced, and I may have told the proponents the Cook County States Attorney's Office Representative that I would...not speak on the Bill. If I said that, I apologize, and I don't recall if I did. I'm confident that I always said that I would oppose the Bill and would refuse to sign the Report. And the reason for my opposition is this part of the Report that would allow expert testimony on drug analysis information, lab reports, to be entered into evidence by way of certificate of the chemist and would excuse the witness from appearing at the trial. Now why is that such a bad idea? The reason I believe it's a bad idea is, it runs contrary to our entire jurisprudence

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system which allows the defendant the opportunity to confront the witnesses against him. That's the most fundamental right and protection that a defendant has to confront witnesses and to be able to cross examine and to test their statements in court before the jury and the judge. This provision in the Bill is an attempt to take away from the defendant the right of cross examination, the right to confront a material witness against him, that being the so called expert witness who did the lab analysis of the substance for which the person is being tried for possessing or delivering. When I was a prosecutor a number of years ago, we had a so called expert who was later found out to have fabricated many of these reports. Out of the interest of saving himself some time and effort, he was simply certifying a lab test that something was a controlled substance without performing the test on them, and a number of defendants were convicted and sentenced, some to prison, on the basis of perjured and alternated and fabricated lab reports. This is not asking to much, I don't believe, to have all the witnesses who are appearing before a defendant appearing in court and to require the prosecution to prove each eliminate of the offense beyond a reasonable doubt and including the authenticity of the chemist who performed the laboratory test for which the person is on trial. I think this report should be rejected and sent back to a Second Conference Committee Report with this portion of it removed. And I would urge that people vote against this Conference Committee Report."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, the provision regarding of lab techs can't be that onerous, Senator Marovitz signed off on the Conference Committee Report which tells me one thing, that

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it's not onerous at all. And secondly, the real bottom line is here in the next election cycle. Do you want to hear your opponent tell the people in your district that you voted against having against having cocaine dealers pay for the cost of care for cocaine babies? That's the real bottom line. I don't think anybody in this House, I know I don't want to face that issue. It's a good Bill and one who's time has come. You should vote 'aye'."

Speaker Giglio: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. One of the largest crime labs in the state is located in Joliet, Illinois. Often times, these lab technicians are required to perform the omen's test in connection with the detection analysis and identification of controlled substances. One of the things we in the General Assembly are guilty of is continuing to expand the number of controlled substances which we must perform test upon. And yet we have not provided a commensurate increase in the ranks of lab technicians. If there's been any criticism...that has been leveled at the criminal justice system over the last decade, it is that all too often, we are not getting to the substance of the matter, but we are simply getting around and just...trying to decide cases on what are referred to as preferential issues. This Conference Committee Report seeks to streamline a process in a way which will not do any injustice to any criminal defendant. Any defense lawyer worth his salt, will know whether or not there's a process which is tainted, which may in fact unjustly result in an unjust conviction. It seems to me that the adoption of this report, will simply streamline a process which really needs to be streamlined and will give relief to overworked and understaffed technicians at crime labs throughout the state. I urge it's adoption."

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Speaker Giglio: "Representative Regan to close."

Regan: "Thank you, Mr. Speaker and Members of the House. Part 2 of this Conference Committee Report is accepted in 16 states, been tested by the Supreme Court, and there's absolutely nothing in this Bill that will take the right away from of a criminal to have the witness brought forward. On page 4 of the Conference Committee Report, nothing in this Section shall prohibit a opposing from calling as a witness during a presentation of opposing parties case. Any person who's name appears on a certificate to rebute the information contained in that certificate. They can, and they will be brought in a court in cases where there is problems. I have urged the acceptance of that part of this Conference Committee Report. Part #1, this law for cocaine babies is in place in New Jersey and last year brought in \$9,000,000 to help cocaine babies, and I urge your...a lot of green votes on this Bill."

Speaker Giglio: "Question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2125?' All those in favor vote 'aye', opposed 'no'. The board is open. This is final action. Representative Lang."

Lang: "Thank you, Mr. Speaker. To explain my vote, this is a terrible Bill. If you believe in the right of cross examination, and if you believe in the right of the defendants to have the ability to cross examine and to confront their accuser. In some cases the lab report is an accuser in some cases that's the linch pen of the whole trial of that lab report. I don't understand how we can possibly take that out of realm of cross of examination. Please defeat this Amendment...this Conference Committee Report."

Speaker Giglio: "Representative Anthony Young."

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Young: "Thank you, Mr. Speaker. Inquiry of the Chair. How many votes does it require for passage of this?"

Speaker Giglio: "The Parliamentarian informs the Clerk...Chair it requires 71 votes. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Regan."

Regan: "To explain my vote, I think that 71 votes certainly...should be up on that board. The court systems are tied up. The cases go on years and years and years specifically in Cook County. This will speed up the trials, save money for the courts, as well as many agencies out there are waiting for the funds that will be brought in from these cocaine peddlers the assessments to help babies that have to be held in your arms for six months and bathed in warm water until their addictions are over. I urge a green vote, please."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have...Representative Leitch."

Leitch: "Yes, to explain my vote. I too would urge move green votes this is a very good Bill. Very often what happens presently, is when a certificate's been filed, the technicians are then maybe called to court and not called to court the defense has a great advantage in playing the cat and mouse game with the prosecution, and it's an impediment to the process. The Bill very clearly states that there's nothing to prohibit the interrogation of the lab technician or anyone who signs the certificate. This is a very important crime Bill and one that would help make our system a better one and a more affective one and I'd think that it is something we very much ought to be passing in Illinois and would urge some more green votes."

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

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Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I really think when we start to diminish the Constitutional Rights of any person be they accused or not accused and this legislation is really violating the Constitutional Rights of a person by saying that a certificate of paper signed by someone that will be unknown to many can help to convict you...Constitutionally, I just think we would put all of our rights in jeopardy. What would be the condition of the person who signed the certificate? You know, that would be a question that someone could ask. Under what conditions did you sign this certificate? I think it puts all of our freedoms in jeopardy, and I think we may want to take a better look at this legislation. And it will not prevent the use or sale of cocaine. This Bill will not prevent the use of cocaine. It will not prevent the sale of cocaine, but what it will do is jeopardize the civil and Constitutional Rights of all the people in the State of Illinois."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I...sometimes am amazed at...the Legislative Body wants to determine what's Constitutional or not. I think that's best left to the courts, and the way I use to teach Government in my classroom, I think it's still that way. I don't think we determine the Constitutionality here. And as the Sponsor clearly said, and perhaps you could defer the Sponsor, it has been tested in the courts. It's in effect in more than 18 states, and it has indeed has been upheld as to it's Constitutionality. It's a get tough issue on a tough problem. It's deserving of your support. With a couple more votes it could be on its way to the Governor's desk, and I would hope we could get those votes."

Speaker Giglio: "Representative Currie."

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Currie: "Thank you, Mr. Speaker and Members of the House. I rise to take exception to the remarks of the previous Speaker. We do have a responsibility to define and uphold the Constitution. Each and everyone of us when we were sworn in to this Body took an oath to uphold the Constitution of the United States and the Constitution of the State of Illinois. For somebody in this chamber to suggest that the issue of Constitutionality is one that belongs to some other branch of government is to misunderstand our role in a three part system of Democratic governances. Each of us has to make the determination whether the proposals that we vote for or against meet the standards of the United States and the State Constitution. In my view, this proposal does not meet those standards, but I think the basic issue is that for someone to suggest to you leave it up to the courts, leave up to the Governor is to misread and misunderstand our own individual responsibilities to the Constitutions and to the people of this state and of this nation. I urge more 'no' votes."

Speaker Giglio: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker. If this Bill appears to get the requisite number of votes, I'd ask for a verification."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 2125?' Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 69 voting 'yes' and 30 voting 'no'. Representative Regan."

Regan: "Mr. Speaker. Would you please, call for a Second Conference Committee Report, please on House Bill 2125?"

Speaker Giglio: "Take the record, Mr. Clerk. On this question, 65...69 voting 'yes' and 30 voting 'no' and the House fails to adopt the First Conference Committee Report on House

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Bill 2125. The Gentleman requests that a Second Conference Committee Report or a Second Conference be appointed. Alright we're going to go back and do House Bill 738, Representative Edley took it out of the record for a few minutes. The Gentleman from McDonough, Representative Edley."

Edley: "Thank you, Mr. Speaker. We've debated this Bill before. Let me just warn people that this is really a piece legislation that will measure our commitment to paying the state's bills on time. This gives the State of Illinois one year to clean up our act and make prompt payments to our suppliers, our nursing homes, and hospitals and pharmacies throughout the state or face a 2% penalty. Now I don't think the State of Illinois when faced with paying a 2% penalty for late payments will...will abandon their responsibilities. I think we'll find the money to pay our suppliers and our nursing homes on time, and I would urge a 'yes' vote."

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

Black: "Thank you very much, Mr. Speaker, and we do appreciate the Gentleman taking this Bill out of the record, so that we could review it. Obviously, no Republicans in the House or in the Senate signed this Conference Committee Report. You know, I'll tell you something, and I hope everybody listens carefully. Under normal circumstances, I would not rise to oppose this measure, and I don't think anybody in the chamber would. Yes, the Gentleman states a fact that we could most all agree on. We should pay our bills, and we should pay them on time. That's a sound business procedure and most of us would agree with that, but these are not normal times. The budget is out of balance by well over, and both sides agree, well over \$1,000,000,000, and

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we have gotten ourselves into this position and there's no one to blame, but all of us in this chamber because we vote on occasion for good ideas like this. Yes it is a good idea, and we vote for it, and a 1,000,000 and a 1,000,000 there adds up to a \$1,000,000,000 budget deficit that is going to cause all of us grief and pain in the months to come. This Bill, if enacted, even though it doesn't take affect a year down the road, will cost the State of Illinois the taxpayers there of \$59,000,000 to implement. In normal times, in normal times the Gentleman is absolutely correct, but the fact remains, is we don't have the money to pay our bills, yet alone pay them on time. That is a tragedy. That is something that none of us should be proud of in this chamber, but by adding an interest penalty that the business man or woman doesn't even have to ask for under his Bill, simply exacerbates the problem we find ourselves in. I wish I could rise to support the Gentleman's Bill. I think all of us do. The fact is, we can't do these things until we work ourselves out of \$1,000,000,000 debt. Let's pay the bills that we already have that are more than six months passed due, and then perhaps in a year or two or three, we can come back and talk about the idea the Gentleman has. I urge you, don't dig the whole any deeper on something that sounds good and in all probability is good. The money isn't there, we are not paying bills period, yet alone on time, so how do we think we can pay an interest and penalty when we don't even have the money to pay the underlying bill. No matter how sound the Gentleman's reasoning may be, I urge you because the \$59,000,000 cost to vote 'no' on this measure."

Speaker Giglio: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentleman of the House."

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I rise in support of this Conference Committee. We should all remember that on the other side of the revenue stream...if you don't happened to pay your sales tax on time, the State of Illinois says pay interest in penalties. The State of Illinois doesn't ask you what your current net worth is or what your current cash flow is or whether your having difficulty paying that penalty in interest, the State of Illinois says 'Cough it up'. If you fail to pay your income taxes on time, or fail to make an estimated payment on time the State of Illinois doesn't say to you 'we'd like to hear about your current status of your condition and if your having some tough times we will forgive the interest, we'll delay it, we'll forget it'. No. The State of Illinois says 'you 'Cough up your interest, you cough up your penalties, cough up the money,' now the shoe is on the other foot. We don't have enough money, and we here debate about the State of Illinois should be excused from paying interest. We shouldn't be excused from anything. We should face up to the cuts we have to make. If it's fair for the taxpayers to have to pay interest and penalties, it is fair for the State of Illinois to pay interest if it can't pay it's bills. This is a great Conference Committee Report. The effective date of this is delayed, and it will be in coming into affect a year from now or so when we hopefully will have better conditions. What's fair for sauce for the goose is sauce for the gander. Vote for this Conference Committee Report. It's good Legislation."

Speaker Giglio: "Representative Edley to close."

Edley: "Thank you very much. I...I'm a little confused at some of the comments from the...Republican side of the aisle here. I thought what we were doing the last a couple of three weeks is trying to come with a budget, so we could

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pay our bills on time. The effective date is July of 1992. I think the Governor and the leadership and the Conference Committee...budgeteers are charged with responsibility of paying our bills over the next year, of getting the state in a position so we are current, and if we're not, if we can't pay our bills on time starting next July there's going to be a price to pay. No longer can we shift, simply shift...hundreds of millions of dollars of our own bills off on nursing homes, and pharmacies and say, 'tough luck folks. You go to the bank, you find some way to pay...to meet your payroll. The state isn't responsible'. We should pay a 2% penalty of interest to these state suppliers, and I urge your 'yes' vote on this Conference Committee Report."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to House Bill 738?' All those in favor signify by voting 'aye', all those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 76 voting 'yes' and 19 voting 'no', and the House does adopt the First Conference Committee Report to House Bill 738, and this Bill having received the required Constitutional Majority, is hereby declared passed. Senate Bill 37, Representative Granberg. Granberg. Out of the record. Senate Bill 299, Representative Munizzi. The Lady from Cook, Representative Munizzi."

Munizzi: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'd like to ask that we adopt Conference Committee Report #1 for Senate Bill 299. The Conference Committee Report has the House recede from Amendment #2 which changes the effective date of this Bill and it also adds some provisional

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language for the Illinois Community College Board...with the regard to the board of higher education as well, and I ask for a favorable adoption of this Bill."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This is Bill is a classic example of what you can do when you sit down and you try to compromise. Two weeks ago, we were as far apart on this Bill as you could be. Two or three days ago we were as far apart on this Bill as you could be. The Community College System, most members of the community college system are not totally happy with this Bill. I don't think the city colleges of Chicago are totally happy with this Bill, but because of the perseverance of the Sponsor and others, we've worked out the best compromise we can work out. I don't think anybody in the community college system is going to be thrilled with this Bill, but I think all of them can accept it and all of them realize that a compromise is sometimes the best you can work out. I commend the Sponsor. I commend all of those who have worked diligently to do this. In my opinion, and I rise to support the Lady's Motion. This is the best compromise that we can work out in a difficult fiscal year. I intend to join with her and vote 'yes', and I appreciate her diligence in working this compromise out."

Speaker Giglio: "Gentleman from Warren, Representative Hultgren."

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

Speaker Giglio: "She indicates she will."

Hultgren: "Representative, this is the new rate Bill, is that right for the community colleges?"

Munizzi: "I'm sorry, I didn't hear your question."

Hultgren: "This is the new rate Bill for the community colleges."

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Munizzi: "Yes, yes."

Hultgren: "Do you...you know was another rate Bill that was circulating here a couple of weeks ago and...I think along with that there was a print out as how to each particular community college district in the state would be affected. Do you have similar information for this rate proposal?"

Munizzi: "No, I don't."

Hultgren: "So, you don't know exactly who's gonna who are the winners and who are the losers under this proposal. Is that right?"

Munizzi: "Just been handed to me. It has just been handed to me. Are you looking for anything in particular, sir?"

Hultgren: "Well, I think I'm looking perhaps at the same thing your looking at right now. Does this...this proposal also have the scholarship language in it for the engineering scholarship. Is that correct?"

Munizzi: "Yes, it does."

Hultgren: "That's still in the Bill. Is that correct?"

Munizzi: "Yes, it is. We removed the second Amendment which would change the effective date, so it's not effective until Fiscal Year '93."

Hultgren: "I think that answers my questions. Thank you, Representative."

Munizzi: "Thank you."

Speaker Giglio: "Further discussion? The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "She indicates she will."

Ropp: "The...Senate Amendment that deals with the engineering scholarship is that going to be additional money from the state assistance, the student assistance commission or is this going to be taking away from the existing program?"

Munizzi: "It'll be administrated by the Illinois...Illinois

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Student Assistance Commission only if the funding is available for Fiscal Year '93. We changed the effective date for July 1, 1992."

Ropp: "I know that, but in other words if there are no dollars that go specifically for the engineering program as add on dollars then it will not be effective and there will be no money going to that scholarship program."

Munizzi: "To the best of my knowledge yes, that's what is exactly what's going to happen."

Ropp: "Okay, the credit hour grants are those new higher rates or are those new rates?"

Munizzi: "Those are rates that..."

Ropp: "How do these rates compare with let's say, last year."

Munizzi: "There's a change in the rates because they had excluded the public building expenditures in the calculations and consequently had to come back and renegotiate those rates..."

Ropp: "Are they generally higher than before or they about the same."

Munizzi: "They're a little less from what I'm looking at. A little less than last year."

Ropp: "Okay. Let's take for example the technical one. How does that compare with last year?"

Munizzi: "I'm sorry. Most of them are a little less. The technical is a little higher."

Ropp: "A little higher."

Munizzi: "The technical is a little higher. The House is a little higher."

Ropp: "Okay, so..."

Munizzi: "Please, let me stand corrected. I'm looking at the wrong column here."

Ropp: "This affects every..."

Munizzi: "They're less than last year in the

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Baccalaureate...Health...I'm sorry adult basic and secondary general study stays the same."

Ropp: "So, about half of them are higher and half of them are lower."

Munizzi: "Apparently that was a compromise."

Ropp: "Okay and this will affect every community college or just those in Chicago area."

Munizzi: "All community colleges."

Ropp: "All community colleges. Okay, thank you very much."

Munizzi: "Thank you."

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

Satterthwaite: "Mr. Speaker and Members of the House. I rise in support of this Conference Committee Report. It is true that there are minor adjustments going up or down on the individual kinds of grants, but this in fact maintains the integrity of the community college formula process and also provides for some equity so that we are not totally devastating the city colleges. I think that it is a good compromise and recommend that all of the Members should be in support of it. Without this legislation, in fact, the Senate Bill 309 as the community college grant Bill was originally introduced would have been even lower grants in many of these categories, and so I would suggest to you that this is a very good proposal and that we ought to give it a resounding vote of support."

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

Cowlshaw: "Thank you very much, Mr. Speaker. Will the Sponsor yield for one brief question, please?"

Speaker Giglio: "She indicates she will."

Cowlshaw: "Representative, I just want to ask whether there is anything in this Conference Committee Report that has anything whatsoever to do with the election of community

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college trustees by subdistrict rather than at large."

Munizzi: "No not at all."

Cowlishaw: "There is nothing like that in here."

Munizzi: "No."

Cowlishaw: "Well, we've defeated that seven times before, I thought perhaps we shouldn't be asked to do it again. Thank you."

Speaker Giglio: "The Gentleman from Cook, Representative Andrew McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I rise in support of Senate Bill 299 this Conference Committee Report. I tested the remarks of Representative Black, Representative Satterthwaite. This is a good compromise. It'll work out well for all of the community colleges for this year of '92, also the community college board, the board of higher education will be coming back in June of '92 with another formula, so there will be equity throughout the whole state and continued equity which should be. For this reason I ask for all of the Members of the Assembly to give us the total support."

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

Woolard: "I also...I also rise in support of this legislation. I think that each and everyone of us who have a community college that we're concerned about should be more concerned about what's going to happen in the future. And I think the greatest thing that has come about through this discussion is the continuance of a formula that will be based and driven strictly on the numbers of enrollment and also the dollars available. This will be implemented before next year and will be on a continuing basis throughout the rest of eternity, we hope, as far as the community college system is concerned. Yes, this is a very

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good agreement. I think that each and everyone of us, the city of Chicago downstate schools all got less than what we would have like to have gotten, but I think everyone in this budget process is going to get less throughout this budget process, so it's a good Bill. I urge for the passage."

Speaker Giglio: "The Lady from Cook, Representative Munizzi to close."

Munizzi: "Thank you, Mr. Speaker. Ladies and Gentlemen, I'd like to also second Representative Black's comments in complementing everybody who was so cooperative in participating and making this Bill effective for all of us, and I ask for a favorable vote to adopt this Conference Committee Report."

Speaker Giglio: "The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 299?' And on that question, all those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', 5 voting 'no', and the House does adopt the First Conference Committee Report to Senate Bill 299, and this Bill having received the Three-Fifths extra Majority, is hereby declared passed. Representative Burke. Out of the record. Representative Williams, Senate Bill 659. Out of the record. Representative Williams, 659."

Williams: "Thank you, Mr. Speaker. Senate Bill 659 this is the Second Conference Committee Report. What it did was, first of all it took out the original Bill which dealt with increased rates for attorney fees and that's all gone all together. Now, second Conference Committee Report adds language to the criminal code that defines a redemption

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machine as it relates carnival or arcade games to allow merchandise prize with a value of the lesser of a \$5.00 or seven times the cost of play which is 25¢ and no more than \$1.75. It allows also allows that a coupon worth the cost of a play of the game can be won and added to other coupons to receive a better prize no cash may be given. We're really talking about skeet ball games and...it helps to make the just...basically is something that has been added at the request of the, I'm assuming the operators to make the game more realistic in terms on how the prizes are awarded. Again, we're only talking \$5.00 maximum or I guess if it's seven times \$1.75 they might get to ten and a quarter. Finally the Bill clarifies language that passed out of this House 114 to nothing. Dealing with the Illinois Purchasing Act. It would allow business entities to continue to do business that may have been convicted of a felony so long as the individuals who are responsible for that particular felony were removed from that office altogether and that there were no...individuals that were left in that office that were involved with the criminal activities, and I'd ask for 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Mr. Speaker, will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Representative, have all the court fees, increase fees been taken out of the Bill, now?"

Williams: "Every last one."

Black: "So, it's really just something on the little games that are played at Great America?"

Williams: "Well, is that...there is additional language now. It deals with companies that have been involved with...been convicted of a felony."

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Black: "On the Purchasing Act?"

Williams: "Yes."

Black: "Okay, and what is the effective date of the Bill?"

Williams: "There is no effective date, that I understand that.
So I would assume that we would be talking next year."

Black: "So, it would be...it would only require 60 votes for
passage, correct?"

Williams: "That's my understanding."

Black: "Okay, thank you very much."

Williams: "Wait a minute. Nope, nope. Excuse me. Wait a
minute. Wait a minute. The very last sentence of the Bill
says this Act takes effect upon becoming a law."

Black: "So, it requires 71 votes."

Williams: "I would guess so. That's what it says here. I mean
I'm trying to be believe me this is not my original
Bill...so yeah, I guess so."

Black: "Okay, thank you very much."

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

McCracken: "Thank you, Mr. Speaker. The talk about these games
and everything that's...that's makes no reference to the
lottery or would authorize those types of games for the
lottery. Is that right?"

Williams: "That's what I understand. To the best of my
knowledge, no it would not."

McCracken: "Alright, well, I think the part about the Purchasing
Act, that the Gentleman raised is is very controversial and
I want the House to consider carefully whether it wants to
approve that. What I remember about this issue was that we
were going to require an Illinois conviction to disqualify
a contractor, in fact, what this does is go far beyond
that. What this says, for example, even if a corporation
is the party that is convicted and it's an Illinois

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conviction if the persons involved, actually involved, have since left the company, the company can do business with the State of Illinois right away. That is an issue that I don't recall our ever addressing before. It's completely unprecedented, and it's a terrible, terrible policy. Just think to yourself. All the company would have to do is get rid of the executive who is the guilty natural person. The corporation is free to conduct business. In effect, this has no teeth. This is a step in the wrong direction. I rise in opposition. I ask the Chair to rule that in fact it does require 71 votes, and I encourage all of you to vote 'no' on that basis."

Speaker Giglio: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentleman of the House. No, I guess it is rare that I would rise in support of Representative McCracken, but often times it is a corporate decision before hand when companies are convicted of a felony. And I know that in a case of one particular business in my community there was a situation where they fired somebody who they said was responsible for turning off monitoring devices in total disregard for the law, and the company fired this guy. He became a whistle blower, but they would have been allowed to continue to do business with the State of Illinois. And I think that they...it would set up a situation where often times they would get rid of somebody just to be able to continue to make profits. I think we should send this back, ask for a Third Conference Committee Report take out this Section, and get on with our business."

Speaker Giglio: "Representative Williams."

Williams: "Hello. I just want to make a correction that the...I was looking at the wrong copy of the Bill and this one does not take effect upon becoming law. So, the report I saw

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was different, so just wanted to make that correction."

Speaker Giglio: "Representative McCracken."

McCracken: "Speaker in the absence of a stated effective date the statute on statutes provides it becomes effective January 1 of the next year. In order for a 60 vote requirement to apply, the Bill will have to state, expressly, that it does not become effective until June or July 1 of '92. I ask the Chair to so rule."

Speaker Giglio: "The Parliamentarian informs the Chair Representative McCracken that if there's no effective within the Bill that the Bill would only require 60 votes and it would take effect July of the following year which would be July of next year with 60 votes. Further discussion? Representative Williams to close. You may close."

Williams: "I urge an 'aye' vote."

Speaker Giglio: "Question is, 'Shall the House adopt the Fir...Second Conference Committee Report to House...Senate Bill 659?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 11 voting 'yes', and 92 voting 'no', and the Gentleman's Motion fails. Representative Williams."

Williams: "I don't know what I can do. I don't if I can do anything else? What can I do? Can you get a Third Conference Committee Report? Can I take this out of the record?"

Speaker Giglio: "No, it's out of the record."

Williams: "Can I get..."

Speaker Giglio: "It's gone. Senate Bill 872, Representative Keane. Senate Bill 972, Representative Steczo. Steczo.

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Out of the record. Representative White. Jesse White. Senate Bill 1227."

White: "Mr. Speaker and Ladies and Gentlemen of the House. I move for the adoption of Conference Committee Report #1 to Senate Bill 1227. There is no opposition to the Bill. It is one that will allow the states attorney to move in to evict a person who is manufacturing or distributing drugs within an apartment or within a building. This takes the landlord off the hook and it puts the problem of the eviction in the hands of the states attorney's office. I move for it's adoption."

Speaker Giglio: "Any discussion? Hearing none. The question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1227?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all vote who wish? Take the record. Representative Laurino 'aye'. Take the record, Mr. Clerk. On this question, 113 voting 'yes', none voting 'no' and the House does adopt the First Conference Committee Report to Senate Bill 1227 and this Bill having received the extra required Majority, is hereby declared passed. Senate Bill 1393, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. The Conference Committee Report on Senate Bill 1393 was modeled after a New York law and was developed in cooperation with the Illinois Hunger Coalition. I'd like to give my time to Representative White, this Bill was originally House Bill 273 that Representative White Sponsored."

Speaker Giglio: "Representative White."

White: "Mr. Speaker and Ladies and Gentleman of the House. House Bill 273 passed this House with about a 91 votes and all

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this Bill does is that it sets up a coordinated effort on the part of the Public Aid Department for distribution of food...much of the food that is distributed in this great state of ours are reimbursed by the federal government. And there are a lot of hungry people in our great state, and we needed a quarterback to make sure that the people get where the food is and the food gets where the people are. So all this Bill does is that it provides for directions on the part of the Illinois Public Health Department to help coordinate an effort by which the food can get to those who are truly in need. They're...they are saying that there is a large amount of dollars that are needed to coordinate this effort, and the way I look at it all of Public... Health Department needs to do is to identify one person to serve as a quarterback to make sure that the food get to those who are truly in need. I'd move for the adoption of Conference Committee Report #1 to Senate Bill 1393."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentleman of the House. In all due respect to the Sponsors, and again, you know it's not easy to get up and oppose something like this. This program probably is used as much in my district as anybody's district on the House floor, but I'm compelled to point out a few things to you. The underlying House Bill 273 has already been defeated in the Senate once this year. A very similar Bill was vetoed by the Governor last year. Now were back on what, no doubt, is a program that many of us would like to support. It's awfully hard for me to get up and oppose something that when I recognize value and importance of coordinating various nutrition programs administrated by our state

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government, so that we can get the maximum mileage out of those programs as possible, but again, again and like a broken record and I urge you...here it is the 9th of July, why are we here? We're here because the state is broke. This program, no matter how worthy, and it is worthy, has a \$270,000 fiscal impact. Now if we can get this budget straighten out and go home sometime between now and Labor Day, I'll be glad to co-Sponsor the Gentleman's Bill at the appropriate time. This is not the appropriate time. Let's prioritize our spending, let's get the state taxpayer's out of debt, let's pay off our bills and then come back with new programs when we have our spending under control. Ladies and Gentleman, I don't rise and get any particular pleasure out of opposing a Bill like this that under normal circumstances I would enjoy supporting. I say to you again, we are not under normal circumstances. I want to go home, and we can't go home if we continue to spend money we don't have. A 'no' vote or a 'present' vote is the vote you must make due to the realities of the fiscal situation this state is in. It's not an easy vote and I don't ask you to vote 'no' or 'present' thinking it is an easy vote, but I wanna go home. I wanna balance this budget. I wanna prioritize our spending, and I wanna go home."

Speaker Giglio: "Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative, I know my names is on this Bill and it's not exactly the Bill that originally started out to be, but isn't it true that the extension service which is located in every county in the State of Illinois provides for nutrition education programs for every person in the county in which you reside now?"

White: "That is correct, yes."

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Ropp: "Then why do we need this particular Bill to do what we are already doing now."

White: "What has happened is that we...have to coordinate the efforts because there are a lot of young people, a lot of senior citizens, and a lot of people who truly deserve and need food who are not getting the message that there are stock piles of food available here in this great state of ours, distributed to the state by way of the federal government and they do not know where to go and who to see and how apply for these stock piles of food. And we're asking the Illinois the Public Health Department to identify one person to serve as a quarterback to make sure that the people know where to go, who to see, and how to apply for these foods."

Ropp: "Well, I know that your...intents certainly are worthy, but...I think for a number of years we've have all of these federal programs that provided for free cheese and free meat and free this and free that, and if they haven't been able to locate it now, I'm not sure that this Bill will do any better than what we have already in place, so I would encourage the extension service department and those people who are concerned about these people to attempt to get the two people together. Those who are in need with the extension service here in the State of Illinois which is located in every county and has been in existence for more than 75 years."

Speaker Giglio: "Representative White."

White: "In response to your last remark. Only half of the people are using the foods...the food products that are made available here in this great state of ours, and so we want to make sure that we fully utilize those food products that are available to us in this state of ours and we need someone to make sure that they know that these items are

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available, where to go, who to see, and how to apply and we just need the Illinois Public Health Department to identify just one individual to serve as the quarterback, you know football, and I think you know it very well. It's an important for us to make sure that we know where the products are located and that's why the Bill... that's why the importance of the Bill and would hope that the Members of this Body will stick with me because we had 91 votes before 2 negative votes, and I would ask you stick by me now because we have a lot of hungry people out there and we make sure that they are properly fed."

Speaker Giglio: "Question is, 'Shall the House adopt the First Conference Committee Report to Senate Bill 1393?' And on that question, all those in favor signify by voting 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 66 voting 'yes', 17 voting 'no', 28 voting 'present', and the House does adopt the First Conference Committee Report to Senate Bill 1393, and this Bill having received the required Constitutional Majority, is hereby declared passed. On page 3 the Calendar Senate Bill's, Third Reading appears Senate Bill 1421. Representative Younge. Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1421, a Bill for an act to amend the Revenue Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from St. Clair, Representative Younge."

Younge: "Thank you, Mr. Speaker. Could that go back to Second Reading for purposes of an Amendment?"

Speaker Giglio: "The Lady asks leave to return a Bill to the Order of Second Reading. Representative Black."

Black: "Mr. Speaker, I believe there's an Amendment #4 of this

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Bill, it has not been distributed, we don't have it. There's confusion on this Bill. If you'll take it out of the record and give staff a chance to look at it, we'd like to help her, but we can't do that when we don't have the amendment, I believe it's Amendment #4. Well, #4 may be over there, fine, but it hasn't been analyzed over here, yet, and until it is, we're not going to give her permission to take it back to Second. I've told her we'll work with her when we get it analyzed. Alright. I don't care if it needs 60, 50, 40, if you want Mark to run it, let him run it."

Younger: "Mr. Speaker, take it out of the record until we've had a chance to talk, please."

Speaker Giglio: "Alright. Take the Bill out of the record, Mr. Clerk. SJR #20, Representative Granberg. Representative Granberg?"

Granberg: "Thank you, Mr. Speaker. Are there any Amendments filed to House...Senate Joint Resolution #20?"

Speaker Giglio: "Mr. Clerk, are there any Amendments to Senate Joint Resolution #20?"

Clerk Leone: "House Amendment #1 has been filed."

Granberg: "Could you withdraw that Amendment, Mr. Speaker?"

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "On the Resolution, Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Joint Resolution #20, sponsored by Senator Rock in the Senate, requests that we more seriously address the issue of ritual abuse of children and the response by social service agencies and law enforcement agencies in the State of Illinois. It's a very, very, serious problem. Recent studies have indicated ritual abuse of children is much more serious than any of us have ever dreamed. It's a

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horrible situation. The Resolution would ask that we acknowledge that and have a committee appointed. A task force composed of Members of the House and of the Senate, to study this issue and to come back to this Legislature with recommendations to address this very serious problem."

Speaker Giglio: "Any discussion? Representative Regan."

Regan: "Thank you, Members of the House. There's no question in my mind that this is a good Resolution and it's needed. The task force to investigate how deeply this bizarre crimes go. I hope that it passes, because I've applied for and ask to be on this task force. I was responsible for the legislation that passed three years ago in regards to cult crimes. I've got experience that can aid this task force, and I urge its adoption."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'm going to be voting for the Senate Joint Resolution but, we shouldn't pretend or delude ourselves, or the media, into thinking that this means a great deal. We should be studying, not only the ritual abuse of children but we've studied to death the daily sexual and physical abuse and neglect of children, and we come to this chamber with legislative matters that can assist children and more times than not, we vote them down. And, some of the same people who talk about how we have to study the abuse of children are the ones who vote against the proposals that will actually do something to assist those very children who are the victims of abuse and neglect. If you're not willing to spend dollars on children, don't think that you're doing anything by having one more task force. It's the vote to spend dollars to help children that is the help they need. They don't need one more committee commission, or one further study."

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Speaker Giglio: "Representative Granberg, to close."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask your favorable vote on Senate Joint Resolution #20. It's a very horrible, serious, problem. We're attempting to address it in some form or another. Hopefully, we can do without dollars but we'll have to see. We must address the issue. Our children are too important. They're an unprotected class in our state, and they need us to make sure their interests are protected. Thank you."

Speaker Giglio: "Question is 'Shall the House adopt Senate Joint Resolution #20?' All those in favor vote 'aye', opposed 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 113 voting 'yes', none voting 'no', and the House does adopt Senate Joint Resolution #20. Turn to page 80 on the Calendar. Under Motions appears House Resolution 873. The Lady from St. Clair, Representative Wyvetter Younge."

Younge: "I move, pursuant to Rule 43(a), to bypass Committee and place on the Speaker's desk for immediate consideration House Resolution 873."

Speaker Giglio: "You heard the Lady's Motion. Does the Lady have leave by the Attendance Roll Call? Hearing none, leave is granted."

Younge: "Thank you, Mr. Speaker. This Resolution would ask the Illinois Department of Public Aid to set up a training program out of the federal food stamp and training program for general assistance recipients in the East St. Louis area and I move for the adoption of the Resolution."

Speaker Giglio: "Any discussion on the Lady's Resolution? Hearing none, all those in favor signify by voting 'aye', opposed 'no', in the opinion of the Chair, the voting is open. Have all voted who wish? Take the record, Mr.

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Clerk. On this question 110 voting 'yes', none voting 'no', and House Resolution 873 is adopted. House Resolution 893; Representative Wyvetter Younge."

Younge: "Thank you, Mr. Speaker, pursuant to Rule 43(a), I move to bypass committee and place on the Speaker's table for immediate consideration; House Resolution 893."

Speaker Giglio: "You heard the Lady's Motion. All those in favor...does the Lady have leave by the Attendance Roll Call? Hearing none, leave is granted. Representative Younge on the Motion."

Younge: "Yes, this Resolution would establish a student exchange program for African and Carribean students at Northeastern University. This program would be established at the center for inner-city studies and it has the full support of the center and the President of Northeastern University, and I move for the adoption of the Resolution."

Speaker Giglio: "Any discussion on the Lady's Motion? Gentleman from Vermillion, Representative Black."

Black: "Thank you very much, Mr. Speaker. The Sponsor has been really good in working with our side of the aisle, and letting us see copies and, we passed this out of here unanimously as a House Joint Resolution, and the Senate, and you know, who knows what the Senate does on occasion, but, I don't think they ever got around to considering it. We certainly have no objection; we appreciate the fact that she keeps us informed as to what she's doing, we plan to support her."

Speaker Giglio: "Further discussion? Gentleman from McLean, Representative Ropp. No? Representative Younge, to close."

Younge: "I move for the adoption of the Resolution."

Speaker Giglio: "All those in favor of the Resolution signify by saying 'aye', opposed 'no', in the opinion of the Chair the

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'ayes' have it, the Resolution's adopted.
Further...Representative Younge."

Younge: "We're ready on Senate Bill 1421."

Speaker Giglio: "Senate Bill 14...Representative Younge, we'll
get back to that."

Younge: "Thank you."

Speaker Giglio: "We're prepared to Adjourn, Representative
Younge, we'll do this tomorrow. We'll look at it today on
the Amendment and we'll take it up tomorrow.
Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would like to announce a
Republican Conference to immediately follow Adjournment in
Room 118. Republican Conference, in Room 118 immediately
upon Adjournment. Thank you, Mr. Speaker."

Speaker Giglio: "Mr. Clerk."

Clerk Leone: "Agreed Resolutions. House Resolution 901, offered
by Representative Benard Pedersen; House Resolution 903,
offered by Representative Weller."

Speaker Giglio: "Representative Matijevech moves that the
adoption of the Agreed Resolutions. All those in favor
signify by saying 'aye', opposed 'nay', in the opinion of
the Chair the 'ayes' have it, the Resolutions are adopted.
General Resolutions."

Clerk Leone: "House Resolution 902, offered by Representative
Doederlein."

Speaker Giglio: "Committee on Assignments. Representative
Matijevech now moves that the House Stand Adjourned until
tomorrow at the hour of 12 noon. All those in favor
signify by saying 'aye', opposed 'nay', in the opinion of
the Chair, the 'ayes' have it. The House Stands Adjourned
until 12:00 noon tomorrow. The First Special Session will
now come to order, Attendance Roll Call for the General
Session shall be used for the First Special Session.

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Representative Matijevich now moves that the First Special Session Stand Adjourned until the hour of 12:05 tomorrow. All those in favor signify by saying 'aye', opposed 'no' in the opinion of the Chair the 'ayes' have it, and the First Special Session now Adjourns until tomorrow at the hour of 12:05 noon."

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