

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

59th Legislative Day

June 21, 1985

Speaker Greiman: "The hour of 9:00 having arrived, the House will be in Session. The Chaplain for today will be the Reverend James Whitaker, Pastor Davis Memorial Christian Church of Taylorville. Reverend Whitaker is a guest of Representative Oblinger. Will the guests in the gallery please rise and join us in the invocation? Reverend Whitaker."

Reverend Whitaker: "Let us direct our thoughts toward the God who is great and almighty beyond what we can even imagine in our minds or dream, a God who has created the vastness of the universe, to the mysteries of atoms, so minute, they cannot be seen yet which have the potential of awesome power and a God who has given the miracle of life including our own; yet this God to whom we turn is also a God of infinite love, having visited humanity in a multitude of ways from generation to generation of peoples. It is to this God that we turn our prayers this morning as this Body of State Government convenes for business. Oh God, may each man and woman who represents this state be aware of Your presence. Help them to see with their eyes the needs of this state and to hear with their ears the voices and the thoughts of the peoples. Let their perspectives be broad and give to them the wisdom of discretion to know the truth of what they have seen and heard. And then, oh God, give them the tenacity to obtain all the necessary information to make good and sound decisions. Our God, we also know that some decisions are so very difficult. We have experienced that what is deemed as good by some is also found to be harmful by others. Let these men and women of the Illinois House of Representatives always remember that the decisions they make affect thousands of human lives. Let them also remember to base their actions

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upon the principle that every human life is of an ultimate importance. Give to them the courage to stand tall and firm for solid values of honesty and integrity blended with the highest sense of morality but at the same time tempered with grace. And let them not be afraid to find their greatness in You and then to let that greatness be expressed through the actions of this Body of government. Let all that is done be in Your greatness and for Your glory, oh God. Amen."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, will lead us in the Pledge of Allegiance to the flag."

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

Speaker Greiman: "Roll Call for Attendance. Mr. Clerk, take the record. 119 Members having answered to the Call of a Quorum, a quorum is present. Consent Calendar Third Reading, Second Day, on page 27 of the Calendar."

Clerk O'Brien: "Consent Calendar Third Reading, Second Day. Senate Bill 9, a Bill for an Act to amend the Uniform Criminal Extradition Act. Third Reading of the Bill. Senate Bill 31, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. Senate Bill 53, a Bill for an Act to amend the Physical Fitness Service Act. Third Reading of the Bill. Senate Bill 111, a Bill for an Act to amend the Senior Citizens' and Disabled Persons' Property Tax and Pharmaceutical Assistance Act. Third Reading of the Bill. Senate Bill 123, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 180, a Bill for an Act to amend the Election Code. Third Reading of the Bill. Senate Bill 202, a Bill for an Act in relation to

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alcoholism and substance abuse. Third Reading of the Bill. Senate Bill 229, a Bill for an Act to amend the Burial of Indigent Veterans Act. Third Reading of the Bill. Senate Bill 248, a Bill for an Act to amend the Illinois Lottery Law. Third Reading of the Bill. Senate Bill 310, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. Senate Bill 315, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill. Senate Bill 414, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 419, a Bill for an Act to amend the Motor Fuel Tax Law. Third Reading of the Bill. Senate Bill 489, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. Senate Bill 501, a Bill for an Act to amend an Act in relation to bonds of contractors entering into contracts for public construction. Third Reading of the Bill. Senate Bill 576, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill. Senate Bill 597, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 613, a Bill for an Act relating to Fox Valley Park District. Third Reading of the Bill. Senate Bill 729, a Bill for an Act to amend an Act in relation to certain state regulatory agencies. Third Reading of the Bill. Senate Bill 733, a Bill for an Act to amend an Act in relation to state finance. Third Reading of the Bill. Senate Bill 742, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill. Senate Bill 748, a Bill for an Act in relation to retailers, servicemen and suppliers maintaining a place of business in Illinois. Third Reading of the Bill. Senate Bill 758, a Bill for an Act to amend the Illinois Athletic Trainers' Practice Act. Third Reading of the Bill. Senate Bill 793, a Bill for an Act to amend an Act in relation to state finance. Third

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Reading of the Bill. Senate Bill 9... 817, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill. Senate Bill 823, a Bill for an Act in relation to Military and Naval Code. Third Reading of the Bill. Senate Bill 836, a Bill for an Act to punish fraud and extravagance in the expenditure of monies appropriated for public improvements. Third Reading of the Bill. Senate Bill 839, a Bill for an Act to amend the State Property Control Act. Third Reading of the Bill. Senate Bill 850, a Bill for an Act to amend the Illinois Controlled Substances Act. Third Reading of the Bill. Senate Bill 858, a Bill for an Act to amend the Child Labor Law. Third Reading of the Bill. Senate Bill 859, a Bill for an Act to amend the Amusement Ride and Attraction Safety Inspection (sic - Insurance) Act. Third Reading of the Bill. Senate Bill 866, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill. Senate Bill 870, a Bill for an Act to amend an Act concerning rule making authority of the Department of Conservation. Third Reading of the Bill. Senate Bill 903, a Bill for an Act to amend the School Code. Third Reading of the Bill. Senate Bill 995, a Bill for an Act to amend the Criminal Code and an Act to create the Minority and Female Business Enterprise Act. Third Reading of the Bill. Senate Bill 1005, a Bill for an Act to amend an Act in regard to attorney generals and state's attorneys. Third Reading of the Bill. Senate Bill 1039, a Bill for an Act to amend the Beer Industry Fair Dealers (sic - Dealing) Act. Third Reading of the Bill. Senate Bill 1104, a Bill for an Act to amend the Election Code. Third Reading of the Bill. Senate Bill 1106, a Bill for an Act to amend the Secretary of State Merit Employment Code. Third Reading of the Bill. Senate Bill 1151, a Bill

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for an Act in relation to swimming pool safety. Third Reading of the Bill. Senate Bill 1193, a Bill for an Act to amend an Act relating to firearms and firearm ammunition. Third Reading of the Bill. Senate Bill 1204, a Bill for an Act to amend the Trusts and Trustees Act. Third Reading of the Bill. Senate Bill 1279, a Bill for an Act to amend the State Library Act. Third Reading of the Bill. Senate Bill 1338, a Bill for an Act to amend the State Officers' and Employees' Money Disposition Act. Third Reading of the Bill. Senate Bill 1366, a Bill for an Act concerning purchase contracts. Third Reading of the Bill. Senate Bill 1367, a Bill for an Act to amend an Act in relation to state finance. Third Reading of the Bill. Senate Bill 1413, a Bill for an Act to amend the Uniform Disposition of Unclaimed Property Act. Third Reading of the Bill. Senate Bill 1429, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Greiman: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 571, offered by Representative Stephens; 572, by Panayotovich; 574, DeJaegher; 575, Brunsvold; 576, Ropp; 578, Hicks; 579, Currie; 580, Nash and DeLeo; 581, Hoffman and Daniels; and House Joint Resolution 78, Wojcik and DeLeo."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "What happened? Joe, Joe, I don't have 581. Joe, 58... 581, I don't have."

Speaker Greiman: "That's the way you tell it."

Matijevich: "House... Mr. Speaker, Ladies and Gentlemen of the House, House Resolution 571 recognizes the... Spelver's. House Resolution 572, Panayotovich, welcomes a cricket team. 574, DeJaegher, commends Elsie Reemts. 575, Brunsvold, congratulates Miss Miles. 576, Ropp's, commends

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the citizens of LeRoy. 578, Hicks, recognizes Judy Beckman and Larry Morgan. 579, Currie, salutes Julie... (sic). 580, Nash - DeLeo commends George and Helen Poulos. 582 congratulates Dr. Prinz. That's Hoffman - Daniels. And House Joint Resolution 78, Wojcik - DeLeo, helps the Department of Public Aid and gives some direction. 581, I understand, the one I didn't have, is a Death Resolution. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 573, offered by Representative Daniels - et al. House Resolution 579, offered by Representative Currie."

Speaker Greiman: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution... House Joint Resolution 77, offered by Representative Oblinger and Hannig, with respect to the memory of Larry Wilson. House Resolution 570, offered by Representative Hicks, with respect to the memory of Joseph Lee Sutton. House Resolution 581, offered by Representative B. Pedersen, with respect to the memory of Elizabeth M. Wolfrum. House Resolution 583, offered by Representative Countryman and Breslin, with respect to the memory of Melissa 'Missy' Ackerman."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Death Resolutions. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. For what purpose does the Gentleman from Cook, Mr. Leverenz, seek recognition?"

Leverenz: "Now?"

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Speaker Greiman: "As I said, Mr. Leverenz, last night, for some people there's a moment of time when they stand in shining, shining... in resplendent glory. Your time... Your time might have been last night, but it passed."

Leverenz: "Would you please notify me sometime today when we are having fun?"

Speaker Greiman: "When we're having fun, Mr. Leverenz?"

Leverenz: "Well, I saw a bumper sticker, Speaker, like that one time, you know. Toot if you're having fun, or wake me up if we're having fun or..."

Speaker Greiman: "Well, I don't know..."

Leverenz: "Please, let us know today when we're having fun."

Speaker Greiman: "It's... Mr. Leverenz, we'll call upon you when we're having fun and games. We'll call on you then. Mr. Clerk, is there something wrong with Mr. Leverenz's light? It keeps blinking. Yes, Mr. Leverenz, I guess you're seeking recognition again."

Leverenz: "Do you renew your statement of last night when you said, 'Trust me?'"

Speaker Greiman: "That was last night. Representative Breslin in the Chair."

Speaker Breslin: "Representative Stange, for what reason do you rise?"

Stange: "I'm rising to tell... Representative Leverenz that, yes, we are having fun here, and he should, you know, definitely sit down."

Speaker Breslin: "Ladies and Gentlemen, we are going to the Order of Special Consent Calendar and we are going to take those Bills that appear to need Amendments. They are on Second Reading. The first Bill is Senate Bill 91. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 91, a Bill for an Act to amend an Act in relation to support and maintenance. Second Reading of

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the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Johnson. Representative Greiman on the question."

Greiman: "Move to table."

Speaker Breslin: "Representative Johnson... Representative Greiman moves to table the Amendment. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Could the Gentleman explain why he wants to table the Amendment? If it is a controversial Amendment that's one thing, but if, you know, if it's noncontroversial what we could do is just wait a couple of seconds till Representative Johnson..."

Greiman: "These are... These Amendments are controversial. I think that Mr. Johnson would have withdrawn it anyhow. I think he would have withdrawn it and he would have gone with Amendment... he would have asked for Amendment #3. I would oppose that anyhow. But he would go for Amendment #3."

Piel: "Okay. So you want to table this one, and you want to fight #3. Right?"

Greiman: "Well, if he's here."

Speaker Breslin: "The question is, 'Shall Amendment #1 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker. Amendment #2 is a technical

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Amendment which deletes language which is repetitive, and I would ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2 to Senate Bill 91. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to Senate Bill 91 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. 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 Johnson."

Speaker Breslin: "Representative Johnson. Is the Gentleman in the chamber? Representative McCracken, for what reason do you rise?"

McCracken: "Leave to proceed instead of Representative Johnson."

Speaker Breslin: "Is there any objection to Representative McCracken handling this Amendment? Hearing no objection, the Gentleman has leave. Proceed, Representative McCracken."

McCracken: "This essentially allows a deviation from the child support guidelines stipulated in the Bill where it is by agreement of the parties. This is consistent with virtually every area of the law where parties in litigation to... can agree to virtually anything they wish except for jurisdictional matters. And I don't know if the Bill... if the Amendment is controversial. The concept certainly is not controversial within the law generally, and I move its adoption."

Speaker Breslin: "On that question, the Lady from Cook, Representative Currie."

Currie: "A question of the Sponsor, please."

Speaker Breslin: "Proceed."

Currie: "You said that this would permit the Judge to... to go

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with a consent amount agreed to by both parties. The way I read it, it would require the Judge to go with that kind of agreement."

McCracken: "Yeah, 'permit relative to the guidelines and require pursuant to the agreement...' Right. You're right."

Currie: "So it would require the Judge if there is a... an agreement between the parties to go with that agreement. What if... What if the... the agreement in the view of the court would not provide adequate maintenance for the child? As I read your Amendment, the Judge would not be able in that circumstance to provide for a larger sum. Is that right?"

McCracken: "That is correct. That's correct."

Currie: "Well, to the Amendment, Madam Speaker. It seems to me that this is... the issue in this whole area is to what extent we're requiring Judges to behave in ways that are set by us, rather than giving them the discretion that we thought that the... the judicial determination in some of these areas might be appropriate for. I think the whole point of these guidelines is to say that they are presumptive guidelines, not mandatory guidelines. To take this one particular area out of control of the court, out of the discretion of the Judge, is to make for the possibility that for whatever reasons whether through ignorance, whether through fear or intimidation, individuals might agree to a settlement that will not be in the best interests of the child. I think since the best interests of the child is the whole point of this kind of... of this Section of our statutes giving the Judges the discretion, if the agreement is not in the best interest of the child, to overturn it would be consistent with the underlying statute here and certainly consistent with the arguments of those who... who did not approve the measure

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that created presumptive guidelines in the first place. Many of the people who oppose presumptive guidelines did so because they wanted to maintain judicial discretion. This Amendment, the Amendment 3 to Senate Bill 91, says that there will be no judicial discretion in these particular cases, and I would oppose it."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I would join with Representative Currie in opposing this Amendment. House Bill 2431, which had extensive debate, was heard on this floor, gone over to the Senate. A companion Bill is coming back from the Senate. And to amplify what she says, it would appear that this is an effort, well meaning though it is, to get away from the mandatory guidelines which we set a year ago and which we enumerated this year. And I will oppose the Amendment."

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

Greiman: "Thank you, Speaker. I am the Sponsor of the Bill, and I also oppose the Amendment. It creates a very different kind of dynamics than the Bill is intended to do. It takes out the court's discretion to determine fairness and necessity and, accordingly, I would oppose it also."

Speaker Breslin: "Representative McCracken, to close."

McCracken: "Thank you. If the point of the Bill is to allow the court to exercise discretion pursuant to the guidelines, one must ask one's self what is the purpose of the guidelines? If, in fact, they're not mandatory, then nothing is written in stone. If, in fact, nothing is written in stone relative to this issue, then why is not a fair, competent agreement between the parties involved not something that should be honored by the court? Essentially this is a matter of... of common practice in all areas of

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civil litigation with the exception of jurisdictional issues and is not inappropriate. If the parties wish to agree to this matter, they should be allowed to agree to the matter. It's as simple as that. I respectfully ask for its passage."

Speaker Breslin: "The question is, 'Shall Amendment #3 to Senate Bill 91 be adopted?' 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 23... 22 voting 'aye', 87 voting 'no', 3 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Anthony Young."

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Amendment #4 does is it deletes public assistance payments from the definition of income."

Speaker Breslin: "Representative Young has moved for the adoption of Amendment #4. On that question, is there any discussion? Representative Greiman. Representative Greiman."

Greiman: "I... Yes, I don't..."

Speaker Breslin: "You don't object to the Amendment?"

Greiman: "...object to it. My only problem with it is that the Department of Public Aid spent a great deal of time with... with this Bill, with the legal community and this was not in that... in the agreement, which is... the agreement is a very long and arduously turned out agreement. And I... I don't know what the Department of Public Aid's position is on... on this. So I can't speak for the Department of Public Aid. It may be well be that someone on the other side of the aisle has a better sense of that."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

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Olson: "Would the Sponsor yield please?"

Speaker Breslin: "He will yield for a question."

Olson: "Anthony, there's a little noise on this side. Could you repeat what your Amendment proposes?"

Young: "Okay. This Amendment was sponsored by the Illinois Legal Assistance Foundation, and what it basically does is for child support purposes it removes someone who is on general assistance and is making... total income is 154 dollar a month general assistance check, what this Amendment does is it removes that from the definition of income so he could not be forced to pay child support out of a general assistance check to someone else receiving child support."

Olson: "Thank..."

Young: "If I may, I think there have been situations where people on general assistance have been held in contempt of court. That was my information from the Legal Assistance Foundation. We just want to remove that possibility."

Olson: "Thank you. To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Olson: "The Department of Public Aid has expressed an opinion to me in opposition to this Amendment. Again, while it's well intentioned, would seem to be an abrogation of what the intent of the guidelines as spelled out in 24 would suggest, and consequently I'm going to oppose the Amendment."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker. Ladies and Gentlemen of the Assembly, I think this Amendment is a most important philosophical issue for this General Assembly to consider. What we have in Illinois is a law that says that there are minimum guidelines which courts shall use in determining child support payments. What those guidelines relate to is

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gross income, how much gross income and how much net income the father has, and then we apply a percentage based on the number of children in the family to that net... gross income and determine how much child support that father is obligated to pay. What the Gentleman's Amendment does is to say that we're going to exclude from gross income welfare payments. What he says, in fact, is that the money that the father gets in the form of welfare the father doesn't have to use to help support the kids. If you adopt a policy like that, what you're saying is that you care about taking care of women and children when they're rich or when they're middle class, but you don't care about taking care of women and children when they're poor women and children. That's a bad policy. It's a policy that absolutely ought to be rejected. We ought to care about poor women and children as much as we care about rich women and children, and we ought to vote 'no' on this Amendment."

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

Rice: "Good morning."

Speaker Breslin: "Good morning."

Rice: "One hundred and fifty-four dollars a month on general assistance is not enough money to live on. We recognize that a father has a responsibility to take care of his children. If the mother is receiving public aid and her children are being cared for, I recognize also that we might find something for that father to do in the public sector to augment that money. But certainly 154 dollars received is no reason why he should continually be badgered by the court system in paying child support. Also we have found out in our records... in our systems that men who are under those kind of restraints are not eligible to be screened for public service. We have one case in existence right now, and we're dealing with Mr. Coler on it - is that

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an individual has passed a police examination in the City of Chicago and cannot be accepted for the position because he has these charges in the juvenile court or in the child support court. I certainly feel that the Amendment that's offered by Representative Young should be passed on, and we need your green vote on it."

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

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Again my colleague from across the aisle has managed to do a flip flop on this General Assembly and indicate in some ludicrous manner that the passage of this Amendment will take money from welfare recipients, will take money from women and children. Everyone in this Assembly should realize that that, of course, is not the fact. First of all, the state has already ruled that you cannot take general assistance money. You cannot garnish that check. You cannot... So there's no way possible to physically force a GA recipient to have money deducted in any way from his check. Also, if money were taken or if he tendered money, it would go back to the Department of Children and Family Services. What the mother and children receive is a set, fixed amount, and any money contributed by the father does not go to the benefit of the mother, does not go to the benefit of the children but goes back to the Department of Children and Family Services. The only thing this Amendment will do will remove the possibility of a general assistance recipient being held in contempt of court and going to jail for failure to make a court ordered welfare payment based on his 154 dollars a month. I suggest that this state does not intend to put people in jail who are making 154 dollars a month for not contributing to family support. I urge an 'aye' vote on

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this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 to Senate Bill 91 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 51 voting 'yes' and 51 voting 'no', and the Amendment... Representative Young asks for a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Capparelli."

Speaker Breslin: "Capparelli wishes to vote 'aye'."

Clerk O'Brien: "Davis."

Speaker Breslin: "No. Excuse me. Representative Capparelli, did you wish to vote on this? Yes, he votes 'aye'."

Clerk O'Brien: "Davis. DeJaegher."

Speaker Breslin: "Representative Zwick, for what reason do you rise?"

Zwick: "Would you change my vote to 'no', please?"

Speaker Breslin: "Representative Zwick changes her vote to 'no', and Representative Davis votes 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "DeJaegher. Didrickson. Giorgi."

Speaker Breslin: "Representative Didrickson votes 'no'."

Clerk O'Brien: "Krska. Laurino. Leverenz. Levin."

Speaker Breslin: "Representative Levin votes 'aye'. Representative Giorgi votes 'aye'."

Clerk O'Brien: "Matijevich. Mautino. McPike. Panayotovich. Preston."

Speaker Breslin: "Representative Laurino votes 'aye'."

Clerk O'Brien: "Slater."

Speaker Breslin: "Representative Slater votes 'no'."

Clerk O'Brien: "Terzich. No further."

Speaker Breslin: "What's the count, Mr. Clerk. On this question, there are 54 voting 'aye', 55 voting 'no', and the

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Amendment fails. Are there any further Amendments?
Representative Young."

Clerk O'Brien: "Floor Amendment #5, offered by..."

Speaker Breslin: "Excuse me. Representative Young, for what
reason do you rise?"

Young: "I wanted to verify the negative vote."

Speaker Breslin: "I'm sorry. It's already been declared,
Representative. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative
Greiman."

Speaker Breslin: "Representative Greiman."

Greiman: "Yes, thank you, Speaker. Amendment #5 makes a change
which is really technical in nature in the sense that the
scope is of what the court can consider is made very clear.
There's a general phrase in the Bill now that says that
they can consider very specific items, and it goes right
down the list and then says, 'relevant or other relevant
factors'. And the other relevant factors opens up the
whole works of things that would be allowed to make... to
reduce the amount. We want to keep the amount intact and
not reduce the amount. This Amendment would make it clear
that you couldn't come from left field to reduce the amount
of the child support. And that's what the Amendment does.
I move for its adoption."

Speaker Breslin: "Representative Greiman has moved for the
adoption of Amendment #5 to Senate Bill 91. And on that
question, is there any discussion? There being no
discussion, the question is, 'Shall Amendment #5 be
adopted?' All those in favor say 'aye', all those opposed
say 'nay'. In the opinion of the Chair, the 'ayes' have
it, and the Amendment is adopted. Are there any further
Amendments?"

Clerk O'Brien: "No further Amendments."

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114, Representative Steczo. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 114..."

Speaker Breslin: "Yes. Yes, it's on Third Reading. Representative..."

Clerk O'Brien: "Senate Bill 114, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Breslin: "Representative Steczo moves to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Read the Bill on Second."

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

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #2 is language... proposes an Amendment to this Bill which is the exact language that we passed earlier this Session as House Bill 1828. That Bill passed this House by a vote of 115 to 3. What it does, it provides first a definition of orphan underground storage tanks, and it also provides, because there was a question about House Bill 1828 in the Senate Committee, that this program reflects only storage tanks over 1,100 gallons. As per an agreement that was worked out, it provides for a five dollar fee per storage tank as of July 1st, 1986, after the registration of storage tanks takes place. I would move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 114. On that question, is there any discussion? The Gentleman from Cook, Representative Young."

Young: "Madam Speaker, I rise in support of the Amendment. It was a good Bill when we passed it in the House, and it's a

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good Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments? Representative Piel, for what reason do you rise?"

Piel: "Just to mention to the Chair that it does delete the title, and I would ask that it goes back to Second Reading First Day."

Speaker Breslin: "Representative Steczo, on that issue."

Steczko: "Thank you, Madam Speaker. I move to suspend the rules to allow this Bill to be placed on the Order of Third Reading."

Speaker Breslin: "Representative Steczo has moved to suspend the rule so that this Bill can be heard... can be moved to Third Reading. Representative Piel, for what reason do you rise?"

Piel: "I'll remove my request to go back to Second."

Speaker Breslin: "Representative Piel has removed the request. Representative Steczo withdraws his Motion, and the Bill... the Gentleman has asked leave now that the Bill, Senate Bill 114, be moved to the Order of Third Reading. Hearing no objection, the Bill moves to Third Reading. Okay. We would also... Senate Bill 518, Representative Stephens. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 518, a Bill for an Act to amend Sections of the Illinois Highway Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Hallock. Representative Hallock

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Speaker Breslin: "If there's no other Amendments, this Bill is ready to move to Third Reading. So the Bill moves to Third Reading. Senate Bill 238, Representative Currie. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 238, a Bill for an Act relating to consignments of workers of... consignments of workers (sic - works) of fine arts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 433, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 433, a Bill for an Act to amend Sections of the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 434, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 434, a Bill for an Act to amend Sections of the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 435, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 435, a Bill for an Act to amend Sections of the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Going back, Ladies and Gentlemen, with leave. We skipped one. It's Senate Bill

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on Amendment #1. You're the Sponsor."

Hallock: "Thank you, Madam Speaker. The Amendment is really a technical Amendment. It's supported by the Township Association. I would ask for its support."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 518 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Stephens."

Stephens: "Thank you, Madam Chairman (sic - Speaker). Amendment #2 is... answers a challenge from the other side of the aisle on technicality of the purpose of the... the actual purpose of the Bill which was to define the duties of the attorney should they have a conflict... the highway commissioner's attorney have a conflict with the township. It's been worked out."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 518 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 541, Representative O'Connell. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 541, a Bill for an Act to amend Sections of the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 546, Representative

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Terzich. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 546, a Bill for an Act to amend Sections of the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 560, Representative Wojcik. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 560, a Bill for an Act relating to taxes for libraries. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative Wojcik. Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, what this Amendment does is it just clears up a technicality of a typo. It reads .40, and it should read .460..."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to Senate Bill 560. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 599, Representative Anthony Young. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 598, a Bill for an Act to amend Sections of the Juvenile Court Act and the Bill of Rights for Victims and Witnesses of Violent Crime Act. Second Reading of the Bill. No Committee Amendments."

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Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 615, Representative Soliz. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 615, a Bill for an Act to amend Sections of the Illinois Domestic Violence Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 621, Representative Hannig. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 621, a Bill for an Act to amend Sections of the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 662, Representative Sutker. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 662, a Bill for an Act to amend the Comprehensive Solar Energy Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 688, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 688, a Bill for an Act to amend Sections of the State Employees' Group Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker. This is merely a technical

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Amendment. It changes a letter in the outline in the statute, and I... that's all it is."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1. On that question, is there discussion? There being no discussion, the question is, 'Shall Amendment #1 to Senate Bill 566 (sic - 698) be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 693, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 693, a Bill for an Act to amend the law concerning livestock and dangerous animals. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "As you... there's... on 693, there is Committee Amendment #1."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 699, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "House (sic - Senate) Bill 699, a Bill for an Act to amend Sections of the Uniform Commercial Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 750, Representative Deuchler. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 750, a Bill for an Act to amend the Illinois Clinical Laboratory Act. Second Reading of the

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Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments? Representative Hoffman, for what reason do you rise?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading."

Hoffman: "Madam Speaker."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Yes, I have Senate Bill 730."

Speaker Breslin: "Senate Bill 730 is on the Order of Third Reading. Do you have an Amendment that you want?"

Hoffman: "Yes."

Speaker Breslin: "The Bill... The Gentleman has requested that Senate Bill 730 be called. Senate Bill 730. Representative Hoffman has requested that the Bill be returned to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? The Gentleman has leave. Are there any Amendments filed?"

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

Speaker Breslin: "By Representative who?"

Clerk O'Brien: "Hoffman."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 730 amends the equalized assessed valuations up to a level which will adjust the EAV's to 1.6 billion level, so that automatic adjustments will be small and... will not be disequalized, and I move for the adoption of Amendment #1. Move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

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

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Cullerton: "Yes, Representative Hoffman, I noticed that this was a vehicle Bill on the Agreed List, and unfortunately I had not received a copy of the Amendment. Is..."

Hoffman: "What?"

Cullerton: "I have a copy with me now. I'm wondering is this... is it the plan for the Senate Sponsor to nonconcur with this Amendment?"

Hoffman: "No, not necessarily. What this does is provide that if there are no changes... there are no changes in the distributive formula, this will automatically adjust... this will adjust the levels up to accommodate 1.6 billion because if you adjust the formula down, the adjustments are small and are not disequalizing."

Cullerton: "Okay. Now..."

Hoffman: "If you have to adjust up, they are."

Cullerton: "These figures I'm looking at in the Amendment, are they really in thousands or are they in millions?"

Hoffman: "I'm sorry. I couldn't hear you. There's too much noise."

Cullerton: "These figures I'm looking at in the Amendment, are they in thousands or are they in millions?"

Hoffman: "No, that's thousands. That's the per pupil adjustments. You have to put them in the context of the Bill."

Cullerton: "Oh, it's per pupil?"

Hoffman: "Right."

Cullerton: "And how much... You know, it looks like it's a small amount. In other words, it goes from 64,508 to 66,644..."

Hoffman: "That's right, because you're dealing with three different kinds... You'll notice, there are three different sets of figures dealing with the three different kinds of districts."

Cullerton: "But if it's per pupil, then what is the significance

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in terms of money in this?"

Hoffman: "Well... This... This accommodates a formula of a billion six. Now you have to understand the formula adjusts automatically, and the closer you are to the number, the better... the less disequalizing it is. Because if you have to adjust up, it's disequalizing; whereas, if you adjust down, it is not. It's not..."

Cullerton: "Okay."

Hoffman: "It's okay."

Cullerton: "I'll tell you what. Let's adopt it. We'll leave it on the Agreed List, and then if there's any problems, I can talk to you about it later. Thank you."

Hoffman: "That'd be fine."

Speaker Breslin: "Is there any..."

Hoffman: "Thank you, Madam Speaker."

Speaker Breslin: "Is there any further discussion, Representative Cullerton? The question is, 'Shall Amendment #1 to Senate Bill 730 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 813, Representative Oblinger. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 813, a Bill for an Act regulating the amount and manner of wild game taken in the State of Illinois. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

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

Speaker Breslin: "Representative Cullerton."

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Cullerton: "One... One second, Madam Speaker. Thank you, Madam Speaker and Ladies and Gentlemen of the House. I think this should be an agreed Amendment. The Bill is basically a cleanup of the... for the Department of Conservation, and this is simply an Amendment that cleans up their cleanup."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 8... 813 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 814, Representative Stephens. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 814, a Bill for an Act to amend the Fish Code of 1971. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 830, Representative Tate. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 830, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Tate."

Tate: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment 1 basically sets up the mechanism for providing the substantive language for the Department of Conservation to set up the cash incentive plan for the

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lodge project which this General Assembly passed two years ago. In addition to that, the money has already been appropriated in the last fiscal year, and I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 830. And on that question, the Gentleman from Cook, Representative Cullerton."

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

Speaker Breslin: "He will yield for a question."

Cullerton: "Representative Tate, this Amendment adds certain facilities to be eligible for program envisioned by the underlying Bill. Is that correct?"

Tate: "Correct."

Cullerton: "And they are Shelbyville Reservoir, Rock... State Park and Lincoln's New Salem State Park."

Tate: "Correct."

Cullerton: "And just what is the underlying Bill? Just what type of program is envisioned by the underlying Bill?"

Tate: "The underlying Bill is... is the cash incentive program that the General Assembly approved to provide incentives for private developers to build lodges or other types of recreational developments on state... presently owned state property. It's somewhat of a new concept to the State of Illinois. Many other states have utilized this concept."

Cullerton: "Well, okay, I... I have no objection to adding these three projects, but I... I will tell you that I think that the percentages in the underlying Bill are a little too heavily weighed in favor of the private developer. I think that the state is taking too great of a risk here. If a project is not feasible enough to attract private financing, I think it's questionable whether or not the state funding is going to make a difference in terms of its

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success. And I think this 35% funding is a little to... to high. But the Amendment is fine, and we'll move it to Third Reading."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 830 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 856, Representative Frederick. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 856, a Bill for an Act to amend Sections of the Illinois Human Rights Act."

Speaker Breslin: "Excuse me. Representative McCracken, for what reason do you rise?"

McCracken: "I believe on the Calendar 853 was next on this Order of Business for an Amendment."

Speaker Breslin: "853 is on Third Reading, and there is no indication that somebody wants it brought back."

McCracken: "Special Consent Calendar."

Speaker Breslin: "Yes, Special Consent Calendar, it's on Third Reading. We're only going to those Bills that have Amendments... that are on Second Reading that have Amendments so that we can move them to Third..."

McCracken: "Oh, I'm sorry. I'm sorry."

Speaker Breslin: "...unless there's a request otherwise."

McCracken: "This... This is on Third and needs an Amendment."

Speaker Breslin: "Okay. And the Sponsor wishes it brought back?"

McCracken: "Yes. Yes."

Speaker Breslin: "Okay, and the Sponsor is Representative Churchill. Okay, Senate Bill 853, Representative Churchill. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 853, a Bill for an Act to amend the

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Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill asks leave that the Bill be returned to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Are there any Amendments filed?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. First, Amendment #3 is very similar to Amendment #1 which was... previously adopted. I move to table Amendment #1."

Speaker Breslin: "The Gentleman moves to table Amendment #1. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

McCracken: "Amendment #2 was previously withdrawn. Amendment #3."

Speaker Breslin: "Hr... Mr. Clerk."

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

McCracken: "Shall I proceed?"

Speaker Breslin: "Do you have Amendment #3, Mr. Clerk, before you? Very good. Representative McCracken."

McCracken: "Thank you. Amendment #3 would, for the purposes of the unlawful use of weapons statute only, define peace officer as it is defined in the Criminal Code to include federal agents who have the power of arrest for the commission of federal crimes."

Speaker Breslin: "The question is, 'Shall Amendment #3...' This

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is an adoption, Mr. Clerk. Would you adjust the board? We're adopting an Amendment. The question is, 'Shall Amendment #3 to Senate Bill 853 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

McCracken: "Thank you."

Speaker Breslin: "Third Reading. Senate Bill 856, Representative Frederick. Clerk. Representative Churchill, for what reason do you rise?"

Churchill: "Madam Speaker, did that Bill go back on the Special Consent Calendar? I would ask leave that it go back..."

Speaker Breslin: "It never got taken off. All these Bills remain on the Order... We're on the Order of the Special Consent Calendar."

Churchill: "Third Reading."

Speaker Breslin: "And it's on Third Reading. Correct. Senate Bill 856, Representative Frederick. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 856, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 875, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 875, a Bill for an Act to amend the Grade A Pasteurized Milk and Milk Products Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Daniels - Ropp and

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Woodyard."

Speaker Breslin: "Representative Ropp."

Ropp: "Madam Speaker, we'd like to withdraw Amendment #1."

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

Clerk O'Brien: "Floor Amendment #2, offered by Representative Daniels - Ropp and Woodyard."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker. Amendment #2 does two or three things. First of all, it adds a Section in the definition stating that cleaning and sanitizing facilities mean any place, premise or establishment where milk tanks are cleaned. And there also is a procedure in here that issues a cap on a fee for the issuance of a permit to a processing plant, a transfer station or a hauling... milk hauler. And third, and I think extremely important, is the fact that it places more immediacy where the eminent human health is at... and states that immediate injunctions can be taken to close a facility for the protection of the health of citizens of the State of Illinois."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 875. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will yield for a question."

Cullerton: "Representative Ropp, is this Amendment... was this the subject matter of another Bill? Was this Amendment the subject matter of another Bill or was it identical or very close to another Bill?"

Ropp: "No."

Cullerton: "Is this in response to the salmonella investigation?"

Ropp: "In part, yes, and at the suggestions of the new current Director of Public Health, Dr. Turnock."

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Cullerton: "Okay. I see the Sponsor's Representative Daniels."

Ropp: "Yes, he's a Member of the House."

Cullerton: "Oh, yes, I know he's the Minority Leader. I'm just wondering if... if this is the type... I mean, has this been worked out with the Committee, Representative Bullock, the one that studied the salmonella epidemic scandal or is this just something that you guys are throwing on here on the Agreed List? I'm not saying I'm against it. I just wondered if you had checked it out with the... the rest of the salmonella Committee."

Ropp: "Well, let me say that we have been attempting to resolve the results of that hearing. So far we have not issued a permanent report; and, since the Legislative Session is nearing an end, we feel that it's important to move forward on this kind of legislation."

Cullerton: "Now there is some preemption involved here. Is there not?"

Ropp: "Preemption?"

Cullerton: "Yes. I... Are you adding cleaning and sanitizing facilities to the current home rule preemption?"

Ropp: "Yes. Well, that's a new portion in the Act, and it primarily deals with bulk tank trucks."

Cullerton: "I'm sorry. What? I can't hear you."

Ropp: "Milk... Milk trucks. Bulk tank trucks is primarily what this is dealing with."

Cullerton: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 875 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 894, Representative

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Hastert. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 894, a Bill for an Act relating to certain debts owed to the state and amending Acts herein named. Third Reading of the Bill."

Speaker Breslin: "Are there any Amendments filed? Oh, it's on Third Reading. The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, the Bill is on Second Reading. Are there any Amendments filed?"

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

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker. Ladies and Gentlemen of the Assembly, what Amendment #2 does is to vest the authority and power in the Comptroller... the Office of the Comptroller of the State of Illinois for consolidating all of the state's debt collection activities. The state has numerous situations where citizens of the state owe money to the State of Illinois. In the case of public aid, in the case of revenue, in the case of the State Scholarship Commission, those are probably the most... pardon me... those are probably the most prominent examples. What this Amendment does is to consolidate and vest the authority in the Comptroller so that we may have a consolidated state debt collection program. What is most interesting and what I am advised by the Department of Revenue, Revenue routinely, because they have perhaps the most extensive debt collection program in the state, Revenue routinely circulates reports among the various agencies involved in the code departments where they have a debt owed them by citizens. And very often the same person owes revenue and owes some other agency. In many cases other agencies do

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not follow through on that debt collection activity. I think that by consolidating this function in the Office of the Comptroller where there is also the authority for withholding any payments made to individuals who have debts to the state, we can have the most consistent and coordinated program for getting this money due the citizens of Illinois. For those reasons, I would move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 894. And on the question, Representative Leverenz."

Leverenz: "Sponsor yield?"

Speaker Breslin: "He will yield for a question."

Leverenz: "Could you name the different agencies that you then would have going into the Comptroller's Office for collection... the collection operation? One was the Department of Revenue."

Speaker Breslin: "Representative Vinson."

Vinson: "The.. The three biggest agencies would be Revenue, Public Aid and the State Scholarship Commission. There are numerous other agencies on a smaller basis that would also be doing that."

Leverenz: "What... I question the confidentiality problems, of course, that you and I, in trying to work out a constituent problem would have. Would that transfer also?"

Vinson: "No, I don't think there is a confidentiality problem in that Representative, because what... what the state agencies do right now is to contract with private debt collection services for that function. And if they can provide that information to a private firm, they can certainly provide it to another agent of State Government, who could then use a... who could then use a systematic... and I'm not suggesting that the Comptroller ought to

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substitute for those private collection agencies. I just think that if the Comptroller has the authority to do this that he can probably get the best bargain for the State of Illinois with those private collection agencies."

Leverenz: "How would... How would that... How would the constitutional officer have anymore bargaining power with... with collection agencies than the Department of Revenue or the Illinois State Scholarship Commission which is doing an outstanding job of collecting their money now because, as Representative Keane stands next to you, we chased that whole issue through the Audit Commission a number of times? I don't understand the transfer of functions that would get any better job done. Add to that the fact that it would be a constitutional officer doing debt collection for a department of State Government. Are his duties laid out by the Constitution?"

Vinson: "That... in much the same way... in much the same way that a constitutional officer legally represents the departments of State Government, i.e. the Attorney General. The Comptroller would be doing the same thing in this regard for debt collection. The... The reason why I think the Comptroller could better do it is that the Comptroller has the responsibility across all of State Government, then I think the Comptroller's Office is in a position to drive the best bargain with the collection agencies."

Leverenz: "How does the Department of Revenue feel about your proposal here if you checked with them?"

Vinson: "They like the idea."

Leverenz: "How about the Illinois State Scholarship Commission?"

Vinson: "I have not checked with them."

Leverenz: "How about the Department of Public Aid?"

Vinson: "I have not checked with them."

Leverenz: "Would you like to? How about the current Comptroller?"

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Does he have any... Has he provided any insight to you with regard to this?"

Vinson: "No, he has not. But I think he is the kind of a person who would appreciate the function and the viability of the function and would make very good use of it."

Leverenz: "I understand that the agencies are, in fact, against the transfer. To the Amendment, Madam Speaker."

Speaker Breslin: "Proceed."

Leverenz: "At least it's been related to me that the Comptroller probably wouldn't want to take on the duties of collecting money for the other agencies of State Government. I have not heard from the Illinois State Scholarship Commission myself, and the Department of Revenue would frown on transferring their collection problems over to the Comptroller's Office as well as I would imagine the Department of Public Aid. So I would solicit your red votes to unfortunately defeat this Amendment."

Speaker Breslin: "Representative Vinson, to close."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I believe that by vesting this power and authority in the Comptroller that we can most expeditiously and most efficiently collect the debts owed the people of Illinois. I believe that it will make it possible to substantially increase the amount and volume of debts we collect, and I would move for an Affirmative Roll Call on Amendment #2."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 894 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 Clerk will take the record. On this question, there are 71 voting 'aye', 32 voting... 70 voting 'aye', 32 voting 'no' and 3 voting 'present', and the Amendment is

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adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill... Going back, Ladies and Gentlemen, a Bill we skipped was Senate Bill 864, Representative Woodyard. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 864, a Bill for an Act in relation to the composition of certain agricultural committees. Third Reading of the Bill."

Speaker Breslin: "Representative Woodyard asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? The Gentleman has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Daniels - Ropp and Woodyard."

Speaker Breslin: "Representative Woodyard."

Woodyard: "Thank you, Madam Speaker, Members of the House. The Amendment to Senate Bill 864 would create a Public Health Advisory Board within the Department of Public Health and also would mandate that the Director of Public Health be a medical doctor. That's basically what the Amendment does. Be glad to answer any questions or move for its adoption."

Speaker Breslin: "The Gentleman has moved... The Gentleman has moved the adoption of Amendment #1 to Senate Bill 864. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 939, Representative Levin. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 939, a Bill for an Act to amend the Guardianship and Advocacy Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 988, Representative Stephens. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 988, a Bill for an Act to amend Sections of the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. Senate Bill 1004, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1004, a Bill for an Act to amend Sections of the Nursing Home Care Reform Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker and Ladies and Gentlemen. Amendment #1 to Senate Bill 1004 is simply the same provisions that were already on House Bill 1410 which passed out of here on the Consent Calendar a few weeks ago, and it basically deals with nursing homes and prohibits nursing homes from accepting or requiring the relatives of patients to pay compensation in addition to that paid by public aid when the resident of the nursing home is a public aid recipient. I would ask for your support for the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 1004. Is there any discussion?"

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The question is, 'Shall Amendment #1 to Senate Bill 1004 be adopted?' All those in favor say... Representative Wojcik, for what reason do you rise?"

Wojcik: "Yes, pardon me. I have a few questions regarding this Amendment."

Speaker Breslin: "Very good. Proceed."

Wojcik: "One of the things I would like to know, is this Amendment identical to House Bill 1410?"

Speaker Breslin: "It is. He's already said that."

Wojcik: "Okay. And then, why is it necessary to amend this Bill? I'm sorry, I did not hear the..."

Speaker Breslin: "Representative Homer."

Homer: "The... The Bill is one which was suggested by the Office of the Attorney General and apparently the original Bill 1410 has been amended in the Senate, although I'm not familiar with the exact reasons for that. But this Bill would just simply... this Amendment would actually gut the provisions of the original Senate Bill 1004 and just supplant it with... with House Bill 1410, Kay. And as to why, I'm not sure of the procedural reasons. That was the request, and the Bill passed out on Consent Calendar before. And I know of no objection to the provisions."

Wojcik: "Representative, I happen to have just come across this Amendment, but I don't believe this Amendment has been distributed. I don't know if it has been on the floor, and I would question that."

Speaker Breslin: "Representative, it has been printed and distributed."

Wojcik: "It has been printed and distributed. Okay. Then I have a few more questions since it has been printed and distributed. I have a great concern in this area because I have a large constituency that live in nursing homes in my district. I want to know what the nursing homes' position

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is regarding this Amendment. And do they support this measure? And does the Illinois Care Association support or oppose this Amendment?"

Homer: "Okay. The truth... The truth of the matter is, I don't know what their position is. I know that when the Bill appeared in Committee that no one from either of those associations appeared to testify. The Bill passed unanimously out of Committee, was put on the Consent Calendar and passed the House without dissent. The Bill, I think, is uncontroversial because, excuse me, because all that it really does is take what is already existing current federal law with regard to these issues and put it into the state law. And that really is all it's done. It just provides very simply that nursing homes who have public aid recipients, as residents in the nursing homes, must not require that there be paid additional compensation by the relatives or friends of those residents. That is already federal law, and all that we're doing is putting it into the state statutes."

Wojcik: "Representative, does it only apply to the Medicaid homes then?"

Homer: "It applies to any... any nursing home care facility who has public aid recipients, Medicaid recipients living as residents within that home."

Wojcik: "I have no further questions. Thank you, Representative."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #1 to Senate Bill 1004 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1035,

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Representative Hallock. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1095, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Hallock."

Hallock: "This is a bipartisan cleanup Amendment. It's technical only. I ask for its support."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 1095. Any discussion? The question is, 'Shall Senate Bill... Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. 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 Curran."

Speaker Breslin: "Representative Curran."

Curran: "Madam Speaker, I wish to withdraw Amendment #3."

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

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1164, Representative Currie. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1164, a Bill for an Act in relation to fees for pesticide registration. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

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Currie."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. The point of the underlying Bill is to ensure that fees for people who use pesticides go into a line item for monitoring the effects of pesticide use. In drafting the Bill, we inadvertently left penalties for failure to pay the fees out of the line item program, and this Amendment corrects that error."

Speaker Breslin: "The Lady has moved the adoption of Amendment #1. On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "She will."

McCracken: "The penalty assessments you refer to in Amendment #1 are something which are already made under current law?"

Currie: "They're in the Bill already, Representative. The Bill itself in establishing the fee schedule assures that the fees will go into a fund to enable the Department to do a better job of monitoring the effects of pesticide use. In drafting the Bill, although the registration fees were... were then ensured to go for that purpose, we forgot to make the same provision for late... late penalty payments."

McCracken: "And the penalties are strictly for the failure to pay fees in a timely manner. Is that it?"

Currie: "It's late registration fees. Yes."

McCracken: "Okay."

Currie: "And they're already in the Bill. This is just to make sure that the final disposition of those monies, if any become available, go to the basic purpose of the Bill."

McCracken: "Okay. Thank you."

Speaker Breslin: "The Lady... The question is, 'Shall Amendment #1 to Senate Bill #164 be adopted?' All those in favor say

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'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1165, Representative Currie. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1165, a Bill for an Act to amend Sections of the Structural Pest Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. This is a technical Amendment. We forgot to underline certain items, and there were some misnumberings. This Amendment corrects those deficiencies."

Speaker Breslin: "The Lady moves the adoption of Amendment #1 to Senate Bill 1165. Is there any discussion? The question is, 'Shall Amendment #1 to Senate Bill 1165 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1189, Representative Kubik. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1189, a Bill for an Act to provide for confidentiality in organ transplantation procedures. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Kubik."

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Kubik: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 was suggested by the Attorney General's Office and Illinois Press Association to meet some objections to the Bill. They are now neutral on the Bill, and I would urge its adoption."

Speaker Breslin: "The question is, 'Shall Amendment 1 to Senate Bill 1189 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Kubik."

Kubik: "Thank you, Madam Speaker. Floor Amendment #2 was suggested by the Governor's Office and the Illinois State Medical Society. It would only increase the size of the Commission by one member, from 12 to 13, and I urge its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 1189. Is there any discussion? The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1249, Representative... Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1249, a Bill for an Act relating to counties. Second Reading of the Bill. Amendment #3 was adopted in Committee... was adopted previously."

Speaker Breslin: "Who's... The Sponsor of the Amendment is Representative Giglio? Is that correct? Are there any further Amendments?"

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Clerk O'Brien: "Floor Amendment #4, offered by Representative Giglio."

Speaker Breslin: "Representative Giglio."

Giglio: "Madam Speaker, I ask leave to withdraw Amendment #4."

Speaker Breslin: "Withdraw Amendment #4. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Giglio."

Speaker Breslin: "Representative Giglio."

Giglio: "I would move to withdraw Amendment #5."

Speaker Breslin: "Withdraw Amendment #5. Are there any further Amendments?"

Giglio: "Floor Amendment #6, offered by Representative Giglio."

Speaker Breslin: "Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, I wonder if we could take this out of the record because the Amendment is not printed."

Speaker Breslin: "Representative Giglio, the Amendment has not been printed and distributed so we have to take the Bill out of the record."

Giglio: "You'll come back..."

Speaker Breslin: "We will if we can."

Giglio: "Okay. Fine."

Speaker Breslin: "Out of the record. Senate Bill 1417. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1417, a Bill for an Act to amend the Illinois Real Estate Time-Share Act. Third Reading of the Bill."

Speaker Breslin: "Are there any Motions filed or Amendments filed? The Bill is on Third Reading. The Bill is on Third Reading. Representative Tate asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objection, he

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has leave. Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Homer - Tate and Levin."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. Amendment #1 to the Bill is simply an agreed Amendment that's been proposed by the time-share associations as well as the Illinois realtors. And it just clarifies some technical aspects of the Bill, particularly dealing with the determination of the time period for rescission of the time-share agreement by clarifying business day that means every day of the week except Saturday, Sunday and national holidays and makes some other minor provisions to the Bill that are all agreed to. I would ask for your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to Senate Bill 1417. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to Senate Bill 1417 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, going back for a Bill that we missed, Senate Bill 1260, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1260, a Bill for an Act in relation to oil and gas drilling. Second... Third Reading of the Bill."

Speaker Breslin: "We'll take it out of the record for the moment and come back to it. Senate Bill 1436, Representative O'Connell. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1436, a Bill for an Act to amend

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Sections of the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. Amendment #1 provides for an exception to the confidentiality rules of the juvenile system. It provides that, under the... the presence of a law enforcement officer, provide for the inspection or disclosure to victims and witnesses of photographs contained in the records of law enforcement agencies solely for the purposes of identifying and apprehending persons affiliated with gangs. It's proposed by the State's Attorneys' Office of Cook County as an anti-gang measure. We found that, while often witnesses or victims will not know the names of gang members, they could identify them visually. This Amendment would provide for that exception to the confidentiality requirement."

Speaker Breslin: "Representative O'Connell... Representative O'Connell has moved for passage of Amendment #1 to Senate Bill 1436. On the question, Representative Cullerton."

Cullerton: "The Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Representative O'Connell, this Amendment was the subject matter of a House Bill. Is that correct?"

O'Connell: "That's correct. I believe it was the subject matter of Senate Bill 1441. I'm not sure of the House Bill number."

Cullerton: "And what happened to the Senate Bill?"

O'Connell: "I'm not aware, except that... I believe it wasn't called."

Cullerton: "Okay. And this would allow for victims of crime to

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look at photos of juveniles?"

O'Connell: "That's correct. Let... Let me rephrase that. They would allow photographs of juveniles who may have been identified with the gang related measures."

Cullerton: "And right now, the law says that juveniles have a certain degree of confidentiality, and this involves the... provide an exception to the Confidentiality Act?"

O'Connell: "That is correct."

Cullerton: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 1436 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1451, Representative Washington. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1451, a Bill for an Act to amend Sections of the Environmental Protection Act. Third... Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Amendments filed?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any further Amendments, or are there any Motions filed?"

Clerk O'Brien: "No Motions and no further Amendments."

Speaker Breslin: "Third Reading. Representative Washington, for what reason do you rise?"

Washington: "Yes, Madam Speaker, I rise at this time to ask leave to withdraw the Amendment that was passed to Bill 1451 and move it back to Second... Second Reading for the purpose of another Amendment."

Speaker Breslin: "Representative Washington, the Bill is on the Order of Second Reading. You have to make a Motion to

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table. So, the Gentleman moves to table Amendment #1 to Senate Bill 1451. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Washington: "Yes, I'd like to move it to Third Reading."

Speaker Breslin: "To Third Reading. Okay. The Bill moves to Third Reading. Senate Bill 1452, Representative Hastert. Clerk, read the Bill. Clerk, read the Bill. 1452."

Clerk O'Brien: "Senate Bill 1452, a Bill for an Act to amend Sections of an Act concerning public utilities. Third Reading of the Bill."

Speaker Breslin: "Are there any... Representative Hastert asks leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objection, the Gentleman has leave. Are there any Amendments filed on Second Reading?"

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

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. Amendment #1 changes the effective date. The purpose for this is just in case we need a Bill in the Senate, if our telecommunications Bill, something happens to it, that's the purpose, and I intend to recede from the Amendment if it's not needed."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to Senate Bill 1452. On the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

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Cullerton: "Representative Hastert, I'm in favor of the Amendment, but I've talked to the Senate Sponsor, and I don't think he agrees with it."

Hastert: "Well, I intend to go... "

Cullerton: "And I thought... "

Hastert: "You have my word that I will recede from the Amendment if it's not needed."

Cullerton: "Okay. Because I don't think he's going to concur with it. I think he's very much against having an immediate effective date on this Bill. So... "

Speaker Breslin: "The question is, 'Shall...'"

Cullerton: "We've got to fight for our rights."

Hastert: "Right."

Cullerton: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 to Senate Bill 1452 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Now going back to a Bill that we missed, and that is Senate Bill 1260, Representative Mays. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1260..."

Speaker Breslin: "It's on Third Reading. Representative Mays asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objection, the Gentleman has leave. Are there any Amendments filed?"

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

Speaker Breslin: "Representative Friedrich."

Friedrich: "Madam Speaker and Members of the House, this Bill has

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been... This Amendment is an agreed Amendment that's been worked out with the oil companies and others. The problem that we're trying to correct is that royalty payments which are delayed for any reason, including a defect in the title, which has to be corrected, this requires that interest be paid on those royalty payments that are withheld. As far as I know, there's no objection to it. I move the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved the passage... the adoption of Amendment #1 to Senate Bill 1260. Is there any discussion? Hearing no discussion, the question is, 'Shall Amendment #1 to Senate Bill 1260 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. While we are on the Order of Consent Calendar Bills, we have one Bill on the Regular Consent Calendar Call that needs an Amendment. That is Senate Bill 564. It appears on page 14 on your Calendar. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 564... "

Speaker Breslin: "It's on page 14, Mr. Clerk. It was on the Consent Calendar and was knocked off. We'd like to have an Amendment."

Clerk O'Brien: "A Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker, just to briefly

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explain. Sometimes I get carried away with these 'knowingly' Amendments. This is a Bill that should be a strict liability, and the 'knowingly' Amendment should not be on, so I would ask to withdraw the Amendment."

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

Clerk O'Brien: "No further Amendment."

Cullerton: "Madam Speaker, I had knocked this Bill off the Consent Calendar. I would ask leave to have it returned to the Consent Calendar Third Reading, Second Day."

Speaker Breslin: "We'll move the Bill to Third Reading. The Gentleman asks leave to return this Bill to the Order of the Consent Calendar Third Reading, Second Day. Are there any objections? Hearing no objections, the Gentleman has leave, and the Bill is on the... back on the Consent Calendar. Read the Bill a third time now, Mr. Clerk. Read Senate Bill 564, Mr. Clerk."

Clerk O'Brien: "Senate Bill 564, a Bill for an Act to amend Sections of the Boat Registration and Safety Act. Third Reading of the Bill."

Speaker Breslin: "Ladies and Gentlemen, we are going to the Order, the Special Order of Business for Senior Citizens and Disabled Persons. The first Bill on that Call is Senate Bill 230, Representative Piel. Clerk, read the Bill. It's on page nine on your Calendar. Senate Bill 230. Clerk, read the Bill."

Clerk Leone: "Senate Bill 230, a Bill for an Act to amend an Act creating an Illinois Department of Veterans' Affairs. Third Reading of the Bill."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is a Bill from the American Legion, and basically, what it does, extends the eligibility of

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veterans. The way the law states right now is that veterans after 1975 are not eligible for certain scholarships, and this just extends this to allow people who have gone into the service after 1975 to get veteran scholarships. And I'd ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 230. On the question, Representative Cullerton."

Cullerton: "Yes, is... Would the Sponsor yield?"

Speaker Breslin: "He will yield for a question."

Cullerton: "Representative Piel, is this 3.2 million dollars in the Governor's budget?"

Piel: "Not at the present time."

Cullerton: "Are you sure?"

Piel: "Let me put it this way, John. I'm not handling the appropriations, but I don't think it is, at the present time."

Cullerton: "Well, is this Bill for the veterans?"

Piel: "Yes, it is."

Cullerton: "Okay. I think it's a... "

Piel: "It's a... It's a Larry DiPrima Bill."

Cullerton: "Right. I think that the money is in the budget. So I think we should support it. I think it's a very good idea, and we should applaud the Governor for allowing it to go in the budget."

Piel: "Thank you, John."

Speaker Breslin: "The question is, 'Shall Senate Bill 230 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 257 appears on page three on your

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Calendar. Representative McGann. Clerk, read the Bill."

Clerk Leone: "Senate Bill 257, a Bill for an Act to amend the Senior Citizens' Real Estate Tax Deferral Act. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Senate Bill 257 just increases the amount that a senior citizen, disabled person could add to their... instead of paying the taxes - their real estate taxes - that they could delay those real estate taxes until a later date with a small interest. That basically... It increases the eligibility level from the 10,000 to \$12,000. It's exactly... There's no fiscal impact, and I would certainly appreciate the support of the Assembly with an 'aye' vote."

Speaker Breslin: "The Gentleman has moved... The Gentleman has moved the passage of Senate Bill 257. On the question, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. This is a modification of the Bill that Senator Berman and I sponsored and passed a couple of years ago. It's really an excellent idea and a very, really, no or minimal cost to the state. What the program says is that if the senior citizen is unable to pay... who owns a home is unable to pay their property tax, that the state will come in and pay that property tax for the senior citizen. However, when the home is sold or if the senior citizen dies, the proceeds of the sale of the home, then, would go to replenish the fund, plus six percent interest. So, it's an excellent idea to help out a situation where a home, perhaps, has increased in value, but the senior who's lived there and raised their children there wants to... wants to stay, and yet, because of the increase in the value of the

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home, the property taxes have risen up dramatically. They're on a fixed income. This would allow them to stay in the home that they've lived in for their life, and to, at the same time, not endanger the state funds because the money is repaid when the... the property is eventually sold. So, I think it's an excellent idea, and I... "

Speaker Breslin: "The question is, 'Shall Senate Bill 257 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 258 appears on page nine on your Calendar, Representative Keane. Clerk, read the Bill."

Clerk Leone: "Senate Bill 258, a Bill for an Act to amend the Senior Citizens' and Disabled Persons' Property Tax Relief and Pharmaceutical Assistance Act. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. This Bill increases on the Circuit Breaker Act the qualifying income threshold from 12,000 to 14,000 for both basic and additional grant sections of the program as well as pharmaceutical assistance. Reduces the annual household income offset from 5% to 4.5%. I'd be happy to answer any questions on this and ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 258. And on that question, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Representative Keane, is Representative McGann going to come back with a Bill next year to raise his level to

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14,000 dollars?"

Keane: "I don't know."

McCracken: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 258 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. This is final passage. Have all voted who
wish? Have all voted who wish? The Clerk will take the
record. On this question, there are 114 voting 'aye', 1
voting 'no' and none voting 'present'. This Bill, having
received the Constitutional Majority, is hereby declared
passed. Senate Bill 384, Representative Richmond. It
appears on page three on your Calendar. Clerk, read the
Bill."

Clerk Leone: "Senate Bill 384, a Bill for an Act to amend the
Respite Demonstration Program Act. Third Reading of the
Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. This is one of the Alzheimer's Disease Bills in the
package, and I think you're all familiar with it. And I
would urge your green vote."

Speaker Breslin: "Representative has moved... The Representative
has moved for the passage of Senate Bill 384. Is there any
discussion? Hearing no discussion, the question is, 'Shall
Senate Bill 384 be... be passed?' All those in favor vote
'aye', all those opposed vote 'no'. Voting is open. This
is final action. Have all voted who wish? The Clerk will
take the record. On this question, there are 115 voting
'aye', 1 voting 'no' and none voting 'present'. This Bill,
having received the Constitutional Majority, is hereby
declared passed. Senate Bill 385, Representative Richmond,
appears on page four on your Calendar. Clerk, read the
Bill."

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Clerk Leone: "Senate Bill 385, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This, also, is a Bill in the same package, the Alzheimer's Disease package, and I certainly would appreciate your support."

Speaker Breslin: "Representative Richmond has moved for the passage of Senate Bill 385. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 385 be adopted... be passed?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative DeJaegher, one minute to explain your vote. The Gentleman indicates he does not wish to speak. The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 386, Representative DeJaegher. It appears on page four on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 386, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Chairman (sic - Speaker), Members of the General Assembly. This, again, is one of those Bills that we... relating to, pertaining to Alzheimer's Disease. I think that basically all of you are knowledgeable of this and hope that you'll be supportive of this."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 386. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 386 pass?' All those

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in favor vote 'aye', all those opposed vote 'no'. This is final action. Have all voted who wish? Representative Homer? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 388, Representative Madigan, appears on page four on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 388, a Bill for an Act creating the Alzheimer's Disease Assistance Act. Third Reading of the Bill."

Speaker Breslin: "Who's the second Sponsor on this, Mr. Clerk?"

Clerk Leone: "Madigan - Bowman."

Speaker Breslin: "Bowman. Representative Bowman. Clerk... present the Bill, please. Representative Bowman."

Bowman: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. This is one of the other Bills in the Alzheimer's Disease package. It is identical to one of the Bills that we passed out of the House unanimously. I urge that we now give similar consideration to this piece of legislation."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 388. Is there any discussion? Hearing no discussion, the question is, 'Shall Senate Bill 388 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 390, Representative Bowman. It appears on page four on your Calendar. Clerk, read the Bill,"

Clerk Leone: "Senate Bill 390, a Bill for an Act to amend the

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Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is yet another in the package. I move it's adoption... or, move its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 390. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall Senate Bill 390 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no'... Representative Dunn wishes to vote 'aye', and Representative Laurino wishes to vote 'aye'. On this question, there are 118 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 391, Representative Madigan. It appears on page four on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 391, a Bill for an Act to amend an Act relating to the rehabilitation of disabled persons. Third Reading of the Bill."

Speaker Breslin: "Representative LeFlore."

LeFlore: "Thank you, Madam Speaker. This Bill will provide financial relief to the families of Alzheimer's Disease victims and will entitle them to the benefits now afforded by the disabled person. I would like to have a favorable vote on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 391. And on the question, the Gentleman from Macon, Representative Dunn."

Dunn: "Just a point of inquiry. I wonder if we're going to get the printout that we had yesterday of these orders with a

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one line description of the Bills."

Speaker Breslin: "They are being prepared."

Dunn: "Alright."

Speaker Breslin: "And we will get them to you as quickly as possible."

Dunn: "Thank you."

Speaker Breslin: "Is there any discussion on the Bill? There being no discussion, the question is, 'Shall Senate Bill 391 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 639, appearing on page 21 on your Calendar. Clerk, read the Bill. We are on the Order of Special Order of Senior Citizens - Disabled Persons. The next Bill is Representative LeFlore's. Clerk, read the Bill."

Clerk Leone: "Senate Bill 639, a Bill for an Act to amend the Illinois Act on... "

Speaker Breslin: "Out of the record? Representative LeFlore, for what reason do you rise? LeFlore. Representative LeFlore has asked for Interim Study for this Bill. That is his right. This Bill will be changed to the Order of Interim Study. That's Senate Bill 639 on Interim Study. Senate Bill 775, Representative Preston, appears on page 11 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 775, a Bill for an Act to amend the Act in relationship to nursing care facilities. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker. As hyphenated Cosponsor, I

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would ask leave to return this Bill to the Order of Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return the Bill to the Order of Second for the purposes of an Amendment. Hearing no objection, the Gentleman has leave. Read the Amendment, Mr. Clerk."

Clerk Leone: "Floor Amendment #3, Preston, amends Senate Bill 775."

Speaker Breslin: "Representative Dunn, to present the Amendment."

Dunn: "The Amendment changes some of the language in the Bill regarding notice in connection with suspected deficiencies in nursing homes. And I would ask for adoption of the Amendment."

Speaker Breslin: "Representative Dunn has moved the adoption of Amendment #3. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 to Senate Bill 775 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Dunn now asks leave for immediate consideration of Senate Bill 775 as amended on Third Reading. Are there any objections? Hearing no objections, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 775, a Bill for an Act to amend an Act in relationship to nursing care facilities. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "House (sic - Senate) Bill 775 contains notice provisions for prompt and immediate notice in the case of potential health threats to nursing home residents, and I would ask

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for adoption... favorable vote on Senate Bill 775."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 775. And on that question, is there any discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House, I would just like to rise in support and compliment the Sponser because of the long deliberation that was going regarding this Bill, and I do recommend that it passes."

Speaker Breslin: "The question is, 'Shall Senate Bill 775 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Cullerton, for what reason do you rise?"

Cullerton: "Well, I did have a question of the Sponsor. Is Representative Preston..."

Speaker Breslin: "The Gentleman is not in the chamber. Representative Dunn is presenting the Bill."

Cullerton: "Well, maybe Representative Dunn can explain his vote and answer my question. This Amendment #3, which we just put on today, does it have anything to do with the Criminal Justice Authority? Do you know if the Amendments have anything to do with the proposal made by the Criminal Justice Authority?"

Speaker Breslin: "Representative Dunn."

Dunn: "In explaining my vote, the answer is no."

Cullerton: "Okay. Thank you."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 104 voting 'aye', none voting 'no' and 6 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 938, out of the record. Ladies and Gentlemen, we are now going to the Order of Human Services. The first Bill to appear there is Senate Bill 133. It appears on page three on your Calendar, Representative

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Piel. ' Clerk, read the Bill."

Clerk Leone: "Senate Bill 133, a Bill for an Act to amend an Act to provide for the burial of certain deceased veterans and their relatives by counties. Third Reading of the Bill."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is another one of the veterans' Bills. Basically increases the burial limit for indigent veterans, under the Indigent Veterans' Act, from 300 to 600 dollars, and I would ask for a favorable Roll Call."

Speaker Breslin: "Would you correct the board, Mr. Clerk? The Gentleman has moved for the passage of Senate Bill 133. On the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Representative Piel, I think this Bill seems to bring together both the cemetery people and the funeral directors. Would you agree?"

Piel: "That could be construed as that, John, but it wasn't really the intent of the Bill."

Cullerton: "Well, we're providing 300 more dollars for... to be paid to somebody, right?"

Piel: "Correct."

Cullerton: "And who would be the likely recipients of the extra money?"

Piel: "Well, maybe it is bringing the two of them together."

Cullerton: "Thank you. It's a real nice Bill for the veterans."

Piel: "Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 133. The question is, 'Shall Senate Bill 133 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting

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'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 295, Representative White. It appears on page three on your Calendar. Representative White. Out of the record. Senate Bill 299, Representative Braun. Ladies and Gentlemen, we are on Third Reading on these Bills. It behooves the Sponsors to be in their chairs and be prepared to go with their Bills when they are called. We cannot guarantee that we will get back to any of these Bills. Representative Braun, Senate Bill 299. Out of the record. Okay. The Lady has returned to the chamber. Senate Bill 299. It appears on page 10 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 299, a Bill for an Act to amend the Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, very much, Madam Speaker, Members of the Assembly. Senate Bill 299 was introduced on behalf of the Illinois Department of Public Aid. It... It simply provides that... or, in its original form, provided that, with regard to the collection of state liens, that questions be answered in a timely manner and put forth a schedule for the appropriation of... apportionment, rather, of lien fees. Subsequently, an Amendment was added yesterday which had to do with home health agencies."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 299. Is there any discussion? The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "She will."

Hawkinson: "Representative, as I remember the discussion in the Judiciary Committee, Representative Johnson raised a

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question about whether or not this would allow Public Aid to get at minors' estates, and I believe there was a commitment to take that out. Has that been done?"

Speaker Breslin: "Representative Braun."

Braun: "Oh, now it is. Representative Hawkinson, no, that has not been done. The commitment at the time was to work with Representative Johnson around his specific objections regarding language on the Bill."

Hawkinson: "Has... Have you talked with him, and is he satisfied, regarding... "

Braun: "No, he's not. No, he's not."

Hawkinson: "Alright. Thank you."

Speaker Breslin: "There being no further discussion... Representative Dunn, on the question."

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

Speaker Breslin: "She will."

Dunn: "We did have some discussion in Judiciary and, I think, on the floor just the other day about the attorney's fee in connection with contingent fee cases by minors who are from families receiving public aid. What if a minor is injured and there is a recovery or settlement, and the family is receiving public aid, what happens to the attorney's fee? Does it come off the top?"

Braun: "I'm sorry, Representative A lot of conversation going on in my one good ear, here, and I can't..."

Dunn: "Explain the Bill, will you please?"

Braun: "Well, no. You asked a question, if you don't... if I could just have the question again."

Dunn: "Well, it would probably easier if you tell us what the Bill does. There... There were questions, I know, about who... if the recovery is not sufficient to pay everyone, who suffers, and is the suffering spread across... among all those who have liens on a pro rata basis, or is the

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attorney's lien paid in full off the top or what happens?"

Braun: "Representative, on page seven of the Bill, line 11, it really... it's made very clear that the court has the discretion to reduce and apportion the liens which are created by virtue of its ruling, based on other kinds of considerations like loss, injury, settlement offers, negligence, et cetera. So, it's within the court's discretion to apportion the liens so that no benefic... no single beneficiary is unduly injured."

Dunn: "Well, can you outline an example to us about what happens if there is... as I think an example was put yesterday, if there was \$100,000 recovery and there's a \$20,000 lien by a doctor, 20,000 by a hospital and \$20,000 by someone else, and what happens?"

Braun: "The court is not required, under this legislation, Representative, to enforce all of those liens to the extent of the lien. It's not required to do that. So, you just named, for example 21,000 or \$25,000 worth of liens on a \$100,000 recovery. The court is not required. In fact, this language specifically gives the court the discretion to apportion and reduce the respective liens that are created in order to do... in the interest of equity among the parties. It does not require that the \$25,000 worth of liens, for example, that you just named, come off the top. It does not require that."

Dunn: "I think I do see, in the current law, which is not changed, that the attorney's lien comes off the top, but the new language indicates that the Department lien shall take priority over all other liens, with the exception of the attorney's lien."

Braun: "Right."

Dunn: "And then, what you're saying is the Department's lien comes first, but the court may reduce and apportion it if

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the court chooses to do so in its discretion. Is that correct?"

Braun: "Right. Right. That's correct. That's correct. It really does give some flexibility to the current law in this area."

Dunn: "Why would the Department want to give up a chance to collect some money on behalf of the taxpayers? I don't understand why a court would ever say that it would reduce the Department's lien in order to pay some private individual or private corporation."

Braun: "Representative, I don't know if that's a rhetorical question, but under the Director of Public Aid..."

Dunn: "No, it's not."

Braun: "... Director Coler, he's at least seen... he has so far been amenable to helping to draft law in this area, which you know, I've been active in for a long time, that really is more consistent with the interest of poor people and the injured and the like. He has been more open to those kinds of considerations than, frankly, in my recent memory. Again, this was the Department's Bill. I think it's a good Bill, and I think it does give some flexibility..."

Dunn: "Well, I... I won't prolong the discussion any longer, but there is a big difference between 'may' and 'shall', and it is somewhat disturbing. Thank you."

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

Braun: "Thank you, Madam Speaker. Again, this should be a noncontroversial proposition in that it does give discretion where, in areas now, in which there is a mandatory lien situation. I think the Department has gone a long way in not only allowing for the protection of its interests, but also the interests of... of minors and other people who may be affected in giving the court the

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opportunity to effect some equities in these lien situations. I encourage your support."

Speaker Breslin: "The question is, 'Shall Senate Bill 299 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 108 voting 'aye', 4 voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are going to the Order of Concurrence. It's on page 37 on your Calendar. Senate... House Bill 50. Out of the record, House Bill 337. Out of the record. House Bill 981; Representative Koehler. Clerk, read the Bill."

Clerk Leone: "House Bill 881 amends an Act permitting accumulation of funds for self-insurance of public libraries and library districts."

Speaker Breslin: "Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 881, now on the Order of Concurrence, originally permitted the board of directors of local public libraries and the board of trustees of a public library district to accumulate funds for the purposes of providing self-insurance. That is still in the Bill. The effect of a Senate Amendment #1 provides that a public library district, which has approved an increase in its tax levy by referendum, may amend the original levy ordinance filed with the county clerk prior to December 31st to reflect this increase. For its fiscal years beginning after July 1, 1985, the amended levy ordinance must be filed by November 30. The Amendment that was placed on in the Senate is an emergency measure requested by the Poplar Creek Public Library District. It is

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important for them to have this... this Amendment passed and be ready for a court hearing on Monday of next week. It is an emergency measure. It has been approved. There is no opposition to this Amendment or to the concurrence measure, and I would urge the adoption of House Bill 381."

Speaker Breslin: "The... The Lady has moved for... that the House concur in Senate Amendment #1 to House Bill 891. And on that question, Representative Parke."

Parke: "Thank you, Madam Chairman and Ladies and Gentlemen of the House. This helps solve a problem in my legislative district, and if we do not get this legislation through, this library district may have to go to tax anticipation warrants when it's really not necessary. I ask for support of this concurrence."

Speaker Breslin: "The Gentleman... The Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "She will."

Hawkinson: "I understand we have an emergency, but what does the Amendment do?"

Koehler: "What the Amendment does, Representative Hawkinson, is allow the... allow for the amended levy in the case of an already voter approved tax increase for library districts. The... This has been approved by referendum, but because the county clerk said that this... this levy could not be amended, this was taken to court, and the Judge agreed with the county clerk and said that this could not be amended, that special legislation was needed in order to take care of an already approved increase for this library district. It does not increase the tax in any way except allowing them to do what the voters gave them the ability to do."

Hawkinson: "What was the objection of the county clerk, if you know?"

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Koehler: "She... The county clerk stated that they... they had to have this done by the third Tuesday in September in order to amend the ordinance. Well, this was not approved until the November election. So what this does is allow them to amend that ordinance at this time, and the court has said that this emergency legislation was necessary. And the hearing is on Monday, and at that time, the court will allow this to happen."

Hawkinson: "So the referendum was not done pursuant to the statute, according to the court?"

Koehler: "It was not in time for that fiscal year."

Hawkinson: "I see. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 881?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 115... Representative Shaw asks to be voted 'aye'. There are 116 voted 'aye', none voting 'no', and none voting 'present', and the House does concur in Senate Amendment #1 to House Bill 881. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, now going back on the Order of Human Services, the next Bill on that Order is Senate Bill 325, Representative Anthony Young. It appears on page 10 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 325, a Bill for an Act concerning Acquired Immune Deficiency Syndrome. Third Reading of the Bill."

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 325 requires the Department of Public Health to conduct a public information campaign to measure

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and would try to reduce the mortality caused by the acquired immune deficiency. One of the things this Bill would do would include a six month pilot of a hot line that will be extended statewide in 1986. I vote... I ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 325. Is there any discussion? Hearing none, the question is, 'Shall Senate Bill 325 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 107 voting 'aye', 4 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 330, Representative Terzich. It appears on page 17 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 330, a Bill for an Act in relationship to the distribution of monies collected in the Tax Amnesty Program. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker, House Bill 330 provides that one twelfth of the amnesty receipts be deposited in the Local Government Distribution Fund for allocation to the counties and municipality. This will be a one time allocation."

Speaker Breslin: "Excuse me, Representative Terzich. We have just noticed that this Bill is on Second Reading. Perhaps there are Amendments. We'll have to go to... It's on Second Reading. Mr. Clerk, read the Bill on Second."

Clerk Leone: "Senate Bill 330, a Bill for an Act in relationship to the distribution of monies collected in the Tax Amnesty Program. Has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. Representative Terzich now asks leave for immediate consideration of this Bill on Third Reading. Is there any objection? Hearing none... Proceed... You may proceed with your explanation of the Bill on Third Reading now, Representative Terzich."

Terzich: "Yes, Madam Chairman and Members of the Legislature, the Bill provides that the one-twelfth of the amnesty receipts be deposited in the Local Government Distribution Fund for allocation to the counties and municipalities. These are monies that... they should be eligible for under the general revenue sharing, and I would move for its passage."

Speaker Breslin: "The Clerk is going to read the Bill on Third."

Clerk Leone: "Senate Bill 330, a Bill for an Act in relationship to the distribution of money collected in the Tax Amnesty Program. Third Reading of the Bill."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 330. On the question, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. Will the Sponsor yield to a question?"

Speaker Breslin: "He will yield for a question."

Woodyard: "Representative, I'm not opposed to the Bill, but I would like to ask a question or two to clarify legislative intent on this. If the Bill does not pass, would it be your understanding that the 24 million dollars in this revolving fund would go into the Common School Fund?"

Terzich: "Well, it's my understanding that the 24 million dollars of... collection of allocated... which is ineligible for the terms of the Amnesty Act earmarked would be deposited in the General Revenue Fund."

Woodyard: "I could hardly hear some of that."

Terzich: "It's my understanding that these unallocated funds that would be ineligible under the terms of the Amnesty Act

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would be deposited into the General Revenue Fund."

Woodyard: "The Bill that we passed last year certainly was very specific that the amnesty money would go into the Common School Fund, and your Bill is changing that, which again, I really don't have that much opposition to, but... Well, okay. If the Bill does pass, then, is it your intent that this seven million dollars that would be distributed out of that revolving fund would go to local governments rather than to schools?"

Terzich: "That's correct. It would go under the Local Government Distribution Fund."

Woodyard: "Okay. Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 330 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 86 voting 'aye', 23 voting 'no', and 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 392, Representative Bowman. It appears on page four on your Calendar. Clerk, read... Representative Bowman? Clerk, read the Bill."

Clerk Leone: "Senate Bill 392, a Bill for an Act to add Sections to the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman. Representative Bowman. Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Amendment that is on 392 is basically the Bill. The Bill itself, the underlying Bill, is a permissive piece of legislation which is probably not necessary. The Department could use the existing law to do what the basic Bill does. The Amendment is the most significant part of

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the legislation. It incorporates the provisions of House Bill 612, recommended unanimously by the House Human Services Committee but not called on Third Reading in the House. It amends the Public Aid Code and requires, instead of authorizing, grants for childless, pregnant women upon medical diagnosis, to the extent permitted by federal law. Now, I want you all to understand that we are keying into federal law here, that what we are doing is making adequate resources - actually, they... they're not quite adequate - but they are resources available to pregnant women so that they may be adequately nourished during their pregnancy so that their children will be born healthy, will... and will not have the brain damage that is so often associated with malnutrition. This is an important piece of legislation, and I recommend its passage by the House."

Speaker Breslin: "Representative Bowman has moved for the passage of Senate Bill 392. On the question, Representative McCracken."

McCracken: "This... This is not related to the Alzheimer's Disease legislation, is it, Representative?"

Bowman: "Well, it's not part of that package, no. The underlying Bill was part of the Senate package, but as I indicated, it was... it's not needed, because it doesn't really change the law any. So that's why it was chosen as a vehicle for this legislation."

McCracken: "Okay. Now, are the benefits here controlled by federal law?"

Bowman: "Yes, they are."

McCracken: "And what is the current federal law relative to childless pregnant women as recipients of AFDC?"

Bowman: "That these benefits may be made available during the last trimester of pregnancy."

McCracken: "Alright. So, this is similar to an Amendment that

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Representative White adopted or sought to adopt last night which would conform his Bill also to that standard?"

Bowman: "Yes. Now, his Bill pertained to medical services only. This is for the income assistance."

McCracken: "This is for what?"

Bowman: "This is... This is for income assistance. It is the companion piece to Representative White's Bill."

McCracken: "Alright. Would a... Would a pregnant child... or childless woman be eligible for both the benefits under here and under Representative White's Bill?"

Bowman: "Oh, I see. Yes. Representative McCracken, let me back up just one... one second. I was mistaken about Representative White's legislation. His legislation pertained to childless couples in which the woman is pregnant. Okay? Now, under present law, the... a pregnant... a single pregnant female who is otherwise childless is now eligible for medical assistance."

McCracken: "For medical assistance."

Bowman: "Medical assistance only."

McCracken: "Alright."

Bowman: "What this legislation would do would be to extend the income assistance portion of public aid to that woman who now has access to the medical programs."

McCracken: "Alright. And so, the answer to my question is yes, she could be available for both, or eligible for both."

Bowman: "Yes, Sir."

McCracken: "Alright. Now, what is that number? Is it a sliding scale, or is it a standard dollar figure for each program?"

Bowman: "Jesse's Bill's different. Okay. I'm sorry. There is... Okay. It could be under the existing ADC standard, or it could be a separate standard."

McCracken: "I'm sorry. I didn't hear you."

Bowman: "It could be under the current ADC standard, or it could

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be a separate standard. One... The Department is authorized, under present law, to establish a separate standard for this category."

McCracken: "Okay. Has that been established, or is there any precedent or any way to project the cost for this Bill?"

Bowman: "Yes, Representative McCracken. It's... I think it's important for every Member of this House to understand that the program which we are putting into this Bill was, at one time, in effect. Only a couple of years ago - about 18 months ago, I believe, the Governor, at that time, cut back because of fiscal austerity and so forth, and what we're trying to do is restore a program which... "

McCracken: "But my question is..."

Bowman: "Okay. I'm sorry. I just wanted to set the stage for... in specific response to your question - 2.35 million dollars."

McCracken: "Okay. Now, these same persons are... are available or eligible for the medical assistance relative to Representative White's Bill, if that became law."

Bowman: "No, no. Representative White's Bill covers childless couples in which the woman is pregnant... present law... and the unemployed father case. But the present law that's on the books right now provides medical assistance to a childless pregnant woman, single female."

McCracken: "Alright. And what does medical assistance consist of under current law? What is... What is eligible for reimbursement or for the benefits?"

Bowman: "Prenatal care, the delivery, any complications associated with the delivery, but not nutrition."

McCracken: "And does prenatal care include assistance relative to the conception of a healthy child? I mean, isn't that the point of the prenatal care?"

Bowman: "Well, yes, but it doesn't include nutrition."

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McCracken: "And isn't that the point of this Bill as well? Yes or no?"

Bowman: "Well, Representative McCracken, I mean, you're pointing out the fundamental reason for the Bill is to establish a consistent, well-rounded policy. Right now we have half a policy. This Bill is perfectly consistent with the laws that are already on the books, but they do not address nutrition."

McCracken: "But they address prenatal care."

Bowman: "Well, medical care, yes. Medical care."

McCracken: "Alright. Alright. Well, what do you mean by prenatal care then? That prenatal care does not include care to ensure that the child is born healthy?"

Bowman: "Well, Representative McCracken, if the woman is inadequately nourished, the child will not be born healthy, no matter how many times she sees the doctor. Talking to a doctor doesn't make a child healthy. Now, if there are complications resulting in... attendant to that pregnancy, the doctor might do something about it. But nutrition, the doctor is powerless to do anything about it. That's why we need this Bill, Sir."

McCracken: "Okay. Now, under prior law, which I guess was repealed some 18 months ago, what was the money involved there? How were benefits determined or granted there? Was it a sliding scale or..."

Bowman: "No, it was a flat... flat..."

McCracken: "Flat grant?"

Bowman: "Flat grant based on income eligibility, just like we administer the rest of the ADC program."

McCracken: "Okay. I have nothing further. Thank you."

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

Cullerton: "Would the Sponsor yield?"

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Speaker Breslin: "He will."

Cullerton: "Representative Bowman, just so I have it clear, the original Bill dealt with the disease?"

Bowman: "Well, Representative Cullerton..."

Cullerton: "And then that Amendment #... Let me ask it this way. Does Amendment #1 gut the original Bill?"

Bowman: "No, it didn't. There was a ruling from the Parliamentarian at the time the Amendment was adopted that the single subject matter and germaneness rules were respected because we're dealing with eligibility for public assistance programs."

Cullerton: "The original Bill that dealt with Alzheimer's Disease is still in there."

Bowman: "Yes."

Cullerton: "Thank you."

Bowman: "That's still in there."

Speaker Breslin: "Are you finished, Representative Cullerton?"

Cullerton: "Yes."

Speaker Breslin: "The Gentleman... The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Ladies and Gentlemen of the House, again I have to rise in opposition to this Amendment. It is not pertinent to the Alzheimer's Disease package, of which this original Bill started with. The... There is medical assistance for the pregnant women. They also get programs from AFDC. I've got a total dollars here that are going to the pregnant women, and they are being helped. And this Amendment just is not going to effective. There is a 2.5 million for the childless pregnant women in the DPA's budget. There is 12 million to the Parents Too Soon allocated. There's 500,000 for special infant mortality to initiative in Public Health's budget. There's 7.5 million to the Department of Public Health for the

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expansion of the WIC Program. We are trying to make sure that the youth that are going to be born are going to be born in the utmost of health. This is not a necessary Amendment at this time. I would urge the Members of the House to vote against it... against this Bill."

Speaker Breslin: "The Gentleman from Madison, Representative Wolf."

Wolf: "Madam Speaker, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Bowman to close."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I really don't understand the... the remarks of the last speaker, because the legislation under consideration is identical to a Bill that was reported out of the Human Services Committee, of which she is the Minority Spokesman, 11 to 0. I will repeat that. 11 to 0, Ladies and Gentlemen. I think if the Lady had qualms about this legislation, she should have voted 'no' at an earlier point, because it's the same piece of legislation that the Human Services Committee reported out unanimously. Let me add one... one other point that was not raised in debate. The alternative for most of these women who will be covered by this legislation is general assistance. Now, general assistance is a locally funded program in most cases, so that what we are doing here with this legislation is taking a burden off of local government and shifting a part of that burden onto the Federal Government. I think that is something that we all ought to consider. Those of us who have township assistance programs ought to consider that very carefully. I... and we ought to consider that this

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was a unanimous recommendation of the Human Services Committee. I... I move adoption of this legislation."

Speaker Breslin: "The question is, 'Shall Senate Bill 392 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Ryder, one minute to explain your vote."

Ryder: "Thank you, Madam Chairman, and I would indicate as one of the people that was on that Human Services Committee, that when we're talking about a cost of 4.6 million, that it is an excessive amount. We're talking about an Amendment on a Bill that even the Sponsor indicated was not necessary. As a consequence, we have established a precedent here that is encouraging public assistance, public welfare, not only from cradle to grave, but in this case, from the womb to the tomb. We are encourage extra generations of people to be placed on the public assistance rolls, and I would urge red votes for those. And in the event... I would reserve the right for a verification."

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

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. We are dealing with a situation here where we're taking 4.6 million dollars that could be available for education and putting it into welfare. The... The Sponsor himself says that the Alzheimer portion of the Bill is unnecessary and unneeded. The sole issue is whether you want to take 4.6 million dollars out of education, away from our schools, and put it into the state welfare budget. This ought to be an opportunity state, not a welfare state, and I urge a 'no' vote on this Bill."

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

Currie: "Thank you, Madam Speaker and Members of the House. The

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proposal here is one that was a great proposal, when our Republican Governor Jim Thompson signed it into law some years ago. It was a great program when the Department of Public Aid administered it up until 18 months ago. The fact that we faced a cash crunch meant the end of this program. We should now, as we build Illinois, build healthy babies, make sure we do something about our rock-bottom statistics on infant mortality - 46th among the states - very near the bottom among the states. This is a vehicle that helps us meet that demand, meet that need. It's a good Republican program, strongly supported by Hunger Action Council, by Catholic Charities, by Lutheran Social Services. I think we deserve to make sure that our babies have a chance to thrive in a thriving Illinois economy."

Speaker Breslin: "The Gentleman from St. Clair, Representative Stephens, one minute to explain your vote."

Stephens: "Thank you, Madam Speaker, Members of the House. This is a pretty tough vote for me, because I certainly, as all the other Members of this House and the Assembly in general, certainly care about the welfare of the children being born in our state. But sometimes, we have to just take a look at what we're doing, and we just can't continue to throw more money at a serious problem and expect that problem to go away. We've proved, time and time again in this country, that that is not the proper attitude. We spend millions and millions of dollars trying to protect those babies before they're born. Just the other day, I was in a little shop near my home. The Lady in front of me - and this is one of those horror stories that you hear once in a while - spent nine dollars of her food stamps on candy bars and potato chips. Now, I'm sure she wanted those, but I wondered about her children at home and the

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nourishment that they weren't getting from those candy bars and potato chips. I think that a message should be sent from this Assembly that we know that we're not just going to send more money after problems and expect those problems to go away. We have to use common sense, and so do the parents of these children. Thank you."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 68 voting 'aye', 49 voting 'no', and 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 445, Representative Oblinger. Clerk, read the Bill."

Clerk Leone: "Senate Bill 445, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker Breslin: "Representative Oblinger."

Oblinger: "Thank you, Madam Speaker and Members of the House. The Bill originally was to continue medical... continuing medical education for chiropractors. However, the Amendment that went on now applies to all categories of physicians licensed under the Medical Practice Act, and it also provides that continuing education required by hospitals can be accepted to meet the requirements of this Act. I would move for the passage of Senate Bill 445."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 445. On the question, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield? Representative Oblinger, Representative Cullerton over here asking the question. How are you this morning? This deals with the Medical Practice Act and continuing education for doctors?"

Oblinger: "Yes."

Cullerton: "Does it have anything to do with being licensed as a doctor, initially?"

Oblinger: "No. No licensing."

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Cullerton: "And what does the Amendment... The... Amendment #1, which is the Bill. What does that do?"

Oblinger: "Amendment #1 provided that all categories of physicians would continue continuing education. Last Session, I think we exempted, by mistake, the chiropractors. They wish to be included in it. So now it includes all of the group, plus, it provides that the continuing education that is required by hospitals as a condition of staff membership would, to the greatest extent practicable, be accepted to meet the requirements of this Act."

Cullerton: "Well, let me ask you this. The original Bill... Was the original Bill diluted by Amendment #1?"

Oblinger: "No, it was added to."

Cullerton: "Well, doesn't it... didn't it have the effect of limiting the amount of continuing... continuing education?"

Oblinger: "No... No, it requires the examining committee to establish the continuing education requirements. That was continued from the original Bill, and also, that they would develop evaluative procedures to carry out the administrative requirements. So the administrative procedural requirements from the original Bill are maintained with the Amendment."

Cullerton: "Is Amendment #2 on the Bill?"

Oblinger: "There is no further Amendment that I know of."

Cullerton: "Okay. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Senate Bill 445 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative Brunsvold? Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no', and none voting 'present'. This Bill,

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having received the Constitutional Majority, is hereby declared passed. Senate Bill 653, Representative Bullock. Is the Gentleman in the chamber? Out of the record. Senate Bill 669, Representative Laurino. It appears on page five on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 669, a Bill for an Act relating to dental insurance and dental service corporations. Third Reading of the Bill."

Speaker Breslin: "Representative Laurino."

Laurino: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 669 is a very simple Bill. All it does is creates the Dental Freedom of Choice Act, inasmuch as, right now, many patients are forced to go to a panel of dentists supplied by their employers because they are reimbursed at a nominal fee to the dentist. What this does is give them the opportunity to go to their own dentist and still get the reimbursement to their own dentists from their employer. And I ask for a favorable vote."

Speaker Breslin: "There has been a request that all lobbyists leave the floor of this House. That is in violation of the rules. Mr. Doorman, would you clear the aisles of all unauthorized persons? Representative Laurino has moved for the passage of Senate Bill 669. Is there any discussion? Hearing no discussion, the question is, 'Shall Senate Bill 669 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 922, Representative Wojcik. It appears on page five on your Calendar. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 822, a Bill for an Act relating to mental health and developmental disabilities. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, what... what this Bill does... What this Bill is, the Amendment establishes a panel of physicians empowered to review the appropriateness of medical treatment provided persons who have died in the Department of Mental Health and Developmental Disabilities' facilities. Now, try to say that. That's a pretty good one. House Amendment #1 establishes a medical review board to perform quality reviews similar to those performed in private hospitals. The board will consist of 15 members appointed by the Governor, and all will be medical doctors. With this medical review board, the quality of patient care will be reviewed upon a person's death, if such review is deemed warranted by the medical review board. This board will make an annual report to the Governor and the Legislature by April 1 of each year. Also, the Director of the Department of Mental Health and Developmental Disabilities will be required to notify appropriate law enforcement officials if the results of this review so warrant. I move its passage."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 822. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 822 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 879, Representative

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Wojcik. It appears on page five on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 879, a Bill for an Act to add Sections to the Emergency Medical Services Systems Act. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Madam Speaker, I would like to take this Bill to Second Reading."

Speaker Breslin: "The Lady has asked leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Lady have leave? Hearing no objection, the Bill is on Second Reading. Read the Amendment, Mr. Clerk."

Clerk Leone: "Amendment #1, Terzich, amends Senate Bill 879."

Speaker Breslin: "Representative Terzich."

Terzich: "Let me find out what 879 is first."

Wojcik: "Paramedics."

Terzich: "Oh, yes. What this... Senate Bill 879, which would allow hearings on revocation of, or dismissal of paramedics, and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to Senate Bill 879. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 to Senate Bill 879 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. 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, Ropp, amends Senate Bill 879."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker. This states that emergency medical technician instructor and it defines what that is and that he should be qualified or certified by the Department's regulations."

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Speaker Breslin: "The Gentleman has moved the adoption of Amendment #2 to Senate Bill 879. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 to Senate Bill 879 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Wojcik now asks leave for immediate consideration of Senate Bill 879 as amended on Third Reading. Are there any objections? Hearing none, Representative.. Read the Bill, Mr. Clerk, on Third Reading."

Clerk Leone: "Senate Bill 879, a Bill for an Act to amend the Emergency Medical Services Systems Act. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik, on Third Reading."

Wojcik: "Yes, Madam Speaker and Members of the House, I think you have heard the Amendments, and I would just move do passage of this Bill. Thank you."

Speaker Breslin: "The Lady has... The question is, 'Shall Senate Bill 879 pass?' And on the question, the Lady from Cook, Representative Didrickson."

Didrickson: "Yes, thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "She will."

Didrickson: "Representative Wojcik, the Floor Amendment that was just added, what does that do?"

Wojcik: "I would yield to Representative Ropp and let you ask him."

Speaker Breslin: "Representative Ropp."

Ropp: "Alright. Thank you, Madam Speaker. Emergency medical technician instructor, and it states that that particular

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person should be certified by the Department, in accordance with standards that would be prescribed by the Department."

Didrickson: "Does this have anything to do with certifying paramedics at the local level?"

Ropp: "No."

Didrickson: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 944 pass?'

All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', none voting 'no', and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 944, Representative Panayotovich. It appears on page 11 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 944, a Bill for an Act relating to the Department of Children and Family Services. Third Reading of the Bill."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would like to defer to my hyphenated Cosponsor to proceed with this Bill, Representative Jerry Washington."

Speaker Breslin: "Representative, who wanted to proceed? Representative Washington. Clerk, read the... Proceed, Representative Washington."

Washington: "Madam Speaker, Members of the House of Representatives, this Bill would basically establish a level of standard of need payment at 52 percent. Currently, the Department is paying at that level right now. This Bill was... This was agreed by the Department that they would not oppose this and support this. The

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appropriation part has been submitted, and we basically would like the Governor in his reassessment or adjustments of the cost of standing... of living for those who are receiving aid in the state to be able to look at this in an objective way. And as I said, there is no physical (sic - fiscal) impact on this Bill, because they are currently paying at a certain level that has already been established. And we would like to just to have that level be established at a 52 percent level."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 944. Is there any discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House, I must again rise in opposition to this Bill, due to the fact that we are discussing a 52 percent standard of need. As we all know, need will increase as time goes on. Inflation does keep rising. If we allow this Bill to go through, just in 1986 alone, we will be facing a figure of 21.5 million dollars. Now, I have elaborated on other expenses that are going to be incurred. We are looking at education. We have made promises to the taxpayers and to the... to our youngsters here in Illinois that we were going to try to give them a good education, and again, we're looking at another expenditure in 1986 at 21.5. I think we seriously should start looking at what we're doing in this area and start bringing costs down instead of trying to increase them. Thank you."

Speaker Breslin: "Representative Washington, to close."

Washington: "Yes, Madam Speaker and Members of the House, we realize that as of January 1 of '86, certainly there is going to be some form of adjustment, and we know that there will be about a 13 million dollar impact; but, however, we would not like the door to close on this, and we want the

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Governor to be able to look at this and to certainly make the decision in terms of the adjusted level to be appropriate for those people who... in the state who are receiving some form of aid. As I said, they are currently being paid 52 percent at this level. But we would like the door not to be closed, and I think this Bill will allow it not to be closed and for the Governor to objectively look at this and assist those people in the state that needs help."

Speaker Breslin: "The question is, 'Shall Senate Bill 944 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative Washington, would you vote Representative Stern at her request? She wishes to vote 'aye'. Have all voted who wish? The Gentleman from DeWitt, Representative Vinson, one minute to explain your vote."

Vinson: "21.5 million dollars away from education and into welfare. I urge a 'no' vote."

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

Currie: "I think the figures you just heard were quite wrong. The point is that this Bill only says that, as a standard policy, we'll pay 52 percent of the standard of need for public aid recipients. 52 percent. I can imagine somebody getting up on the floor of this House and saying 52 percent is too low a standard. I think it's too low a standard, but I think it's important that instead of lurching in the public aid area from one five year period to the next and finding erosion in the cost of living power, meaning that the grant levels that we prescribe in the appropriations process one year, begin falling and falling until they're down to 46 or 42 or 35 percent of the standard of need, I think it makes sense to say that that which we did last

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year, which was to fund public welfare at 54 percent of the standard of need, that that we should not lose so disastrously as to mean that we ever go below 52 percent of the standard of need. We need to deal, of course, with Public Aid issues in the appropriations process, but it's important to set the kind of standard, the kind of floor in the statutes themselves, the substantive statutes, so that we do not find ourselves with... with egg on our faces, appropriating dollars that are so little that less than half of what it takes for a family to survive in this society is all we offer."

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

Ryder: "This time, Madam Chairman, I would ask for a verification, in the event we have a sufficient number."

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

McCracken: "This takes the appropriations process in the future out of the hands of the General Assembly. It allows the Department of Public Aid to dictate a standard of need and to require us to comply with at least 52 percent thereof. It's unquestionably an issue of separation of powers and is ill-advised public policy. The 52 percent is a figure which reflects a decision by this General Assembly on an annual basis and applies this year. It's a silly policy to require us to meet some agency's definition of need and take the power of appropriation away from the General Assembly."

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

Braun: "Thank you. With regard to remarks that were previously made in debate, I think that your reading of the law, Representative, is in error. Last year, this General

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Assembly passed legislation which pegged the public aid grants to a standard of need. The percentage, it was not set. A number - a dollar amount - was appropriated. Now, all that this seeks to do is to keep public aid recipients from falling behind what this General Assembly gave last year. Previously, under the law, we had to go through a brand new creation of the wheel on public aid each Session of the General Assembly. As of the action which was taken and signed into law last year, we don't have to do that; because, in determining what percentage of the standard of need is required, we automatically peg an amount that we think it's unconscionable for this state to fall below. The public aid grants that are asked for - this is not an appropriation - the public aid grants are already being paid at a given level. Without this Bill, this Governor will have to wear the jacket, to use the term, of calling for a public aid rollback, of calling for a reduction in the amount that people receive on public aid. I don't think the Governor wants to be responsible for a reduction in the amount of public aid. All that this Bill says is that we will appropriate dollars consistent with what we have appropriated in the last fiscal year. That's all that this Bill does. I would encourage your support for it. Fifty-two percent of the standard of need means that you get a little bit better than half of what the Federal Government says means... is poor."

Speaker Breslin: "Representative, your time is up. Representative Washington, one minute to explain your vote."

Braun: "Thank you, I will conclude."

Washington: "Yes, Madam Speaker, I was... requests a Poll of the... of the Absentees in case..."

Speaker Breslin: "Very good. Have all voted who wish? The Clerk

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will take the record. On this question, there are 54 voting 'aye', 57 voting 'no', and 6 voting 'present'. Representative Washington has asked for a Poll of the Absentees. Representative Brookins, for what reason do you rise?"

Brookins: "Madam Speaker, I rise to explain my vote."

Speaker Breslin: "I'm sorry. We have passed that stage, Sir. We are polling the one absentee."

Clerk Leone: "Mautino. No further."

Speaker Breslin: "Representative.. Is the vote final? Have all voted who wish? Representative Vitek, for what reason do you rise?"

Vitek: "How am I voting?"

Speaker Breslin: "You're recorded as voting 'present'."

Vitek: "Vote me 'aye'."

Speaker Breslin: "Representative Vitek changes his vote from 'present' to 'aye'. On this question, there are 55 voting 'aye', 57 voting 'no', and 5 voting 'present'. Representative Washington, for what reason do you rise?"

Washington: "Yes, I'd like to postpone... this... "

Speaker Breslin: "Representative... Before we do that, Representative Leverenz wishes to change his vote from 'present' to 'aye'. Representative Pangle changes his vote from 'present' to 'aye'. Mr. Clerk, what is the count? Representative Mautino seeks recognition to vote 'aye'. On this question there are now... Representative Wolf wishes to vote 'aye'. Change Representative Wolf from 'present' to 'aye'. There are 59 voting 'aye', 57 voting 'no' and 2 voting 'present'. Representative Hicks changes his vote from 'present' to 'aye'. There are now 60 voting 'aye', 57 voting 'no' and 1 voting 'present' and Representative Vinson... no, the Gentleman... Representative Ryder has asked for a verification of the Roll Call. Is everybody

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recorded as they wish? Representative Kulas, for what reason do you rise?"

Kulas: "Leave to be verified."

Speaker Breslin: "Okay. Representative Kulas and Representative Steczo ask leave to be verified. Proceed... and Representative Flowers. Proceed with the Poll of the Affirmative, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Bullock. Christensen. Cullerton. Currie. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hicks. Homer."

Speaker Breslin: "Representative Nash asks leave to be verified. Leave is granted. Proceed, Mr. Clerk."

Clerk Leone: "Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McPike. Nash. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Duynes. Vitek. Washington. White. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Representative Ryder, do you have any questions of the Affirmative Roll?"

Ryder: "Thank you, Madam Speaker. Would you tell me the count as of this moment, please?"

Speaker Breslin: "There are 60 voting 'aye', 57 voting 'no' and 1 voting 'present'."

Ryder: "Thank you, Madam Speaker. I wish to ask Representative Berrios."

Speaker Breslin: "Representative Berrios is in his chair."

Ryder: "Thank you. Representative Curran."

Speaker Breslin: "The Gentleman is... Repres... is in this chair."

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Ryder: "Thank you. DeJaegher. Representative DeJaegher."

Speaker Breslin: "Representative DeJaegher is by his seat."

Ryder: "Representative John Dunn."

Speaker Breslin: "Representative John Dunn is in his chair."

Ryder: "Representative Cullerton."

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

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Is the Gentleman in the chamber? He is not. Remove him. Representative Bowman asks leave to be verified. Leave is granted."

Ryder: "Representative Farley."

Speaker Breslin: "Representative Farley is in the chamber."

Ryder: "Representative Braun."

Speaker Breslin: "Representative Braun is here in the chamber."

Ryder: "Thank you. Representative DeLeo."

Speaker Breslin: "Representative DeLeo. Representative DeLeo. Is the Gentleman in the chamber? Representative Cullerton has returned to the chamber. Add him to the Roll Call. Representative Ryder."

Ryder: "Madam Speaker, I didn't hear the response on Representative DeLeo."

Speaker Breslin: "Representative DeLeo. Is the Gentleman in the chamber? How is the Gentleman recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him."

Ryder: "Representative Greiman."

Speaker Breslin: "Representative Greiman."

Ryder: "Alright. I withdraw that request unless of course I need it."

Speaker Breslin: "You don't question... very good."

Ryder: "Representative Laurino."

Speaker Breslin: "Representative Laurino. Representative

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Laurino. Is the Gentleman in the chamber? How is... How is he recorded?"

Clerk Leone: "Gentleman is... Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him. Do you have any further questions?"

Ryder: "Madam Chairman, did you remove Representative Laurino?"

Speaker Breslin: "Yes, I did."

Ryder: "Thank you."

Speaker Breslin: "Representative Capparelli seeks recognition to change his vote from 'no' to 'aye'."

Ryder: "Thank you. Representative Krska."

Speaker Breslin: "Representative Krska is in his chair, as always."

Ryder: "Representative Hicks."

Speaker Breslin: "Representative Phelps?"

Ryder: "No, Hicks."

Speaker Breslin: "Representative Hicks is in his chair."

Ryder: "Now we will try Representative Phelps."

Speaker Breslin: "Representative Phelps is by his chair."

Ryder: "Thank you. Representative McGann."

Speaker Breslin: "Representative McGann is in his chair."

Ryder: "Representative White."

Speaker Breslin: "Representative White. Representative White. Is the Gentleman in the chamber? How is the Gentleman recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him."

Clerk Leone: "Representative Preston."

Speaker Breslin: "Representative Preston. Representative Preston. Is the Gentleman in the chamber? Remove him."

Ryder: "Representative Hartke."

Speaker Breslin: "Representative..."

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Ryder: "I'm sorry. He's voted 'present'. Thank you."

Speaker Breslin: "That's correct."

Ryder: "Representative Saltsman."

Speaker Breslin: "Representative Saltsman."

Ryder: "Oh, in the back. Thank you. Just a moment, please.
Representative Matijevich."

Speaker Breslin: "Representative Matijevich is in the chamber."

Ryder: "Representative Steczo."

Speaker Breslin: "Representative Steczo was already verified."

Ryder: "Oh, I'm sorry. Representative Van Duyne."

Speaker Breslin: "Representative Van Duyne is in his chair."

Ryder: "Representative Ronan."

Speaker Breslin: "Representative Ronan is in his chair."

Ryder: "Representative O'Connell."

Speaker Breslin: "Representative O'Connell is in his chair."

Ryder: "There he is. Thank you. Just one minute, please."

Speaker Breslin: "Representative DeLeo has returned to the
chamber. Add him to the Roll Call."

Ryder: "Representative Flinn."

Speaker Breslin: "Representative Klemm."

Ryder: "Flinn, Monroe Flinn."

Speaker Breslin: "Representative Flinn is in his chair. Excuse
me. Who is sitting in Representative Flinn's chair? Would
he stand?"

Ryder: "It doesn't look..."

Speaker Breslin: "I'm sorry. The Gentleman is not in his chair.
I am mistaken. How is the Gentleman recorded?"

Clerk Leone: "Gentleman is recorded as voting 'aye'."

Speaker Breslin: "Remove him."

Ryder: "It was a close resemblance. I could understand the
error. Representative Wyvetter Youngue."

Speaker Breslin: "Representative Wyvetter Youngue. The Lady is in
the chamber."

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Ryder: "Oh, thank you. Thank you."

Speaker Breslin: "Representative Hartke, for what reason do you rise?"

Hartke: "Madam Chairman, how am I recorded?"

Speaker Breslin: "You are recorded as voting 'present'."

Hartke: "Vote me 'aye'."

Speaker Breslin: "The Gentleman changes his vote from 'present' to 'aye'. Representative McNamara changes his vote from 'no' to 'aye'."

Ryder: "I'm sorry."

Speaker Breslin: "Representative Ryder."

Ryder: "I didn't hear the last change."

Speaker Breslin: "Representative McNamara changed his vote from 'no' to 'aye'. There are now 59 people voting 'aye'. Representative Curran changes his vote from 'no' to 'aye'. On this question there are..."

Ryder: "Madam Chairman. Madam Chairman. May I have the opportunity to continue?"

Speaker Breslin: "No."

Ryder: "Is Representative Flowers in the chamber?"

Speaker Breslin: "The Lady had leave to be verified, Sir. What is the... What is the count, Mr. Clerk? On this question there are now 60 voting 'aye'... Representative Ryder, for what reason do you rise?"

Ryder: "Madam Speaker, I believe I have an opportunity to continue with the verification in the event that there were changes after the time."

Speaker Breslin: "Representative Ryder, that has never been the practice in this House."

Ryder: "Then I'm requesting the opportunity to verify Representative Rea."

Speaker Breslin: "Representative..."

Ryder: "Rea."

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Speaker Breslin: "You did... You said that you did not continue.

In addition to that, the Gentleman is in the chamber."

Ryder: "Thank you, Madam Chairman."

Speaker Breslin: "There are 60 voting 'aye', 54 voting 'no' and none voting 'present' and the Bill passes. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 956. Representative White. Is the Gentleman in the chamber? Representative Deuchler will present the Bill. It's on page six on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 956..."

Speaker Breslin: "Excuse me. Representative Braun, for what reason do you rise?"

Braun: "Madam Speaker, having voted on the prevailing side, I would move to reconsider the question by which that vote was declared."

Speaker Breslin: "The Lady moves to reconsider the vote by which Senate Bill..."

Braun: "...was declared passed."

Speaker Breslin: "...944 was declared passed. Representative Levin, for what reason do you rise?"

Braun: "Huff."

Levin: "Move that that Motion lie on the table."

Speaker Breslin: "The Gentleman moves that that Motion lie upon the table. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Objection to the Motion."

Speaker Breslin: "I'm sorry. The Lady has a right to present the Motion."

McCracken: "Ask for Roll Call. She made the Motion. He's moving to lie on the table. It's debatable. I object to the Motion, ask for Roll Call."

Speaker Breslin: "Okay, the question is, 'Shall the Lady's Motion

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lie upon the table?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This takes a simple majority... a majority for passage, a simple majority. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 61 voting 'aye', 52 voting 'no' and none voting 'present', and Representative Levin's Motion to table carries. The Bill before us, Ladies and Gentlemen, now is Senate Bill 956, Representative Deuchler, on page six on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 956, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Deuchler."

Deuchler: "Ladies and Gentlemen of the House, Madam Speaker, Senate Bill 956 has already been debated somewhat by Representative Bowman in an earlier Bill. This Bill provides that childless couples, pregnant women under the ages of 18 would qualify for medical assistance if their income and resources are insufficient to meet the necessary costs of medical care. And it does conform to Title 19 of the Federal Social Security Act."

Speaker Breslin: "The Lady has moved for the passage of Senate Bill 956. And on that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 956 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 79 voting 'aye', 34 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 984, Representative Anthony Young. It appears on page six on your Calendar. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 984, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 984 has amended... amends the Child Care Act to require the Department of Children and Family Services to visit licensed child care facilities at least once a year. It also allows for a DCFS representative to visit facilities at any time to ensure the safety of children and to inspect the premises and personnel with visits without prior notification. I urge for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 984. On that question, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will yield for a question."

Cullerton: "What is the Department of Children and Family Services position on the Bill?"

Young: "They are in support of the Bill as amended."

Cullerton: "I want to ask you about these visits. The Amendment #1, which becomes the Bill, requires the Department to inspect child care facilities at least once a year and that some of the visits can occur without notice. Is that right?"

Young: "That is correct."

Cullerton: "Well, how is it determined which ones will be without notice and which ones would be with notice?"

Young: "It is intended they will visit all of them at least once and any one that they find problems with, then they can visit on subsequent occasions without notice. I think the initial selection will be randomly made."

Cullerton: "Alright, thank you."

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Speaker Breslin: "The question is, 'Shall Senate Bill 984 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Have all voted who wish? This is final
action. Representative Hastert wishes to vote... He is
voting 'aye'. Mr. Clerk, take the record. On this
question there are 114 voting 'aye', none voting 'no' and
none voting 'present'. This Bill, having received the
Constitutional Majority, is hereby declared passed. Senate
Bill 1051, Representative Bowman. It appears on page six
on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1051, a Bill for an Act to amend the
Mental Health and Developmental Disabilities Code. Third
Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. Leave to return this Bill to
the Order of Second Reading for an Amendment. Leave to
return to Second."

Speaker Breslin: "The Gentleman has asked leave to return this
Bill to the Order of Second Reading for the purposes of an
Amendment. Does the Gentleman have leave? Hearing no
objection, the Bill is on Second Reading. Read the
Amendment, Mr. Clerk."

Clerk Leone: "Amendment #2, Bowman, amends Senate Bill 1051."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. Amendment #2 is an Amendment that was worked out
with the Department of Mental Health and the Department of
Public Aid to implement the so-called \$20,000,000 transfer
between... in day services or day treatment services
between the two agencies. It permits the Mental Health
Fund to be used as a financing mechanism and establishes
rule making procedures for the services, and I move its
adoption."

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Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to Senate Bill 1051. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bowman now asks leave for immediate consideration of Senate Bill 1051 as amended on Third Reading. Are there any objections? Hearing none, read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 1051, a Bill for an Act to amend the Mental Health and Developmental Disability Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. In addition to the Amendment #2, which I have already explained, the Bill, in... the underlying Bill which was not deleted simply requires that a person who is released from a state mental hospital, the... that the local school authorities in the district to which that person is released be notified. The problem arose in a downstate district where they... a local school district was responsible for the special ed costs of this person and they didn't even know the person was being discharged into their area. So I think local school officials need this information and that's why I'm supporting the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1051. On the question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1051 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action.

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Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1152, Representative Ewing. Is the Gentleman in the chamber? Representative Ewing. Out of the record. Senate Bill 1171, Representative Pangle. It appears on page 12 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1171, a Bill for an Act in establishing reports of child abuse and neglect. Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker. Senate Bill 1171 simply extends the requirement for criminal background checks for foster care providers and to day care home center employees to be effective January 1."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1171. On that question, is there any discussion? Hearing none... the proper way to seek recognition is to turn on your light, Representative. Representative Wojcik, on the question."

Wojcik: "You'll have to pardon my light. It was on and then it went out. There must be a short. We'll have to have the electrician look at it. It's on now."

Speaker Breslin: "Proceed."

Wojcik: "Thank you. Yes, Representative, what I would like to know is who is going to be paying for these investigations?"

Pangle: "It will be... have to be provided by the foster care people or the day care center employees."

Wojcik: "You are saying that the day care centers will have to pay for this and who else?"

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Pangle: "The foster care providers."

Wojcik: "Foster care provider. Okay, do you know what the approximate cost would be to the day care facility or the foster..."

Pangle: "No, I don't. I don't know the cost, but I know for the safety of the children I think the cost is probably very minimal."

Wojcik: "Well, I then would have to rise in opposition to this Bill. I don't know how we can vote for something when it's gray. We don't know what the cost is going to be. We are going to say it's good, yet here again, we don't know what the effect is going to be to the day care company or to the provider. And I think that we should wait and see until we have all the facts before something goes out of the House. DCFS opposes this and I think we should possibly take it and put it on Postponed Consideration or Interim Study until we have the exact fiscal impact and know where we are at on this Bill. I move its do not pass."

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

McCracken: "Thank you. Ladies and Gentlemen of the chamber, Senate Bill 1171 is well-intentioned and not dissimilar from another Bill sponsored by Representative Preston and Ronan and many others of us. The Department is not in favor of this Bill. It is in favor of House Bill 52, which does provide the safety features the Gentleman refers to. I do not think we do a disservice by not passing this Bill because 52 is coming back on Concurrence and is an agreed Bill with the Department, and I would ask you to consider that in voting on this issue."

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

Pangle: "Thank you, Madam Speaker. I appreciate the comments."

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I'm aware of the fact... I think this Bill goes a little further than the previous legislation and here again, it was sponsored in the Senate by a Republican Sponsor. I don't think that we can look at the cost factor as the importance to the background checks considering all of the child abuse and sexual abuse that we have. And I certainly would appreciate an 'aye' vote and let the Governor decide on which Bill he wants to sign."

Speaker Breslin: "Gentleman has moved... The question is, 'Shall Senate Bill 1171 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 71 voting 'aye', 37 voting 'no', and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 1183, Representative Turner. It appears on page 12 on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1183, a Bill for an Act in relationship to infant mortality. Third Reading of the Bill."

Speaker Breslin: "Representative Turner. Representative Turner."

Turner: "Thank you, Madam Chairman and Ladies and Gentlemen of the Assembly. House Bill or Senate Bill 1183 creates the Infant Mortality Reduction Act. It requires the Department of Public Health to distribute formula grants to eligible organizations and targeted service areas of the state that experience high rates of infant mortality. These grants are limited by specific appropriations. The applications may be submitted under the following two funding priorities and is to develop or expand prenatal or paranatal services or in relation to infant followup and adolescent pregnancy services. This Bill was amended with an Amedument that was suggested by the Department of Public Health and I ask for

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your favorable support of this Bill."

Speaker Breslin: "Representative Turner has moved for the passage of Senate Bill 1183. Is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Now, we passed a Bill recently, just a few moments ago, dealing with the infant mortality rate with an estimated cost of 2.3 million per fiscal year, Representative Bowman's Bill. Now, this is going to create an Infant Mortality Reduction Act. How does this differ from the AFDC extension Bill we passed?"

Turner: "It... What it does... You know, the Amendment that we adopted yesterday, it does two things. One, it extends the WIC provision in terms of the food supplement. The second... It does two things. The first part is the Amendment that we adopted yesterday. It extends the WIC program in regards to the food supplement. The part regarding the infant mortality, it just provides some instruction for the Department. It does not change the formula or it does not deal with the appropriation factor, but it just suggests as to how they are to deal with the infant mortality."

McCracken: "Alright, is there... In order to implement this, is there going to be an appropriation necessary? Is there an expense associated with this?"

Turner: "It is not mandated, but there has been an appropriation for the WIC program amended to the Bill, seven and a half million dollars... to the tune of seven and a half million dollars."

McCracken: "For the WIC program, okay."

Turner: "For the WIC program, right, statewide."

McCracken: "Now, but what about the Infant Mortality Reduction Act?"

Turner: "There is already money in the Governor's budget for the

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Infant Mortality Act. There's... in the... in the formula already. So we are not asking for any additional monies or anything. The Governor has already set aside some monies for this."

McCracken: "Okay. Alright. Now, is this a new Act you are creating?"

Turner: "Yes, it is."

McCracken: "Alright. And..."

Turner: "Strictly in regards to the formula though."

McCracken: "In regards to the what?"

Turner: "To the formula. That's the new part of the Act in terms of how they will determine the infant mortality and the distribution of... how they will target those funds."

McCracken: "And those funds are already appropriated?"

Turner: "They are in the Governor's budget, right."

McCracken: "Okay, alright, alright, alright. So there are two parts to the Bill. One is the WIC and we have agreed that we are not required to meet the federal level..."

Turner: "Absolutely. Absolutely. We are letting the able Director of the agency handle that."

McCracken: "Okay. And that's 7.8 million?"

Turner: "That's right... 7.5 million dollars, right."

McCracken: "Okay. Now how much has the Governor set aside in his budget for the Infant Mortality Reduction Act?"

Turner: "Not enough."

McCracken: "How much?"

Turner: "Hold on just a minute."

Speaker Breslin: "Is there any further discussion?"

McCracken: "I'm asking a question."

Speaker Breslin: "Proceed."

McCracken: "And he's asked me to wait for the answer."

Speaker Breslin: "Okay."

McCracken: "Just approximately."

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Turner: "We'll give... I'd like to give you the exact number. I don't want you to think I'm being devious."

McCracken: "No, no. I don't think that."

Turner: "It's to the tune of \$500,000, and the Governor already has this in the budget. The Director of the Department says, 'Art, this is a fine Bill. Let's go with it.'"

McCracken: "Now, is the coordinated with the other Bill which dealt with the AFDC expansion of benefits to reduce infant mortality? Now, are you guys going to be working together?"

Turner: "We are going to all work together on this. The infant mortality, they are all related, whether Woods introduced it or Art introduced it, they are all the same thing."

McCracken: "Okay, alright, okay. You are not... you're well-coordinated and you are not working at cross purposes."

Turner: "No, we are all working together."

McCracken: "Okay, okay, thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 1193 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the Body, we will go back to Representative Ewing's Bill, Senate Bill 1152, on page six on your Calendar. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1152, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ewing."

Ewing: "Madam Speaker, Ladies..."

Speaker Breslin: "Excuse me. Representative Greiman in the

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Chair. Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill was passed and introduced in the Senate to provide grandfathering in of certain physician assistants who were licensed in 1976, but due to a rewrite in 1977, are not now in... are now ineligible for recertification without taking a national exam. There was some concern about this with the physician association... Physician Assistants' Association. An Amendment has been worked out with them and the grandfathering of these... about 17 to 30 physician assistants will require them to stay in the same area of practice that they are currently practicing. I don't know of any opposition to the Bill and I would ask for your favorable support."

Speaker Greiman: "The Gentleman from Livingston moves for the passage of Senate Bill 1152. And on that, is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Greiman: "He indicates he will."

Mautino: "Representative Ewing, if I remember correctly we are talking about the physicians assistants that were employed by the State of Illinois at facilities and because they couldn't pass the medical exams and be certified, they could no longer be employees. Is that the same situation?"

Ewing: "No, these are not necessarily... in fact, I'm not sure that any of them are employed by the state. It's my understanding, Representative, that most of them are privately employed."

Mautino: "And the reason for the grandfathering in of the physicians assistants is what?"

Ewing: "The legislation was changed after they were originally licensed. It was changed in 1977 and they are not now eligible, there is no state license for them unless... but

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they would have to take a federal exam to get a license now."

Mautino: "And we have no examination..."

Ewing: "Originally they were licensed... Originally they were licensed by the state. They have been working and are still working actually. The legislation was changed in 1977, which did away with state licensing."

Mautino: "Yeah, I know why it did away with state licensing. Because those individuals couldn't pass the examination that was necessary for licensure, is that not true?"

Ewing: "I can't answer that. It was never brought up."

Mautino: "Well, my question, I guess, is what is the definition of a physician's assistant? I don't happen to have that in front of me. Who are we helping or what... what's the situation here?"

Ewing: "Well, generally, there's... I may... Representative Regan has an example, but there are a number of these that work mostly, I think, in the metropolitan area, but they work in all different kind of medical facilities or doctors offices. Some are in general practice. Some are specialists. What this Bill would do is require that any of those that are grandfathered in must stay in the area of practice where they are currently practicing so that if you have been in pediatrics, you can't go to general practice with a grandfathered in license."

Mautino: "Thank you very much. Then I stand in opposition to the Bill because I was involved in this situation in 1976 with the physicians assistants, at that time, the Dixon Development Center. It has been the posture of the General Assembly at that time, in '76, and I think to this day, that, in fact, if you are going to practice medicine in this state, you will pass the examination and be licensed. I see no reason for allowing the practice of medicine - and

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this is the only exemption that we make - to an individual who has not passed the examination and is licensured. I don't know who wants this or why they want it, but it smells."

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

Keane: "Thank you, Mr. Speaker. I rise in opposition to the Bill. There... The previous speaker has rightly pointed out that what we are doing is we are certifying people as physicians assistants, grandfathering them in and we are having a much more stringent requirement for physician assistants and physician assistant training in the future. What will happen to the public when they deal with those that we have grandfathered in and those that will be subject to new training requirements, it will be confusing to them. It will be confusing to the public. They may feel they're getting someone with a lot... a great deal of ability, when, in fact, they will be getting someone who has been grandfathered in and it would not meet the more stringent requirements of the physician assistants as we will know it in the future. I would ask that you vote against this so that you don't allow people to hold themselves forward so that... with the public thinking they have higher credentials than they... they actually do have. Thank you."

Speaker Greiman: "The Gentleman from Will, Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I'd just like to give one little example of a constituent of mine. He works for an orthopaedist. He's a bone man boy. All he does is wrap legs after the doctor sets it. He puts casts on and takes casts off. He's covered with plaster of paris from the last five years. That's all he really knows what to do and that's all he wants to continue to do. That's

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all this Bill allows him to do, just to keep his job that he's quite talented at. He's got the ability to do his job very well and I don't see any reason why we should kick him out of his job. I think there's about 50 people involved in this Bill that this pertains to, and I think those 50 people should continue to work. Thank you."

Speaker Greiman: "There being no further discussion, the Gentleman from Livingston, Mr. Ewing, to close."

Ewing: "Mr. Speaker, Ladies... I think there are probably some misunderstanding by some of the prior speakers, at least as far as I understand the circumstance behind this Bill. I think the last speaker very ably stated why we need this legislation. These people are not out practicing medicine. They are not holding themselves out to the public, but they work for other physicians. Certainly they are responsible to their employer and we all know about the malpractice problem in Illinois. And certainly I don't think a doctor would hire somebody that was incompetent to do the job they need and take that risk with malpractice. This is, I think, a fair solution. The Physician Assistants' Association appeared at the time that we had the hearing and were in agreement with this compromise piece of legislation. If they have changed their mind since then, I know nothing about it."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now 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 75 voting 'aye'... 70... pardon me. On this question there are 74 voting 'aye', 27 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Senate Bills -

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Human Service appears Senate Bill 1185. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1185, a Bill for an Act to amend the Hospital Licensing Act. Third Reading of the Bill."

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

Soliz: "Leave to bring this Bill back to Second Reading, please."

Speaker Greiman: "Gentleman asks leave of the House to return this Bill to the Order of Second Reading for the purpose of an Amendment. Gentleman have leave? He has leave. Mr. Clerk."

Clerk Leone: "Amendment #1, Soliz, amends Senate Bill 1185."

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

Soliz: "Mr. Speaker, this is an Amendment to meet some of the concerns of the Illinois Hospital Association. I move its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Soliz, moves for the adoption of Amendment 1 to Senate Bill 1185. And on that, is there any discussion? The Lady from Cook, Ms. Wojcik."

Wojcik: "Yes, I would just like to commend the Sponsor for his workmanship with the Hospital Association. They did have some concerns. He was kind enough to listen to them and I commend him for this Amendment."

Soliz: "Thank you."

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

Keane: "Could you explain what the Amendment does, please?"

Soliz: "Yes, what the Amendment does essentially is limit the scope of the eligibility or the requirement that the hospitals admit a pregnant woman in active labor. The new standard is that they would be required to admit pregnant women in active labor whose life or safety would be threatened in the absence of such treatment. So, what it

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essentially does, it limits the scope."

Keane: "Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk Leone: "Floor Amendment #2, Soliz, amends Senate Bill 1185."

Speaker Greiman: "Gentleman from Cook, Mr. Soliz, on Amendment #2."

Soliz: "This Amendment, Mr. Speaker, Ladies and Gentlemen of the Assembly, is an Amendment that arose out of a concern that was expressed at the appropriations meeting this week. The University of Illinois Medical Hospital, which is owned by the state, is an institution which was built through monies that were lent by the... or loaned by the state and they have never been able to really pay for this loan. And what we are asking with this particular Bill is that this loan essentially be forgiven. To my understanding, there is no opposition to this. The University of Illinois Medical Hospital is a hospital that has a lot of patients, many of them that aren't able to pay for their medical assistance and consequently haven't been able to generate the funds necessary to pay the obligation, and we are asking that this obligation be forgiven."

Speaker Greiman: "Gentleman from Cook, Mr. Soliz, has moved for the adoption of Amendment 2 to Senate Bill 1185. And on that, is there any discussion? The Gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. What we are doing here is some time ago, the state gave money to the University of Illinois to fix up the hospital. The hospital agreed that

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it was such a good deal that they would be able to pay half of what we gave them back. They were going to return half of what they made to pay off the loan that the City... that the State of Illinois paid. At one point and at one audit, there was something like \$8,000,000 that was unallocated in the fund. We told them at that time to return the \$8,000,000 as partial payment. As of this moment, they have not paid one penny that I am aware of into the repayment of some... in excess of, I think it was somewhere over \$10,000,000. What we are doing now is they are asking us to forgive that and they are also asking for us to come up with extra money. I'm going to vote against this mostly on the basis that they were told in the Audit Commission that since they had \$9,000,000 which was not at that time designated for any use, to return that to GRF and if they needed money in the future to come on in and make a case for it. They failed to do that. They used the \$9,000,000 in some other... I don't know what they used it for, but they used it for something else, and for that reason, I stand in opposition to Amendment #2."

Speaker Greiman: "Gentleman from Jersey, Mr. Ryder."

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

Speaker Greiman: "Indicates he will."

Ryder: "Thank you. Representative, I wasn't able to hear the first part of your explanation. This is the University of Illinois Hospital that's located within the City of Chicago, is that correct?"

Soliz: "Yes."

Ryder: "And we are forgiving a obligation that they entered into?"

Soliz: "That's correct."

Ryder: "That obligation currently stands at 9.4 million dollars?"

Soliz: "I'm not sure of the amount, but I think it exceeds that

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amount somewhat. I'm not sure of the precise amount yet."

Ryder: "My understanding was that it was originally at \$57,000,000 in 1975 and the agreement was to repay at the rate of 3.3 million for the... a year for 25 years and so far the payments have been received equal exactly one payment in the amount of \$515,000?"

Soliz: "That's correct. The hospital just has not been able to generate the funds necessary to be able to liquidate that debt and they've been criticized by the Attorney... Auditor General for not being able to do that. In the Appropriations Committee, it was suggested that we come up with some procedure whereby we could rectify this because the hospital is not able to really generate or stimulate that much money to pay for that obligation. So, at the rate that... I mean they can't even pay the interest at 3.3 percent at any time. So we are asking that the Legislature forgive this obligation."

Ryder: "They haven't... If I am understanding what you are saying, you are indicating that they can't pay the money. And, in fact, they are supposed to have paid \$33,000,000 in the last ten years, and they have paid \$500,000. And so because they were criticized for this, that it's your remedy to forgive that debt. Is that right?"

Soliz: "Yes, let me just remind you that the University of Illinois is owned by the state so essentially we will forgive... we would be forgiving a state incurred obligation. We would be forgetting our own... forgiving our own obligation, our own state obligation."

Ryder: "So really what you are doing is saying that in 1975, when we, in good faith, this Legislature, loaned \$57,000,000 that that wasn't really correct. What they really did was gave \$57,000,000. Is that correct?"

Soliz: "It was antici... at the time, it was anticipated that the

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hospital would be able to generate enough revenue to be able to pay back that loan. Unfortunately, the hospital is of such a character and they do have high risk operations and other very expensive equipment there and they are not able to really pay for this loan. So, what we were asking is that the State Legislature, at this time, forgive a loan that they essentially... that the hospital hasn't been able to pay. But we also must keep in mind that the hospital and the institution is part of the state, and it's a state-owned facility. We're essentially forgiving our own loan."

Ryder: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Ryder, to the Amendment."

Ryder: "Thank you for the correction. I also join with other Representatives who have complimented the Sponsor of this Bill with his keeping of his commitment to the Hospital Association and making the first Amendment. But unfortunately, a good Bill is about to be made bad by indicating that when the State of Illinois enters into a contractual relationship that the State of Illinois, when it's objected to, and no one has talked about the management of this problem. No one's talked about the ability why this hospital has been unable to pay even one percent of the amount of dollars back. No one has talked about those problems, but the solution that's being offered and that we are being asked to take now is to write off \$57,000,000. That's not going to go into the general coffers of the State of Illinois. That's not going to go for education. That is not going to go for the public assistance dollars that we have approp... or spent already this morning. We are writing it off the books because they are unable to pay. If they make a commitment to the State of Illinois, they owe it. If they are criticized for not

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paying it, let's change the practices by which they have been maintaining their hospital. But to write this off is a sham on the people of the State of Illinois and I urge the defeat of this Amendment."

Speaker Greiman: "Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I think there has been some misrepresentation of the obligation that the University attempted to take on in the 79th General Assembly. At that very time, at the same time as funds were provided for construction at the hospital, there were some provisions. The provisions included the fact that, first of all, they were to take care of the expenses of operating and maintaining the hospital and that that was to take priority over any repayments of either the interest or the capital cost. And it also was a part of that proviso that in the event that income of the hospital was insufficient to make these payments, the payments would be deferred. It was also included that if, in fact, they could not meet the obligation that they could come back and essentially ask for the kind of action that's being sought by this Amendment today. Now, this is one branch of the state with an obligation to the... another branch of the state. It was anticipated that the revenues to the hospital would generate enough funds for them to make this repayment. I think all of us are aware, however, of the rapid escalation of medical costs, and certainly when you are... when you are operating a facility in connection with the University, much of the service that you provide is on a more of a research or an unusual kind of basis. And so the cost is perhaps even higher than a hospital would incur for routine kinds of care. I don't think the University can be penalized for the fact that they were optimistic, as it turns out, perhaps, overly optimistic about the kind of

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revenue that they could generate for their services. But, in fact, by using the standards that were set out at the time the agreement was made, they have determined that in order to spend the money generated for their operating and maintenance cost, they are now finding it impossible to make these return payments. All that this Amendment does is to excuse them of that obligation for good and legitimate reasons which have been verified and to take this off their records so that they can continue to provide the service that the hospital generates and which is sorely needed within the area of service. In fact, they serve people from all over the state when it is necessary for patients to be transferred there for some unusual cause. And so, I think that it's entirely a legitimate operation to excuse them of this obligation at this time."

Speaker Greiman: "Gentleman from Cook, Mr. Krska."

Krska: "I move the previous question."

Speaker Greiman: "Gentleman from Cook, Mr. Krska, moves that the previous question be put. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Mr. Soliz, to close."

Soliz: "Simply ask for the support for this very important Amendment to the University of Illinois Medical Hospital as well as the State of Illinois, a major educational institution that trains most of our doctors in this state. I'd like for the support of this piece of legislation. I'd ask all of us to think about how much change we've got in our right pocket and if we change it to our left pocket how much change we have left. We have the same amount and this is essentially what we are doing with this Amendment. I'd ask for your support and I'd like to have a Roll Call vote on this, Mr. Chairman (sic - Speaker)."

Speaker Greiman: "Question is, 'Shall Amendment #2 be adopted?'"

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All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Dunn, one minute to explain your vote."

Dunn: "Thank you, Mr. Speaker. I rise in support of this Amendment. This Amendment only does what is right and proper and I hope we get enough green votes up there because in spite of what has been said earlier, this is something we ought to do. We talk a lot about the need to provide medical care to the citizens of this state. The University of Illinois, University of Illinois Hospital are one of our leading institutions to train physicians and to provide the people who will give us the health care that we want. We say that we are interested in that. We have passed a medical malpractice Bill and this is another signal we need to send to say that we want the best medical care for our citizens. It's something we ought to do and as the Sponsor has indicated, it's not money coming out of the taxpayer's pocket. It's just merely a... essentially a bookkeeping entry. So, I hope we get enough green votes up there."

Speaker Greiman: "Mr. Friedrich, one minute to explain your vote."

Friedrich: "Mr. Speaker, Representative DeLeo had suggested that was taking it out of one pocket and putting it in another. It really is. It's taking it out of your pocket and putting it in the pockets of a few doctors. This thing has really been run very poorly. They don't show up well in the audits and some of the doctors... the doctors on the staff also get paid by private patients in this hospital. The hospital does do a lot of things in the form of research and also for those indigent people, but I can tell you there's a lot of mismanagement which is causing the problem that they can't pay their bills."

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Speaker Greiman: "Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, possibly we should never have funded the hospital the way we did, but certainly it's done and the payments haven't been made. We know what we are going to have and the state... a responsibility. This hospital is serving one of the neediest parts of our state and serving the people and I think that we need some more green votes up there on this Bill. The Governor's Office is not opposed to this Bill. Let's... Let's do something for those people who need it the most. We know the cost of hospitals. We know the cost of operating them. We know it's difficult to make it pay and maybe they should have know that at the beginning, but they didn't. It's important that we have this medical training facility in Illinois and I would ask for some more 'aye' votes."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 59 voting 'aye', 48 voting 'no', 9 voting 'present'... Mr. Mautino."

Mautino: "If this has the requisite amount of the number of votes, I request a verification."

Speaker Greiman: "Alright. 59 voting 'aye', 48 voting 'no' and 9 'present', and Mr. Mautino asks for a verification of the Negative... of the Affirmative Roll Call. Mr. Clerk, proceed to verify the Affirmative Roll Call."

Clerk O'Brien: "Berrios. Bowman. Braun. Breslin. Brunsvold."

Speaker Greiman: "Excuse me, Mr. Clerk. Bullock votes 'aye'. Representative Zwick asks leave to be verified, Mr. Mautino. Is that alright? Graciously, it is."

Clerk O'Brien: "Continuing the Poll of the Affirmative. Capparelli. Christensen. Cullerton."

Speaker Greiman: "Wojcik asks leave to be verified, is that

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right? And Mr. Stange asks leave to be verified. Is that alright? Mr. Mautino, is that okay? Thanks."

Clerk O'Brien: "Continuing the Poll of the Affirmative. Currie. Daniels. Davis. DeJaegher. DeLeo. Deuchler. Didrickson. Dunn. Ewing. Flinn. Giorgi. Greiman. Hartke. Hastert. Hensel. Hicks. Hoffman. Huff. Johnson. Krska. Kulas. Levin. Matijevich. McPike. Nash. Oblinger. Pangle. Parke. Phelps. Pullen. Rea. Rice. Richmond. Saltsman. Satterthwaite. Shaw. Soliz. Stange. Steczo. Sutker. Terzich. Turner. Van Duyne. Vinson. Vitek. Wojcik. Anthony Young. Wyvetter Younge. Zwick. And Mr. Speaker."

Speaker Greiman: "Alright. Mr. Clerk, a number of people are seeking recognition. Gentleman from Cook, Mr. Ronan. Mr. Ronan, 'aye', votes 'aye'. Mr. Farley votes 'aye'. Mr. O'Connell votes 'aye'. Mr. McGann votes 'aye'. Mr. Brookins votes 'aye'. Mr. Homer votes 'aye'. Mr. Panayotovich votes 'aye'. Mr. Wolf votes 'aye'. Mr. Washington votes 'aye'. Mr. Giglio votes 'aye'. Now, Representative Mautino, proceed with the..."

Mautino: "Mr. Speaker and Members of the House, I hope that all of my downstate friends on both sides of the aisle understand what's going on - previous history in what you are doing with this Amendment. That's all I'd like to state for the... for the record. I will withdraw since you can certainly see the train has left the track."

Speaker Greiman: "Thank you. Ms. Barnes votes 'aye'. Mr. LeFlore votes 'aye'. Ms. Flowers votes 'aye'. Ms. Alexander votes 'aye'. Okay. Mr. Barger votes 'aye'. Well, Mr. Clerk, take the record. On this question there are 74 voting 'aye', 41 voting 'no', none voting 'present' and the Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr.

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Soliz, asks leave of the House with the Attendance Roll Call to waive Rule 37(c) so that this Bill may be heard at this time on the Order of Third Reading. Does the Gentleman have leave? Yes, Mr. Leverenz, for what purpose do you seek recognition?"

Leverenz: "I object."

Speaker Greiman: "Mr. Soliz moves that Rule 37(c) be waived so the Bill may be heard at this time. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Clerk, take the record. Okay. Mr. Soliz, to explain his vote."

Soliz: "I'm voting to try to get this Bill considered. I understand I need three or four more votes, so I'd ask the Members of the Assembly for a few more votes to see if... green lights up there to see if we can hear this Bill today."

Speaker Greiman: "Well, how about a Poll of the Absentees... Mr. Soliz requests."

Clerk O'Brien: "Poll of the Absentees."

Speaker Greiman: "Yes, excuse me. Mr. Mays votes 'aye'. Mr. Parke votes 'aye'. Mr. Homer votes 'aye'. Parke. Mr. Parke. Terry Parke. Ms. Wojcik votes 'aye'. On this question, there are 71 voting 'aye', 42 voting 'no', none voting 'present' and the Motion carries. On the Order of House Bills... of Senate Bills Third Reading appears Senate Bill 1185. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1185, a Bill for an Act to amend Sections of the Hospital Licensing Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Soliz."

Soliz: "This Bill is a Bill which I have worked on very hard in an attempt to try to meet all the concerns of elements or groups that weren't in favor of this Bill. It's a Bill to

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try to bring about some sanity really to a situation where women that are pregnant are sometimes refused admission when they are in active labor in hospitals throughout this state. In some areas of this state this might not be such a tough problem because there's hospitals every other mile. But in some other areas of the state there is... the nearest hospital is 50 miles away. This would require hospitals to admit pregnant women in active labor only in life threatening situations. It's an extremely important Bill. It's a Bill which is in favor of human life. It's a Bill which I'm asking my colleagues to support. At the same time, it forgives a debt of a hospital that's a state institution that essentially takes care of many human needs, many health care needs. Takes care of many patients that can't otherwise find hospital care, many times without receiving the payment that they deserve. Consequently, they have not been able to pay the debt that they have incurred. I have been asked by the University of Illinois Medical Hospital to carry this Bill and I do it with... with pride, given that I think we are helping one of the finest medical institutions in the State of Illinois that trains excellent doctors. I ask for the support of the Members of this Body. Thank you, Mr. Speaker."

Speaker Greiman: "Gentleman from Cook moves for the passage of Senate Bill 1185. And on that, is there any discussion? The Lady from Cook, Ms. Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, I would like to rise in support of this Bill. And again, as I had stated earlier, I think the Sponsor should be commended for the way he worked with the Hospital Association regarding the Amendment that he placed on here. There was a lot of confusion and a lot of misunderstanding. He was good enough to seek out knowledge and advice and he was good

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enough to put the Amendment on the Bill. And I think that this Bill should pass."

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

Keane: "Thank you, Mr. Speaker. I think we had a very good Bill with Amendment #1. All I want to do is indicate that we are giving away \$75,000,000 that's due to us and we tubed the fair for \$6,000,000. This is a... Amendment #2 was \$75,000,000 in forgiveness for the U of I. If the Speaker... Representative Ronan wants you to bring the Bill back to Second and he wants to amend the World's Fair on it as long as we are making it a heavy one. One of the problems we have, and this Bill does not solve it, is that the audits on Amendment #2 also pointed out that there are absolutely no controls on the writeoffs of what medical bills are presented. The doctors, the doctors in the University of Illinois write off debts, write off medical debts at their whim. There is no control. They have written off excessive number of debts that could have been collected and we have just spent \$75,000,000. If that's the way we are going to run a railroad, that's fine. I just feel that it's totally inappropriate. I don't think that the Members of the General Assembly realize that the reason that they are in the debt that they are in is because of poor control. By doing this, you are not improving controls in that hospital at all and you are going to have a... they are going to be coming back to you for deficit... deficit financing of future bad, bad practices."

Speaker Greiman: "Gentleman from Macon, Mr. Dunn."

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

Speaker Greiman: "Mr. Dunn, the Gentleman from Macon, moves the previous question he put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have

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it and the previous question be put. Mr. Soliz, to close."

Soliz: "I simply would like to ask the support of the Members of the Assembly, Mr. Speaker. Thank you."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Mr. Leverenz, one minute to explain your vote."

Leverenz: "I don't know if this will get enough votes to pass, but to explain my vote, this is the hospital... it is almost directly across from Cook County Hospital. They are almost back door to front door. Matter of fact, I think they are. The Bill itself is good and I'd really like to support it, the first part and the original Bill. It's unfortunate that I think a freshman is being used in a situation here. We beat the City of Chicago over the head for the money that it owed DOT back for about \$12,000,000 or \$16,000,000. We can't rebuild or find a new Cook County Hospital, but we can give the great giveaway to the University of Illinois Hospital. And further, should this receive the proper votes to pass, I'd ask to verify the Roll."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker. I think this is a terrible precedent that we are beginning. Let's suppose that half of the citizens in the State of Illinois would not pay their income tax. Would we be in a position that we would just want to write that off? If we certainly cannot operate this hospital any better than that, then maybe we better contract it out. Certainly the two or three hundred dollars that we have to pay per day to stay in this hospital ought to be enough to begin to pay off this debt that is needed to the state."

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Speaker Greiman: "Gentleman from Livingston, Mr. Ewing."

Ewing: "Yes, I am always surprised when we get up on this floor and hear about giveaways. How many people in this floor have not asked for some type of assistance for their community, be it a civic center or whatever it is. This... This is... at least the hospital part of this Bill is something that serves people in need. It is our state university and I suppose if it was for one of the other state universities, those people would be in favor of that. We need some more green votes on this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, to explain his vote. One minute."

Bullock: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was unable to ask the Sponsor questions during debate, but he's answered nonetheless, and I would like to have it recorded in the record. The fact of the matter is there is no possible shape or form for the University to collect this debt. So regardless of how you feel about it, debt collection in this instance is inappropriate and is not realistic. One of the previous speakers made a comment about debt forgiveness. We forgive debt in the private sector all the time. We've got the State of Illinois Building up there. It's a 100 percent cost overrun. Guarantee you we will forgive that debt. The fact of the matter is the Gentleman is making a conscientious attempt to be responsible. I certainly can see no reason why we would punish that facility for providing charity care. Sure, it is across the street from Cook County Hospital. It, too, provides charity care. We can address that issue in a subsequent Bill. Representative Soliz needs your support. We know in the City of Chicago the University of Illinois has got to provide a level of service and if you vote for this Bill we

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can continue to ask that institution to do it. He deserves an 'aye' vote and the Bill should be passed."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, one minute to explain your vote."

Ronan: "Thank you, Mr. Speaker and Members of the House. I, too, rise in support of this legislation. The University of Illinois is one of the finest teaching hospitals in the country. They do provide a tremendous level of service, not only for the near west side of the City of Chicago, but for the entire City. Who are the people who are receiving that care? They are our constituents. They are residents of the State of Illinois who have received excellent care in a teaching environment. This is the most shortsighted 'no' vote that you can cast this Session of the General Assembly. That debt is never going to be collected. What happened was that the University of Illinois entered into an agreement. They have been providing service. They have been providing teaching. They have been providing doctors for all the citizens of the State of the Illinois. A 'no' vote is shortsighted. It makes no sense. Let's get about the business of the people of the State of Illinois. Put a green vote on this Bill and let's move it over to the Senate."

Speaker Greiman: "Gentleman from Marion, Mr. Friedrich, one minute to explain your vote. The Gentleman from Cook, Mr. Soliz... You explained your vote, Mr. Soliz. You don't get two bites at the apple. Okay. Gentleman from Cook, Mr. Huff, one minute to explain your vote."

Huff: "Thank you, Mr. Speaker. I think, Ladies and Gentlemen, this is a matter of perception with regards to this debt. We lose sight of the fact that if it was \$70,000,000 or \$50,000,000 we should ask ourselves, where did this money go? It went to benefit ultimately, the people of this

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state who are all of our constituents. And you should ask yourself this: If the University defaults on the loan, should we... should we confiscate the hospital? How can we, when we already own it? It's a paper... It's a paper deficit and we should regard it as such. Let's get some 'aye' votes up."

Speaker Greiman: "Yes, Mr. Friedrich, one minute to explain your vote."

Friedrich: "Mr. Speaker, Members of the House, there is no money going to change hands if this Bill passes. I would like to suggest to you that this be held up until fall. All of you take a look at the audit report. If you still think this is a good deal, then you can vote for it then. In the meantime, I think you will find out some of the things that are going on that's being ripped off and you won't want to vote for it in the first place."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 54 voting 'aye', 50 voting 'no', 9 voting 'present'. Mr. Soliz."

Soliz: "Absentees, please."

Speaker Greiman: "Pardon?"

Soliz: "Poll of the Absentees."

Speaker Greiman: "Mr. Soliz requests a Poll of the Absentees. Mr. Clerk... Yes, Mr. Leverenz, for what purpose do you seek recognition?"

Leverenz: "An inquiry of the Chair. When would be the proper time for him to it back to Second, take the bad Amendment off and pass the Bill?"

Speaker Greiman: "In a couple minutes. Not now. Mr... Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Breslin. Laurino. Panayotovich."

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Speaker Greiman: "Laurino votes 'aye'. Panayotovitch votes 'aye'.
Proceed."

Clerk O'Brien: "Preston. White. No further."

Speaker Greiman: "Mr. Soliz, there are 55 voting... 56 voting
'aye', 50 voting 'no', 9 'present', and Mr. Soliz requests
that the Bill be placed on the Order of Postponed
Consideration. Now, on the Order of Postponed
Consideration appears Senate Bill 1185, with leave of the
House, to go to that Order at this time. The Chair
recognizes Mr. Soliz for the purposes of a Motion. Mr.
Soliz moves to return this Bill to the Order of Second
Reading for the purposes of a Motion. Does the Gentleman
have leave to return the Bill to the Order of Second
Reading? He does have leave. Mr. Soliz now moves that
Amendment... Amendment #3 be tabled. I'm sorry, Amendment
2, Amendment #2 be tabled. And on that question, the
question is, 'Shall Amendment #2 be tabled?' All those in
favor signify by saying 'aye', those opposed 'no'. In the
opinion of the Chair, the 'ayes' have it and the Amendment
is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "There being no further Amendments, Third
Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1185, a Bill for an Act to amend
Sections of the Hospital Licensing Act. Third Reading of
the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. Soliz, moves for the
passage of Senate Bill 1185. And on that, is there
discussion? There being no discussion, the question is,
'Shall 1185 pass?' All those in favor signify by voting
'aye', those opposed vote 'no'. Voting is now open. Mr.
Soliz, did you want to explain your vote? Thank you. Have
all voted who wish? Have all voted who wish? Mr. Clerk,

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take the record. On this question there are 113 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Yes, Chair recognizes the Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, I would like to request a 30 minute recess for the purpose of a Republican conference immediately in Room 118."

Speaker Greiman: "Alright, there has been a request made for a Republican conference in Room 118 for 30 minutes. It is a few minutes to... till 1:30. We will return here at 1... at 2:00, and we will begin business at exactly 2:00, promptly. And we will remain in Perfunctory... With leave of the House will remain in Perfunctory Session so that the Clerk may read the Bills on the Special Consent Calendar. The Democrats may go for lunch, but we will all be back at 2:00. Thank you."

Speaker Greiman: "The hour of 2:00 having arrived, the House will now be in Session. For what purpose does the Gentleman from DeWitt, Mr. Vinson, seek recognition?"

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House, Mr. Speaker, I think that you should be complimented on your selection of ties today. Normally, you choose pretty ugly looking ties and today you've got a tie on that befits a banker and I congratulate you and compliment you on that."

Speaker Greiman: "Well, thank you, Mr. Vinson. As you know, I am new to the banking area and I had to buy a maroon rep tie to even talk to those people."

Vinson: "Are you going to let you go see where they have lost money in Argentina?"

Speaker Greiman: "No, they are just going to keep checking my maroon rep tie. Alright, Ladies and Gentlemen, the House being in Session, we will now direct you to page 27 of the

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Calendar, the Consent Calendar Third Reading, Second Day. These Bills have been previously read today and... and Senate Bill 1039 has been removed from the Consent Calendar. Accordingly, the question is, 'Shall these Bills pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action on the Consent Calendar as it is listed on page 27, minus Senate Bill 1039. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 voting 'aye', none voting 'no', none voting 'present', and these Bills, having received a Constitutional Majority, are hereby declared passed. Special Call - Human Services, Senate Bill 1243, on page 13 of the Calendar. Mr. Clerk, read the Bill. 1243."

Clerk O'Brien: "Senate Bill 1243, a Bill for an Act in relation to mental health education and amends certain Acts herein named. Third Reading of the Bill."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite, on Senate Bill 1243."

Satterthwaite: "Mr. Speaker and Members of the House, this creates the Mental Health Education Act and also amends the Illinois Income Tax Act for a checkoff for a series of grants that would be given to community mental health agencies. In addition to that, it provides a sunset clause for all of the other checkoff programs so that at any year that any of the checkoff programs on the income tax did not reach a level of 100,000 dollars, it would automatically be excluded from that point on. And I would be happy to respond to questions."

Speaker Greiman: "The Lady from Champaign has moved for the passage of Senate Bill 1243. 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',

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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 112 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills, Special Call, Human Services appears Senate Bill 1388. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1388, a Bill for an Act in relation to mandatory workfare programs and amends certain Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker, Members of the House. House Bill... Senate Bill 1388 is a Department of Public Aid workfare Bill in which it puts into statutory language basically what the Department is already doing by initiating job program initiatives in the public sector with local units of government, and I think bottom line it does require and mandate that Department of Public Aid reimburse for transportation costs, day care centers, people... workers comp costs and so on. There were two Amendments that were put on the Bill in Committee, and one of those Amendments, I think, is highly important in that the Department cannot require recipients to participate in this kind of program, and the programs would not be used in areas which could not be economically justified. The Bill also contains Amendment #3 which was placed on the Bill yesterday by Representative LeFlore regarding the... increases to be deducted from the increases on the supplemental Social Security income. I urge passage of Senate Bill 1388 or would be glad to answer any questions."

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Speaker Greiman: "The Gentleman from Edgar has moved for the passage of Senate Bill 1388. And on that, is there any discussion? The Gentleman from Macon, Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

Dunn: "I would like a little explanation about Amendment #1, which I guess is on the Bill. It says, 'The Department shall not require persons to participate in work programs as a condition of their receipt of aid.' How else do you make workfare work?"

Woodyard: "Representative, in areas where there would be no training programs, then that's where this would apply."

Dunn: "The Bill... The Bill in its entirety only applies to areas where there is no workfare program now. I don't understand your answer."

Woodyard: "No, that... No, that's not the only thing in the Bill at all. This Amendment addresses only the fact that those recipients would not be required to participate where there's no program in existence. In some places in rural areas, it just cannot be economically justified if you have to transport a GA recipient 25 miles..."

Dunn: "That... That's Amendment 3, I think. I'm talking about Amendment 1."

Woodyard: "No. No, that's not Amendment #3. Amendment #3 was Representative LeFlore's Amendment."

Dunn: "Oh... My question is this, if... if there's a general assistance program in existence at this time which requires a recipient, now general assistance I'm talking about, requires a recipient to do work, and if the recipient fails to do work they shall be removed from the general assistance rolls for a period of time. Will this Bill as amended eliminate that kind of general assistance workfare

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program?"

Woodyard: "No, it will not."

Dunn: "And if there is such a program in place now, will it be permitted to continue with regard to general assistance if this Bill becomes law?"

Woodyard: "Yes."

Dunn: "And... Now then, to go to the next question, how do you make people work unless you remove their benefits? I don't understand how this program can work."

Woodyard: "Well... from staff, not quite, I don't think addressing your... your question. I was told that if we do not reimburse for transportation or these other costs then you can't make the person go in the program. But I suppose the reverse would also be true. If you do offer it, then it looks to me like you would remove the benefits."

Dunn: "Well, the Amendment #1 is on the Bill, isn't it?"

Woodyard: "I'm sorry."

Dunn: "Is Amendment #1 on the Bill?"

Woodyard: "Yes."

Dunn: "The Amendment says that the Department shall not require persons to participate in work programs as a condition of their continued receipt of or application for aid. I don't understand how you make a workfare program work unless you tell somebody, 'You either do this or you don't get aid.' What... What threat do you have? How do you make them work?"

Woodyard: "Hang on just a minute, please."

Speaker Greiman: "Further discussion?"

Woodyard: "Hang on just a minute. I have to answer a question."

Speaker Greiman: "Okay."

Dunn: "You do understand what I'm asking is, is will their benefits be denied somehow if they... if they don't work?"

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And the Amendment seems to say that if... if they don't work they'll still get their benefits. I don't see how a program can... can work."

Woodyard: "Alright. If there is no workfare in place, then they would not have any risk to the benefits."

Dunn: "That's right. What if there is workfare though? Explain Amendment #1. Amendment #1 says that you can't... you can't deny their benefits as a condition of participating in workfare. I don't... If you don't take benefits away, how can a workfare program be any good? I don't understand."

Woodyard: "Alright. Alright. I think I finally got a straight answer. I am told that if there is a workfare program in place and the participant does not participate then they would lose their benefits. That was your original question."

Dunn: "Now, what does Amendment #1 do about that? Is... Is Amendment #1 applied to the... some small segment of... If it's a new program or... What am I missing here?"

Woodyard: "Amendment #1 applies only to those areas that don't have a program."

Dunn: "What if they do put a program in?"

Woodyard: "Then, yes, it would be required, and they would be in that same posture of losing benefits if they don't participate."

Dunn: "Well, that sure is not what Amendment #1 says, for God's sake. Can I get a straight answer? I know it's not your fault, but maybe somebody... Amendment #1 says, and in this event - now I don't know what the event is - all I have is the Amendment. 'The Department shall not require persons to participate in work programs as a condition of receipt of or application for aid.' Okay. I think we're getting an answer over here..."

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Woodyard: "I think you're doing better than we are..."

Dunn: "...that if you decide not to put a program in then they won't have to work, which I guess does make sense. I wouldn't think that you would need that in printing. Okay. Alright. Fine. 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'. This is final action. Voting is now open. Mr. Dunn, would you come to the podium? 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'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills, Special Call, Human Services appears Senate Bill 1391. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1391, a Bill for an Act to amend Sections of the Illinois Human Rights Act. Third Reading of the Bill."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1391 essentially cures a problem that's cropped up in the Department of Human Rights wherein cases are allowed... cases which find themselves backlogged beyond 300 days, there is no recourse for the aggrieved individual. This Bill will essentially call for a bumping up to the Human Rights Commission of cases that are more than 300 days old. I encourage your support and would answer any questions."

Speaker Greiman: "Lady from Cook, Ms. Braun, moves for the adoption... moves for the passage of Senate Bill 1391. And on that, is there any discussion? The Lady from Cook, Ms. Wojcik."

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Wojcik: "Yes, Mr. Chairman and Members of the House, I have to rise in opposition to this Bill. Complaints filed by the aggrieved party would be given the same status as those filed by the Department; thereby, it would create the impression that a finding of substantial evidence has been made and it would be detrimental to the interest of the defendant or the employer. This Bill is not wanted by the Illinois Chamber, nor is it wanted by the Associated Employers of Illinois. It's a bad business Bill, and I move it's not passage... do not pass."

Speaker Greiman: "The question is... The Lady from Cook has moved for the passage of Senate Bill 1391. The question is, 'Shall this Bill pass?' Excuse me, Ms. Braun."

Braun: "I was just going to close very briefly to say..."

Speaker Greiman: "Alright, Ms. Braun."

Braun: "... that the... neither the Governor's Office, nor the Department, nor the Commission have opposed this legislation. I encourage your support."

Speaker Greiman: "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? Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 48 voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Mr. Dunn."

Dunn: "Thank you, Mr. Speaker. At this time I would ask leave of the Body to grant permission to the House Judiciary I Committee for the purpose of meeting while we're in Session. The House Judiciary I Committee would like to meet briefly for a period of probably no longer than five minutes in the Speaker's Conference Room right behind the chamber. We have one piece of business to consider, and

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the Minority Spokesman has been advised of this request for procedure as has Representative McCracken. I think there is no objection, and I would respectfully request leave for House Judiciary I Committee to meet immediately in the Speaker's Conference Room and ask that all Members promptly retire to the Conference Room."

Speaker Greiman: "The Gentleman asks leave for House Judiciary Committee to meet immediately in the Speaker's Conference Room for a very short meeting. Does the Gentleman have leave? Leave is granted. Alright, Mr... Will the Members of the House Judiciary Committee, Judiciary I, adjourn to the Conference Room at this moment for a very quick meeting. Thank you. On the Order of Senate Bills, Special Call, Human Services appears Senate Bill 1396. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1396, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, on Senate Bill 1396."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Senate Bill 1396, which came about through its Amendment #1, amends the Medical Practice Act to correct a reference to the Illinois' Procedure Act. It adds Health Maintenance Organizations, the HMO's, and medical organizations under contract with HMO's to the list of organizations whose internal information regarding quality control are privileged under the medical studies part of the Code of Civil Procedure. The purpose of the statute is to encourage quality control by removing the threat to parties involved in the quality control proceeding that adverse information obtained may be used by such parties. I would ask a favorable vote on Senate Bill 1396."

Speaker Greiman: "The Gentleman from Cook has moved for the

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passage of Senate Bill 1396. 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 now 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 112 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Senate Bills, Special Call, Human Services appears Senate Bill 295. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 295, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of the Bill."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, Senate Bill 295 changes the definition of a qualified examiner for... from certified social worker to a clinical social worker, and it puts in some educational requirements. Other than that, that's all the Bill does."

Speaker Greiman: "The Gentleman from Cook, Mr. White, moves for the passage of Senate Bill 295. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I wonder if the Sponsor would yield for a question."

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

Vinson: "Representative, I'm sorry. I didn't hear your full explanation of this Bill. Would you..."

White: "I said, this is a Bill that amends the Mental Health and... Developmental Disabilities Code. It changes the definition of qualified examiner from certified social worker to clinical social worker. And it puts in some educational requirements, having a Master's or Doctorial

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' degree from an accredited institution. That's basically it."

Vinson: "What Amendments are on this Bill?"

White: "Amendment 2 which it's just basically to clear up the Bill."

Vinson: "Amendment 2..."

White: "...clears up the area of qualifications. We, instead of three years of training, the Amendment required there be six... six years, and the Amendment cleared up that problem."

Vinson: "Okay. And what other Amendments are on the Bill?"

White: "That's it."

Vinson: "What about... Is Amendment #1 on the Bill?"

White: "Amendment 1 was withdrawn."

Vinson: "Anywhere in the Bill are there preceptors?"

White: "No, this is... this does not have anything to do with social worker licensure, if that... if that is your question."

Vinson: "No preceptors. Okay, now how many years of continuing education do these guys have to have?"

White: "Three years."

Vinson: "And what's the philosophy behind that?"

White: "I don't quite understand the question. The philosophy?"

Vinson: "The... What?"

White: "All this is qualifying language. I don't understand what you mean by..."

Vinson: "What is the purpose for three years of continuing education?"

White: "Well, they want to make sure they meet the necessary requirements in order to perform their duties."

Vinson: "Okay, but why three versus six?"

White: "They feel that three years would be enough to help them to do their job in the manner in which they are required to

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do it."

Vinson: "Do..."

White: "This Bill got out of the Senate 58 to 1, whether that means anything or not. So..."

Vinson: "Yeah, I know. And that's why I'm kind of wondering why you're amending it on these qualifications. Doesn't that turn it into a pretty controversial Bill?"

White: "No, it does not. What we... What we tried to do in the Bill was to specify... spell out three years, but in error we spelled out six years. And the Amendment corrected that problem."

Vinson: "Now, I think that if this Bill came out of the Senate 58 to nothing, and it was the considered judgment of the Senate that there should have been six years of education, continuing education, for these people because of the importance of the function they perform; that reducing that really becomes a problem, doesn't it?"

White: "No, it does not. See, the Sponsor in the Senate was aware of the fact that a problem had been made... that an error had been made, and he asked that I initiate the Amendment that would correct the language and put it back into the form that it was intended."

Vinson: "Oh, the Sponsor in the Senate wanted it to be only three years."

White: "That is correct."

Vinson: "Who offered the six year Amendment in the Senate then?"

White: "That I don't know. When the Bill came over, it was in that particular form. I think it was Representative... Senator Marovitz."

Vinson: "Well, Senator Marovitz is pretty much of an expert in this field."

White: "Well, you may say so or you may think so."

Vinson: "I've got severe reservations about this Bill. Mr.

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Speaker, to the Bill. And I think that it might be wise for the General Assembly to go slow in this regard."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

McCracken: "Alright. Will the Sponsor yield?"

Speaker Greiman: "Indicates he will."

McCracken: "Representative, how does this... how does the definition of clinical social worker differ from the definition currently used by the Department?"

White: "Well, first of all, this Bill is a Department Bill, and they wanted some clarifying language. And the clarifying language is contained within the Bill. This is their Bill."

McCracken: "Well, I understand. But I'm looking at the Bill now and... I don't... How does it differ from current law? A qualified examiner means a person who is a clinical social worker as defined in this Act. And it means that it is a person that has a Master's or Doctorial degree and three years experience. Now the three years experience is the major difference, is it not?"

White: "That is correct."

McCracken: "Alright. How was three years chosen? Does the social working community have a position on the Bill?"

White: "Repeat that question please."

McCracken: "I say, how was three years chosen? I mean why... why is that the period of time that was chosen?"

White: "They seem to think that three years of experience was all that was necessary to qualify them to properly discharge their duties."

McCracken: "Alright. Now... What is a qualified examiner? What duties does a qualified examiner undertake for the Department?"

White: "The... I really don't... I really can't answer that question because I'm not an expert in that area. But

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its... its functions basically deal with diagnosis, treatment and prevention of mental and emotional disorders."

McCracken: "Okay."

White: "That's basically what they do."

Speaker Greiman: "Mr. Giglio, would you come to the podium?"

McCracken: "Okay. Thank you."

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

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield, please?"

Speaker Greiman: "Indicates he will."

Piel: "Okay. I... I apologize, first of all, because I was..."

Speaker Greiman: "Mr. Giglio in the Chair."

Piel: "I apologize because I was talking to our staff person on the... in reference to the Bill. The question as far as qualified examiner, did you answer? I'm sorry."

White: "Three years of educational qualifications in an institution of higher learning."

Piel: "But that... But that is the... the qualifications. I mean what is exactly, per se, compared to a clinical social worker? We're talking about one and the same at times in the Act."

White: "Repeat that question..."

Piel: "...looked through the Act, and I can't find..."

White: "Try that again, Sir."

Piel: "What exactly is, not the qualification, but what is the qualified examiner, and you're comparing it to the clinical social worker, and I've looked through the Act, and I cannot find what the definition of a clinical social worker was, you know, as far as the Act goes."

White: "Well, let me try it this way. The Bill itself defines clinical social worker, and it says that having at least three years of supervised post Master's clinical social

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worker... work practice in the area of diagnosis, treatment, prevention and mental and emotional disorders, deal with those... those areas."

Piel: "Okay. Correct me if I'm wrong. 1 was not adopted or 1 was withdrawn and 2 was adopted. Am I correct?"

White: "Well, let me say this. 1 was withdrawn, and that was Representative Bowman's Amendment which was two things - was not germane, and he withdrew it."

Piel: "Okay. So..."

White: "Amendment #2 was clarifying language. Inadvertently in the Bill, the Sponsor in the Senate indicated that there should be six years of experience that was necessary when he truly meant or really meant three years of experience. The Sponsor in the Senate is aware of what is taking... is aware of Amendment #2."

Piel: "Okay. So 1 was withdrawn. We went with 2. 2 is on the Bill now. The only question I've got, you know, and I don't mean to be dilatory on this, but you're talking about clinical social workers would still be required to have three years experience to be qualified examiners. Is that basically another category or is it just a... a title for a clinical social worker who has the three years experience?"

White: "Well, we're basically talking about a title."

Piel: "So, in other words, when a clinical social worker has the three years experience, they can be classified as a... a qualified examiner?"

White: "That's my understanding."

Piel: "Fine. Thank you very much. No further questions, Mr. Speaker."

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

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Greiman: "The Gentleman from Cook, Mr... The Gentleman from Cook, Mr. Kulas, has moved the previous question. The

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previous question be put. All those in favor of putting the previous question signify by voting 'aye', those opposed vote 'no'. Voting is now open. Two-thirds of those voting on the issue. Mr. Clerk, take the record. On this question, there are 67 voting 'aye', 47 'no' and the Motion fails. Okay. The Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

Churchill: "Representative White, was there another social worker Bill that came through the Committee on Registration and Regulation?"

White: "This is not the Bill. This is not the Bill that you're looking for. This is a harmless piece of legislation. The Bill that your concerned about is Representative Bowman's Bill, not this one."

Churchill: "Alright. Would you bear with me for a minute and go through and explain the difference between Representative Bowman's Bill and what you're saying in this is harmless Bill?"

White: "Representative Bowman's Bill dealt with licensure. This Bill does not. This Bill deals with definition."

Churchill: "But... In creating that definition, are we not creating a new category for people to be licensed by the Department of Registration and Education?"

White: "No, these are the same people, and all you're doing is giving them a different name. The same qualifications are in place that were in place before. No, you're not doing that. This is not the licensure Bill. And it couldn't have come out of the Human Services Committee if that were the case."

Churchill: "I guess I have a hard time understanding why we're

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doing this. I mean, we're giving somebody a new name and putting them in the place of what used to be certified social workers. Why are we doing that? Why don't we just leave certified social workers?"

White: "Well, I don't know why. This is Representative Marovitz's Bill, and he asked me to handle the Bill here in the House, and they're basically just changing the title of a position. Just like you would say pinch hitter or designated hitter. What's the difference?"

Churchill: "Down in the Legislature sometimes one word means a great difference for people who are involved and who are licensed or regulated by the Department..."

White: "Well, the one word that you're talking about was the difference between three years of experience and six years of experience. The six years of experience was on Amendment #2, and that brought the Bill back into the form that it's in right now where a person must have three years of experience."

Churchill: "And so a person who was a certified social worker before will continue to qualify under this Act and only be retitled a clinical social worker."

White: "That's exact... That is exactly right."

Churchill: "So it's a change in title, but it's not a change in anything else that your..."

White: "That's exactly right."

Churchill: "Then why... I go back to my initial question, Representative White. We spent time in the Registration and Regulation Committee talking about social workers. And I am trying to get down where are all the divisions of social workers, how does this fit into those divisions and why are we... why are we creating a name change? What's... What's coming? I mean, what... you know, why... are we going to have to come back next year and have a whole new

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licensing Act for this clinical social worker?"

White: "Well, I'm not... We're on the same side of the fence with regard to that issue. So I would not be a part of that particular Act. I'm with you on that."

Churchill: "I... I guess when I'm faced with a Bill that has no meaning other than to change a title and I know that we've fought for a long period of time down here on the Social Worker Practice Act, it seems to me that what you're doing with this Bill by amending it is preparing it to put it in a position where it can go into a Conference Committee and in the very waning hours of this Session we're going to have that social worker Bill attached right back on this Bill. And it's... and that social worker Bill is a Bill that has undergone a lot of discussion and I don't think is ripe yet to be placed into the process and there are other discussions that have to go on. I... I'm asking you, Representative, please, give me a legitimate reason on why this should be here."

White: "Okay. First of all I'd like to say this to you too. We are on the same side of the fence because I am opposed to the same thing that you are opposed to, and I would strongly resist a licensure Bill being placed on a Conference Committee. I give you my word that I would resist that strongly. So if that is your fear, I... I'm trying to put that to rest."

Churchill: "And if the Senate refused to concur with the Amendment, and it was brought back into the House, would your recede from the Amendment so that the Bill could go through on its initial status?"

White: "I... I would side with you. My word is good on this issue."

Churchill: "And I believe that it is. It always has been in the past, Representative. Let me ask... I have one other line

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of questioning I have to go into and that's the fight that's going on between the social workers. Where do the formally certified, now clinical social workers fit into that pattern in the fight between all the rest of the social workers?"

White: "Try that again. I... There's noise around here."

Churchill: "In the differences between the various classifications of social workers and the fight between those classifications, where do the clinical social workers fit in?"

White: "I can't answer that question."

Churchill: "So they're... Are they... Were they opposed to the original Social Worker Act or not? You can give me a long answer on that if you want."

White: "You don't mind if I laugh? May I ask you a question? Representative Churchill, are we... this is a harmless piece of legislation before this Body, and I think you're giving me a difficult time purposely. And I don't know if I deserve that kind of treatment, Sir."

Churchill: "Let me assure you, Representative..."

White: "I think I've... I think I've answer... I think I've answered all of your questions or every question that could possibly be asked of this piece of legislation. Are we trying to avoid going to the next Order of Business?"

Churchill: "Representative White, let me assure you that my questions are real and I believe deserve to be answered. Let me assure you further that although you believe that we could not find any further questions, that we have found further questions, and I will asking you those subsequently. My main concern at this point though is, and it's a legitimate one, we have a fight between the social workers, and that's the reason that we had a whole big issue..."

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White: "But this is not the fight. The fight... What you should do is save your energy and strength to fight another battle on another day on another Bill. This is not the Bill."

Churchill: "I see. Are... Are certified social workers mentioned at any other places in the statutes?"

White: "Not that I know of."

Churchill: "I'm sorry, Representative. I didn't hear."

White: "Mr... Mr. Speaker. Mr. Speaker, with all due respect to Representative Churchill, for the sake of saving time, I'd like to take the Bill out of the record."

Speaker Greiman: "Well, I was just going to suggest that Mr. Churchill had expended his ten minutes, and we could hear one of his friends for ten minutes more, but you can take it out of the record. Yes, Mr. Flinn, for what purpose do you seek recognition?"

Flinn: "Well, I wish you wouldn't take it out of the record. I wanted to yield my ten minutes to Representative Churchill."

Churchill: "Thank you, Representative Flinn."

Speaker Greiman: "Well, I'm not sure that it's not a cruel and unusual punishment. So, Mr. White, if you wish to take it out of the record, we'll certainly allow that. Out of the record. Ladies and Gentlemen, we are now going to move to Bills on a Special Order, Special Call, Public Utilities and Environmental Protection. We will do those Bills dealing with public utilities. And on that Order is House... is Senate Bill 110, Mr. McPike. Out of the record. On that Order of Business - Public Utilities - Special Call appears Senate Bill 1021. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1021, a Bill for an Act in relation to public utilities, amending and repealing certain Acts and parts of Acts herein named. Second Reading of the

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Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

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

Huff: "Yes, Mr. Speaker, very simply, I withdraw Amendment #1."

Speaker Greiman: "Amendment #1 is withdrawn. Representative Madigan in the Chair."

Speaker Madigan: "All... All Republicans are hereby notified to fasten your seat belts. Mr. Clerk, are there any further Amendments?"

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

Speaker Madigan: "Mr. Huff."

Huff: "Mr. Speaker, I move to withdraw Amendment #2."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #2. Is there leave? Leave is granted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Huff."

Huff: "Move to withdraw."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #3. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Huff."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #4. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Huff."

Speaker Madigan: "The Gentleman requests leave to withdraw

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Amendment #5. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Huff."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #6. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Van Dyne."

Speaker Madigan: "Mr. Van Dyne."

Van Dyne: "Thank you, Mr. Speaker. I'm not going to withdraw my Amendment. I'm going to withdraw... to have leave of the House to withdraw Amendment #7 because I think I'd just be taking up the time of the House."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #7. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Van Dyne."

Speaker Madigan: "Mr. Van Dyne."

Van Dyne: "Thank you, Mr. Speaker. I'm not going to withdraw Amendment #8 or 9 because I think it's an important issue. I've submitted it to the Leadership, and they saw fit not to incorporate it in the omnibus Amendment going to be offered by the Democrat side. But I think if nothing else, I want to bring this issue to... before the Body for everybody to listen to. Do you know what a demand meter is? Does anybody in the House know? I dare say that out of 118 people in this House that probably 10 - there's two I see, Brookins and McPike know what it is. Mark knows what it is. But I know what it is. And what it ends up... What it amounts to is whenever you use over 2,000 kilowatts of electric power in any one given month, Illinois...

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Commonwealth Edison puts you on what they call a demand meter. And this demand meter registers the use that... the peak use that you use in any one given half an hour, and simplistically stated you are charged according to your usage the rest of the month by that demand meter. It usually ends up with a person using, if he uses in excess of 2,000 kilowatts per month, it's on...it's on a fair and equitable basis. But if you... if you are a cyclical user like a farmer or someone who uses the power on a weekend and he doesn't use this over a year's time, he... he usually ends up on the short end of the stick on the months when he's down around five, or six, or seven, or eight, or nine, or twelve hundred kilowatts per month. So I'm offering this Amendment. I think that the time has come with the selling of Commonwealth Edison and all the electrical producers to buy so called 'Little Bill', which no longer is 'Little Bill' with all the pop-up toasters, air conditioning, heat pumps, electric heat that we have in our homes. It's very easy for us now a days to go over the 2,000 kilowatt threshold. I have talked to the Illinois Commerce Commission about this extensively for the past three months. I have not even... I've talked to CUB in the last two days. And I haven't even been able to give you... get the figures because the energy people and the Commerce Commission are so defensive on this, they won't even furnish me the analogies that I can show you that shows what you will pay on a twelve hundred regular meter and what you would pay on a demand meter. So, I think the time has come with the... with the easy way of getting to 3,000. It's an arbitrary figure, but they use an arbitrary figure of 2,000. And I say my arbitrary figure is more feasible and more... has more sympathy for the average person than theirs, and I offer Amendment #8 for your consideration.

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And I wish you would adopt it."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I understand the concern that the Gentleman has, and I know he's had good luck in buying products, not only in the United States but also in Europe. And this is a result of... of a purchase that he made. But Ladies and Gentlemen, we're considering in this particular Bill some rather significant issues which have broad, general application. I think this is the kind of legislation that the Gentleman should address as a single issue. And with all due respect to the Gentleman and his issue, I would request an 'nay' vote on his Amendment."

Speaker Madigan: "Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, there is demand meters, and there's reasons for demand meters. One of the costs of electricity is the cost of capacity over peak and those people who use capacity at peak periods of time; otherwise, they use a large amount of electricity at any one time, by law, the utilities have to provide service during that period of time when, by law, that all adds into the capacity. If those people who don't demand the capacity don't have to pay for it, then everybody else pays for it. And so there's a reason for peak... or demand meter, and I... I think this is an Amendment that we don't want to pass."

Speaker Madigan: "Mr. Van Duyne. Mr. McPike. Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would simply rise to support what Dennis Hastert said. I understand Representative Van Duyne's concern; however, the truth of the matter is is that the reason that power plants build to a given capacity is because of the demand created by certain customers - those certain

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customers that add to the requirement that the plant be built; that is, those customers that have large usage of electricity during peak periods of the year, therefore, should be required to pay for that excess capacity. And I think it's a reasonable approach. Without this approach, we would have homeowners paying for the electricity used by large users who are contributing to the larger plants. So, therefore, I rise in opposition to the Amendment."

Speaker Madigan: "Mr. Van Dyne, to close."

Van Dyne: "Thank you. In response to some of the testimony give... I just want to tell you that my first Amendment was - and I've already been told that it wouldn't even have a chance - but my first Amendment was to counteract just exactly what Representative Hastert and what Representative McPike said, and that is to... to prohibit the companies... the generators of electricity from recouping or keeping you on a demand meter after they had depreciated. I have a building. The last electrical service put in this building was put in in 1954. The building was built in 1916. An addition was put on in 1934. The last addition was put on in 1954. The Commonwealth Edison Company hasn't put one dime into that place in 31 years. Their depreciation has already run out. They have recouped every pennies worth of... of an investment they have in that building, and thousands more just exactly like mine. So, therefore, the analogy that Representative Hastert uses and Representative McPike uses is absolutely foreign to the subject of which I am saying to you right now. The... The Commerce Commission is standing right here behind me. They finally, at my insistence, give me the figures, and I told you before, the lower you go from 2,000 kilowatts per month, the more inequitable it is. The closer you get to the usage of 2,000 kilowatts per month, the more equitable it is. And I

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think the figures that they just gave me will bear out exactly what I said, and I want to give them to you. No demand meter at 500 kilowatts a month - \$66.18; demand meter - \$94.65. It is more than half more. At 1,000 kilowatts it's \$115.00 no demand meter and \$118.69. It's still inequitable at 1,000. When you get over 1,500 kilowatts, your no demand meter's 163 and your demand is 142. Now that's all I've said. What I've said is correct. I think this is worthy of the sympathy of... or the consideration of you people for the sympathy of the low payer. And my next Amendment is going to illustrate to you even more graphically that they keep you on this even though you're below the 2,000 kilowatts. You've got to stay below it for... in excess of 12 months before they ever take you off of the demand meter. So if you're low, you pay for 11 months. You pay in excess, and if you get off one month... if you get back on for one month, they keep you on for the next year. And I... And I move for the adoption of Amendment #8."

Speaker Madigan: "Those in favor of the Amendment will signify by saying 'aye', those opposed. The 'nos' have it. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Van Duyne."

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I just want to take the time of the House for maybe another minute or two. Amendment #9 is along the same vein. And it simply states, 'No public utility furnishing electricity to the public may require a consumer to pay for the use of electricity as registered by a demand meter unless the consumer uses in excess of 3,000 kilowatt hours of electricity per month.' Now that's all it says. And it destroys the 12 month scenario where

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you... if you are off for 11 and... under 2,000 kilowatts for 11 months, and you go back on on the 12 month that you are back on again for another year. And I think it's worthy of your consideration, and I move adoption of Amendment #9."

Speaker Madigan: "Mr. Hastert."

Hastert: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to the Gentleman's Amendment. Currently in the northern Illinois area, at least where Representative Van Duyne and I reside, that level is 2,000. To move it up to 3,000, it takes some of the peak users off, again will spread the cost onto residential users, and that's exactly what we don't want to do in this Bill."

Speaker Madigan: "Mr. McPike."

McPike: "For the same reason, I rise in opposition to the Amendment."

Speaker Madigan: "Mr. Van Duyne, to close."

Van Duyne: "Thank you, Mr. Speaker. I would just like to show the consumers of Illinois where we all are, and I'd like to have a Roll Call vote."

Speaker Madigan: "The Gentleman requests a Roll Call. Is he joined by five others? Those in favor of the Amendment will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 16 'ayes', 89 'nos'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Hoffman."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Withdraw."

Speaker Madigan: "The Gentleman requests leave to withdraw the Amendment. Is there leave? Leave is granted. Are there

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any further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative Hoffman."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Same request, Mr. Speaker."

Speaker Madigan: "The Gentleman requests leave to withdraw Amendment #11. Is there leave? Leave is granted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Hastert and Hoffman."

Speaker Madigan: "Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #12 removes the 12... the 25% excess capacity standard from the Bill, House... Senate Bill 1021. Many of you have received letters and telegrams, have read articles over the last few months. The focus of all those articles and letters was the 25% excess capacity. I don't... I'm not a believer of somebody buckling to pressure, but I think in the hearings, and discussions, and the 50 hours of hearings and the many, many hours of deliberations and after the Bill came to the House, after being dealt with in the Senate, the... the next round of discussions that we had several things came out; that number one, 25% is an arbitrary number. True, it is an arbitrary number. Many of the utilities... the utilities across the State of Illinois, especially the electric utilities, are very, very different sizes. We change that number of 25% and state that the Commerce Commission should... deal with the issue of excess capacity by a case-by-case basis at the discretion of the Committee... of the Illinois Commerce Commission. That language presently is not in the present law. So we are creating an excess capacity standard for the State of Illinois. We're saying

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that the Commerce Commission should study that and look at it at a case by case basis. We're saying that utilities across the state are of different sizes and have different problems, so we should not impose one standard on every utility. And we're also saying there are some other reasons to... to remove the 25% excess capacity. One of those reasons is that there is an economy of scale. If you are from a coal mining area in the State of Illinois or if you're from an area that wants to... that has a high demand area, it might be more cost effective in the long run to build an Illinois coal fired plant with scrubbers. But you can't build a small Illinois... Illinois coal fired plant with scrubbers. You have to build a fairly large one to make it economically feasible. If you impose a 25% excess capacity standard, you make it almost impossible or would prevent future buildings of such generating... facilities. The reason is that in the short term, the three or four years after the building of such a utility facility, that there may be what you would call a spike; otherwise, there may be an excess capacity in excess of 25% or 15% or whatever you set the standard at. But in the long term, it's cheaper. Another reason is that there's a reliability factor, and over the long period of time, over years and decades that... what's important that we have enough electricity to furnish the new industry and new jobs that we bring into the State of Illinois. If we make it economically prohibitive to build new utility generating stations, then we cannot meet those needs for Illinois' future. Finally, the other issue is that most utilities can do two things to meet the and get around the 25% excess capacity standard. Number one, when they need to build a plant, instill... instead of building a cost-effective large plant, they could build small, gas-fired, turbine

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plants. And those plants are cheap to build, but very expensive to run. So the result of that is in the long term where we have cheap utility... costs right away, but in the long term, we have very expensive utility costs. The other fact is when you build or when you prohibit building large, cost-effective plants and using an excess capacity standard of 25% what many utilities will do is to retire their efficient coal burning plants to get down to the 25% excess capacity standard. When you do that, you fire people. You lose jobs. You also retire equity and capital which becomes a very high priced situation. It also discourages people from investing in those stocks. Now, I'm not talking from the stockholders' point of view, but I'm talking from the rate payers' point of view because the cost of capital is recovered in rates. And over the long term, we will pay a bonus on the price of electricity because we have imposed a standard that is somewhat... well, just an artificial standard. I think it's a good compromise. I think it's a strong pro business, pro jobs, pro consumer piece of legislation, and I ask for your support of this Amendment."

Speaker Madigan: "Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I reluctantly rise in opposition to this Amendment. I know Representative Hastert has worked hard and long as Chairman of the Joint Committee on Public Utility Reform. This vote is far and away the most important consumer vote that we'll be casting this Session. Currently Illinois has the highest electric rates in the midwest. I think everybody admits that. That hurts the consumers. It hurts business. It hurts our ability to maintain and attract jobs. And far and away the most important single factor in terms of attracting business and holding business is the

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cost of energy. Annually, there's a survey of large manufacturers across the country that is done by the accounting firm of Alexander Grant. And for the last three years, the cost of energy has been the number one factor in terms of the location and retention of business. The National Federation of Independent Businesses did a survey of its membership two years ago, jointly with DCCA, and they found the same thing. They found the cost of energy is approaching 10% of the cost of operation of the small businesses. And because of these costs, 10% of the businesses that participate in the survey have had to lay off employees, and another 20% have had to cut hours of employees. So, yes, indeed, this is a jobs Amendment alright. But unfortunately, it is an Amendment that will help us not eliminate jobs but drive them out of the state. We have a situation now where plants are closing, moving out of state. I think you've heard a lot about it. I don't need to go into too much detail about that. But let me talk a little bit about the single most important cause of the high rates, and that's the excess capacity. The Bill that was developed by the Joint Committee - and this wasn't a hasty development. It was two years of work. It was hundreds of hours of hearings and deliberations. Under Representative Hastert, what came out was a consensus, it was an agreement on the part of Democrats, and Republicans, and House Members, and Senate Members and public members as a bottom line approach. I wanted to go a lot farther than what was in the Joint Committee recommendation, but it was felt... wanted to go with what made sense based on the evidence that was presented. And what the Bill does, in fact, was amended further in the Senate. It was moderated. When the Bill was originally introduced, yes, indeed, there was a cap. Twenty-five percent was a cap. But it was

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amended in the Senate to eliminate the 25% figure as a cap. The 25% figure with Senate Amendment #1 became a threshold at which point the Commission is mandated to examine the question of excess capacity for the individual utility. Our problem right now is the Commerce Commission has the authority to deal with excess capacity. We don't need to give it to them. But they have refused to exercise it. As amended in the Senate, this Bill mandates that the Commission, at the threshold level of 25%, take a look at the issue of excess capacity for an individual utility and make a determination - what level of excess capacity, if any, is appropriate. And if they're over it, then it kicks in. It doesn't have to be 25%. They can decide that... Given the problems of a particular utility, the unique circumstances, it could be a 30% figure, or a 40% figure or it could be lower than 25%. They are simply mandated under this Bill to examine the issue. And once they make a determination, there is requirement for an allocation of the cost of the excess capacity. It's not 100% to the consumer, away from the consumer and all to the utility. It's really more like 90 - 10 with the consumer picking up the 90%. Because under the Bill, the allocation that is required for the portion of the plant that's excess would give the utility all of their costs of investment back, plus a rate of return on debt. The only thing they would not get, and I repeat, the only thing they would not get on that excess plant is a rate of return on common equity. In other words, they would not get a profit on the assets that are not being used for the providing of utility service. This is a very modest approach. It is an approach that will not have any adverse effects in terms of utility employees. In fact, quite the contrary, since we're losing businesses in this state and we're having manufacturing

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firms put in their own plants, we're losing the need for generating capacity which means utility employees are losing jobs. This will help them keep the jobs. It will also not in any way endanger the dividends of the shareholders. You know, there's been a lot of confusion. And I hope that we've been able to rectify some of the confusion as far as what this does. If you're a private business, and you make a good decision in the free enterprise sense of that word, you get the benefit. On the other hand, if you make a bad decision, you pay the piper. Under current law, that is not the case with the public utilities. They get it both ways. If they make a good decision, they get the profit. If they make a bad decision, they don't have to pay for it. The consumer is required to pick it up. The businesses of this state and the consumers of this state pick it up. This simply puts the utilities at risk to a modest degree so that when that utility planner looks at the question of do we need a new plant, they know that there is some jeopardy. They're going to make a realistic decision; because, under current law, every incentive is for that utility to build, build, build, even if they don't need it, because their profit is based on the amount of plant they have whether it's necessary or not. Accordingly, I suggest that we... we need to defeat this Amendment. I know it's a well-intentioned Amendment. I know that Representative Hastert is anguished over this. But I think Representative Hastert was right when the Bill was introduced. I think he was right in the Senate when we compromised. I think unfortunately at this point, he... he's... he's caving into pressures which are unnecessary. The manufacturers that I talked to in this state are very, very concerned about the cost of electricity. It is hurting them.

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Currently 25 of the largest manufacturers have intervened in the Commonwealth Edison case and are proposing a cap on excess capacity that is much, much more radical than that proposed in this Bill. So I hope that we will defeat this Amendment and be able to pass the Bill as is. As far as the question of cost to capital that was raised by Representative... Representative, let me just say that there was testimony last week by the Vice President of Commonwealth Edison that they are projecting that they will not need to begin to build any new plants until at least the year 1998. So the problem of cost to capital is not one that we're going to have to face for many years. I urge a 'no' vote on this Amendment #12."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I, too, was a Member of the Joint Committee. I heard much of the testimony that the two previous speakers heard. And through the entire course of that experience, the whole question of the idea of putting a cap on excess capacity and penalizing individuals and groups who had moved forward on particular projects in consistency and with approval of the Commerce Commission seemed absolutely ludicrous to me that we would deal with this issue in the retrospect and say, 'Yes, we said you could do these things. Yes, you could invest this capital. Yes, you could build that plant.' And then say, 'Oh, no, we take it back. We're going to penalize you for what we gave you permission to do.' That seemed to fly in the face of all fairness, in all equity, in all justice. How would you like to have someone do that to you individually? I mean on its face, it's ludicrous. Now, if you want to go ahead and say excess capacity is an issue, you define what it is, and you say, 'We're going to look at that in the future, in

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the prospective.' And say, we're going to say, 'Alright, we're going to look at excess capacity as we move into the future.' That's fair. It's like getting into a game and in the middle they change the rules. That flies in the face of equity and justice. Now we talk about consumers. And as the previous speaker said, there's all kinds of consumers. This Bill says that the Commerce Commission has to consider all consumers. They have to look at the adequacy and the reliability of the service for all consumers. Now if you want to build Illinois, you can't build Illinois without energy. You can't build Illinois without reliable energy. All of us here can remember the brownouts and the blackouts out east. That will take your economy down quicker than anything else you can do. Now, Ladies and Gentlemen, this Amendment to this Bill puts equity and fairness back into the excess capacity issue. Santayana said, 'The past is prologue.' And on that prologue, this legislation will build the new future in public utilities in this state. I am pleased to have had a part in it, and I am pleased to have the opportunity to share this prospective with you today and to ask you in all good conscience, in all fairness and in all equity to vote 'aye' on this Amendment."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think the most important issue in the utility reform is the excess capacity issue. And I think it's important that we understand what the Amendment does and what the Bill does. The Amendment completely reverts the... the law to the present situation. There's nothing in this Amendment that the Commerce Commission cannot now do. The... The Bill, however, will subject various utilities to a microscope - a microscope which will be

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focused upon them when their excess capacity reaches the 25% level. Now, I want to make it clear to everybody that the Bill, the underlying Bill, does not prohibit excess capacity over 25%. Not only that, it certainly permits excess capacity over 25% to be in the rate base. What it does do, as Representative Levin correctly pointed out, is it prohibits the utility from making a profit on the unutilized assets in excess of 25% of capacity. However, that is still the Commerce Commission's decision to make. The Bill, if it goes into effect unamended, would subject Commonwealth Edison, among others, to this microscope. Commonwealth Edison, when it completes its construction program in 1988, will have, if its own estimates of demand growth are met, 38% excess capacity, 38%, Ladies and Gentlemen. If a company in any other industry operated with a 38% unused capacity, it's stockholders would throw out the top management. If a school district operated with 38% of its seats empty, the taxpayers would toss out the school board. If Commonwealth Edison or any utility in Illinois operates with 38% excess capacity, they can go to the Illinois Commerce Commission and under present law, they can expect to get rate relief. That is not only unfair. It completely flies in the face of the discipline of free market forces, and what the Bill attempts to do is to establish a disciplined mechanism. It certainly needs discipline because in Thursday's paper, we have here a report that the Commerce Commission's staff is recommending a 16% increase in Edison's electric rates - a 16% increase, Ladies and Gentlemen. And even if that rate increase is granted in its entirety, according to testimony provided to the Commerce Commission, Commonwealth Edison by 1987 will have sought additional rate relief accumulative to 1.9 billion dollars - 1.9 billion dollars to finance capacity

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that we do not need. As a result, the Chicago area already has the highest priced electric generation in the midwest. The completion of Edison's current construction program in 1988 will push these rates even higher. Far from excess capacity being an attraction for business to locate here, the high electric rates drive business away. Now major corporations heavily dependent on electricity are increasingly turning to self generation as a cheaper alternative, and this will only aggravate the rate picture for Edison's remaining customers. This is why the law must be changed. In the midwest, the average electric utility operates with 15% excess capacity. Somehow they are able to accommodate growth and they are able to avoid brownouts. In conclusion, let me just quote to you from an editorial that appeared in the North Shore papers. Now this is a chain of papers that serves Evanston, Wilmette, Winnetka, Glencoe, Kenilworth and all of the communities on the North Shore where many of the stockholders of Commonwealth Edison live. Let me quote you an excerpt on this issue of excess capacity. It refers to it as, 'the most controversial from the utilities point of view. But it would simply expose power companies to the same consequence expected by any other business whose capacity exceeds demand - namely the loss of profits on under used production facilities. Far from being a Ralph Nadarish attack on board room inter sanctum, the Joint Committee Report represents a fair reasoned attempt to balance the interest of consumers with utility shareholders while insuring adequate energy resources for Illinois' future. But in a situation where the obvious public good is confronted by both consumer demagogue and a desire of a particular industry to insure only that regulation, which is overwhelmingly in its own interests, some Legislators have begun to shuffle their

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feet. Putting off action until 1986 only opens the entire utility regulation issue up to arm twisting by political populists on the one hand and corporate log rollers on the other. Nor does there seem to be any good reason for postponing action on perfectly good legislation until the fall when the issues are no more clear than they are now. Now is the time for the General Assembly to adopt a new utility regulation Act that follows the recommendations of the Joint Committee, the original recommendations of the Joint Committee.' I stand with the pioneer papers serving... which serve the North Shore in recommending that we defeat this Amendment."

Speaker Madigan: "Mr. Tuerk."

Tuerk: "Mr. Speaker and Members of the House, we've heard some rhetoric from the Gentleman from Cook on the other side of the aisle, but I think my seatmate in front of me here cut through a lot of the rhetoric and put this on a basis that I think it could be acceptable to all. Let me just try and put it on another perspective, and I can appreciate and understand the concern of the consumers relative to the excess capacity. I understand that. But as the Gentleman from DuPage had pointed out earlier, it's really taking something away from the utilities that the Commerce Commission once approved. Let me try it from this standpoint when we think in terms of the consumer himself, and all of us are consumers. If we don't pass this Amendment as part of the rewrite of the Public Utility Act, I think that's when the consumer would really be up in arms because many of the utilities would be closed down by the Commerce Commission's actions relative to the excess capacity issue. And I think that and that alone should prompt us all to support the Amendment to this Bill and eventually put an 'aye' vote on the Bill itself. I would

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urge support of the Amendment."

Speaker Madigan: "Mr. Shaw."

Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Amendment that's offered by the Gentleman because of the fact that I think this is going... this is gutting the Bill for all practical purposes. We're not going to have any reform with an Amendment like this on the Bill. Certainly people from all over my district have contacted me about this particular Bill. But I think one of the concerns should be to the people of this state is the high cost of energy. And a few years ago, about 20 years ago, I remember when the first Edison plant was being built, nuclear plant was being built, in this state. The Commonwealth Edison people said if you give... if you allow us to build this plant that within ten years we will reduce the cost. Twenty years later the cost is still not reduced. And if you look at it and talk to the people of your district, the Illinois Commerce Commission has given the utility companies everything they ask for. And it seems as though to me that the... that the Illinois Commerce Commission is working for the utility company rather than for the people of the State of Illinois. So what I would say to this Amendment and thinking of the old people around this state who are on fixed incomes, whose utility bills run more than their house payment, we need this reform that's in 1021. We don't need to be tampering with it with this Amendment. And anyone, anyone who votes for the adoption of this Amendment should be ran out of this state. And I think that the people of this state will be looking at the record and looking at how you vote on this Amendment, on this Bill, because this Amendment is not geared to the consumers. It's geared to the same people that we are

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talking about we want to make some changes in. And it's geared to big business. The people of this state, the way they are being charged for utilities, they should be the stockholders in these companies, not the stockholders themselves, because they're paying the bill and are not reaping the benefits. They're being robbed every month... with the high cost of electricity. When are we going to stop the Illinois Commerce Commission and the utility companies from going in the pockets of people? Certainly this Amendment will probably be... go on the Bill, but that is not the... it shouldn't be the concern. When you go back home, when you go back home to your respective district, you should be recorded as voting for this Amendment... I mean against this Amendment. But the... But the fact is, you will hear a lot of flowery speeches here today, and the speech that I'm making will not change anybody's mind. It will not change one single vote in this House. I know that. But at the same time, the consumers of this state should be aware of who's looking out after their interest, and I ask for a 'no' vote on the Amendment."

Speaker Madigan: "Mr. Homer."

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

Speaker Madigan: "The Sponsor indicates that he will yield."

Homer: "Okay. Thank you. Representative Hastert, there have really been very few issues in my district that have polarized my constituents as much as this one. And I have a district that has within it four public utility power plants. So I have a substantial number of employees, the IBEW Local, as well as the various stockholders who have inundated me literally with letters and calls and concerns in substantial numbers. On the other side of the coin have been the equally vehement and emotional letters that I have

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received from consumer groups, and probably there's been no one issue that I've heard more about in my three years here in the Assembly than the need for us to address the escalating and spiraling costs of public utility cost. That, of course, prompted me to work on House Bill 18 for a long period of time, and I've had an interest in the issue. So I really do come to the floor today with an open mind and in a difficult position trying to determine what would be a fair and equitable vote. And I'd like to ask you a couple of questions that have... information arisen from debate with the hope that that information could help me as well as maybe some others in deciding the issue. First of all, does under the current law the Illinois Commerce Commission have the authority to deny a return on excess capacity?"

Speaker Madigan: "Mr. Hastert."

Hastert: "Representative Homer, the law is basically silent. It says nothing. What we have in the new Act is a... language, whether we amend it or not amend it, that says that the Illinois Commerce Commission shall examine each utility on a case-by-case basis to determine excess capacity. The present law is silent."

Homer: "Alright. Do you know of an instance under current law where the Commerce Commission has, in fact, refused to allow for a return on the excess capacity? Have they done that?"

Hastert: "Yes. There was a case in 1982 dealing with Central Illinois Power."

Homer: "Okay. So if that's so, Denny, why would they need the Amendment that you have that allows them to do... and it sounds like they already have under current law the authority to take this action on a case-by-case basis now?"

Hastert: "Well, Representative, if you wanted to look at the law,

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and we're talking about an Amendment, but you have to... understand a student of the law, you have to look at the law in the totality. And what we've done in this Act and, you know, you have a 206 page Bill that comprises this Act, that we've done along with Representative Levin's work in this Joint Committee and the CUB testimony and everybody else is to put a much tougher process and a much tougher focus on the Commerce Commission. And what I've heard in this General Assembly in the debate over and over again is that the Illinois Commerce Commission is not doing the job. We're giving them instructions. We're doing... giving a public council that ensures they do... they do the job. We have a much stronger planning process. We have ex parte provisions provided in the law that they cannot shirk the duty that they've been doing. And what we are focusing on the Commerce Commission, giving the tools to the Commerce Commission and an oversight on the Commerce Commission to make sure they do the job that they're supposed to do."

Homer: "Okay. The... The 25% cap, I understand from the debate that the 25% cap in the original Bill was an absolute. And the Commerce Commission had no discretion to allow for a return on common equity in excess of 25%; but that under the Amendment that was put on in the Senate that now there is that discretion vested within the Commerce Commission where the Commerce Commission determines that the excess in... over... up and above 25% is justified, that the Commerce Commission under the Bill as amended now does have the discretion to allow for that return of investment and common equity. Is that... Is that in the amended Bill?"

Hastert: "Well, actually, Representative, the old... the original copy did have an absolute 25% standard. The amended version has a... a trigger at 25%. So the Commerce Commission can't even begin to look at excess capacity

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until it reaches 25%. The elimination of that cap says that the Commerce Commission can look at the excess capacity any time and is probably a strong or stronger provision."

Homer: "And finally, it's my understanding that... that even where the excess capacity exceeds 25% and the Commerce Commission refuses to in its discretion allow for the return based upon amounts in excess of that 25% that the utility is still allowed, even in that situation, a return on its investment. The only thing that it's not allowed is a return on the common equity, or in other words, a profit on the excess capacity. They're still going to be allowed to recoup their cost and expenses in connection with the excess capacity. Is that... Is that correct?"

Hastert: "In both the original version and the amended version the common equity is the focus."

Homer: "Alright. And... Representative Levin informs us that in Iowa as well as in Kansas that... that a similar measure of 25% cap measure was put in some three years ago and that the experience in Iowa has been that the dividends earned by the owners of the stock of the company has not suffered and that in fact the profitability has not been negatively impacted by this same legislation that we're considering here today. Is that... Do you have information other than that?"

Hastert: "Well, in the State of Kansas, it's completely discretionary by the Commerce Commission, and in Iowa, the 25% is not in statute, but it's a standard that's used by the Commerce Commission - very similar to this Bill, Representative."

Homer: "Okay. To... Thank you, Representative Hastert. I appreciate those answers. And very briefly to the Bill, Mr. Speaker. It is... It is a difficult decision because

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we're weighing the interests of a lot of our constituents who have legitimate concerns: the employees of the utility companies; the stockholders of the utility companies; the business community; and... and also the consumers of this state. And I've tried as best I can to balance and weigh the various provisions of the Amendment as I understand it. And I'm going to vote to reject the Amendment that's being offered to support the Bill in its current form, because I feel as reasonably assured as anyone can based upon the complexity of the provisions that adequate protections are there for the employees, are there for the stockholders, based particularly upon the Iowa experience, and first and foremost that the consumers of Illinois can rest assured that this General Assembly will and is taking affirmative action to provide them with real relief without unduly jeopardizing the legitimate interests of the other various groups. So I'm going to support the Bill in an unamended form and oppose the Amendment."

Speaker Madigan: "Mr... Mr. Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. Let me just explain a little bit about excess capacity as it relates to manufacturing firms. I've worked for a manufacturing firm for 29 years. We've been located in the State of Illinois. Fortunately the excess capacity has been available. We have never had to shut down because of gas or electric failure. We also have a plant in the state does not have excess capacity. And let me explain what that does. Not only when the temperature gets down to a certain degree, the gas company calls us, says that, 'We will shut your gas off in 24 hours.' Now that reflects not only on the manufacturing but on the people that are working there. What we have to do, we have to put in storage tanks, propane storage tanks, fuel oil storage

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tanks, which is a big expense to a company. Now if we want to attract people to come into the State of Illinois and hire people, we should have that capacity so that we can have these manufacturing firms here. And I ask for a 'yes' vote."

Speaker Madigan: "Mr. Nash."

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

Speaker Madigan: "Mr. Nash, I don't think that will be necessary, because I believe that if we recognize Mr. Hastert to close we can go to Roll Call. So thank you. Mr. Hastert, to close."

Hastert: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. You certainly heard a wide range of debate on this issue. And again, I want to say I commend... Representative Levin. He and with many others have worked long and hard on this issue in the Joint Committee. I also want to commend somebody who's lobbied you lately - the CUB, which sometimes we hear one thing or another. But they've worked very hard in this whole issue. And I think probably they've been working hard today to talk to many of you. They have other concerns besides excess capacity. And some of the things that they've worked on and it's in the Bill, not this Amendment, but it's already in the Bill, is the planning process. We've also worked on putting more focus on the Commerce Commission so they do the job that they're supposed to do. We've also raised the standards for rate orders so that the Commerce Commission can't get away with doing a slipshod job that they've been guilty of doing in years past. We've also put in this Bill a public council - a public council to represent the people of the... of the State of Illinois and you people in this General Assembly. It's my belief and my commitment to you, to this Legislature, to the people of the State of Illinois

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that what we have before us is a good Bill. This Amendment makes it a better Bill. I ask for your support. I beg for your support for the jobs and for the business climate of the State of Illinois. For the consumer of the State of Illinois, we need to have a 'yes' vote on this Amendment."

Speaker Madigan: "The question is, 'Shall Amendment #12 be adopted to Senate Bill 1021?' Those in favor of the Amendment will signify by voting 'aye', those opposed to the Amendment will signify by voting 'no'. Representative Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, I think that it's unfortunate that we have taken sides saying that something is good for business or something is bad for business and try to make it look all one-sided. According to the statistics I have the State of Illinois rates are 39% higher than surrounding midwestern states. Anything that we could do to reduce the utility rates within the State of Illinois would certainly be good for the business consumer as well as the home owner. Also the statistics I have indicate that the increased energy costs have forced 10% of businesses to lay off employees, and the increased energy cost has forced 20% of businesses to reduce the employee work hours. And so this is certainly not a one-sided issue where a vote for this Amendment is for business. I think the appropriate thing to do is to give some additional guidelines to the Commerce Commission that will trigger an investigation of excess capacity, and for that reason, I vote 'no'."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Mr. Friedrich to explain his vote."

Friedrich: "It takes a long time to build a power plant, Mr. Speaker, and no one can predict 15 years in advance what the needs are going to be. But I'll tell you what you can

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predict. When you've got more need than you've got capacity and have a brownout, that's when you find out you've got the problem. I think we're all hoping that Illinois will grow and prosper and we're going to bring business into Illinois. But if we're going to do it, we have to have enough generating capacity to take care of the need."

Speaker Madigan: "Mr. McCracken to explain his vote."

McCracken: "Just if it appears to fail I would like... verify the negative."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. McCracken has withdrawn his request. On this question, there are 58 'aye', 57 'no'... For what purpose does Mr. Levin seek recognition?"

Levin: "I would seek a verification of the Affirmative Vote."

Speaker Madigan: "The Clerk shall read the names of those voting in the affirmative."

Clerk O'Brien: "Barger. Barnes. Churchill. Countryman. Cowlshaw. Daniels. Davis. Deuchler. Didrickson. Ewing. Flinn. Virginia Frederick. Dwight Friedrich. Goforth. Hallock. Hartke. Hastert. Hensel. Hicks. Hoffman. Johnson. Keane. Kirkland. Klemm. Koehler. Krska. Kubik. Leverenz. Mays. McAuliffe. McCracken. McMaster. Nash. Oblinger. Olson. Parcells. Parke. B. Pedersen. W. Peterson. Piel. Pullen. Regan. Ropp. Ryder. Slater. Stange. Stephens. Tate. Tuerk. Vinson. Vitek. Wait. Washington. Weaver. Williamson. Wojcik. Woodyard. And Zwick."

Speaker Madigan: "Yes, Mr. Clerk, would you poll the absentees?"

Clerk O'Brien: "Bullock. Harris. And Preston."

Speaker Madigan: "Mr. Levin, do you have any questions?"

Levin: "Yes, Representative Krska."

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Speaker Madigan: "Mr. Krska. Is Mr. Krska in the chamber? The Gentleman is in the front of the chamber."

Levin: "Representative Hicks."

Speaker Madigan: "Mr. Hicks is in his chair."

Levin: "Representative Keane."

Speaker Madigan: "Mr. Keane is in his chair. Mr. Levin, would you give leave for Mr. Vitek to be verified?"

Levin: "Yes."

Speaker Madigan: "Thank you. And Representative Currie to be verified; and Representative Nash to be verified; and Representative Braun to be verified; Representative Davis to be verified; Representative Pullen to be verified; Representative Flowers to be verified. Did you get all that, Mr. Levin? Okay. Do you have any further questions?"

Levin: "Representative Kirkland."

Speaker Madigan: "Mr. Kirkland is in his chair."

Levin: "Representative Didrickson."

Speaker Madigan: "Representative Didrickson is in her chair."

Levin: "Representative Flinn."

Speaker Madigan: "Mr. Flinn is in his chair."

Levin: "Representative Wait."

Speaker Madigan: "Mr. Wait. Mr. Wait is in the rear of the chamber."

Levin: "Representative McAuliffe."

Speaker Madigan: "Mr. McAuliffe is in the chamber. Are there any further questions, Mr. Levin?"

Levin: "No."

Speaker Madigan: "Mr. Clerk, do you have the count? On this question, there are 58 'ayes', 57 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative McPike and Hastert."

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Speaker Madigan: "Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First I would like to compliment Representative Hastert for his long, and detailed and involved work on this project. He's been put into an impossible situation to try to listen to and balance the demands of all sides. I think he's done a commendable job. I disagreed with him on the previous Amendment, but I certainly want to compliment him on the job he's done. Amendment #13 attempts to take the Bill that came across from the Senate and make a few more adjustments in it. We left the ex parte communication nearly intact. The judicial review has not been changed. We spoke to the reorganization portion of the Bill to make sure that there could be no adverse impact on rate payers in case of acquisitions or divestitures by holding companies. We put in there a requirement that the Commission study the means of encouraging cogeneration and report back to the General Assembly by March 1st of next year. This issue deals with how we dispose of trash, garbage, et cetera. If we choose to turn this into energy, we desire then to sell or use that energy, we intend to do that in the future. Obviously those that deal with nuclear power and coal are opposed to anything that would threaten their industry. I think it's an issue that has to be dealt with. We've decided to wait for a comprehensive report from the Commission which is due by March 1st of next year. Also in regards to a study, we've required that the Commission study 'QUIP', report back to the General Assembly by 1988. And finally, we had to make some changes in the public council provision that came across from the Senate. We felt that their provisions were unconstitutional. We... We changed their provisions to require a gubernatorial... appointment with the advise

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and the consent of the Senate for the confirmation. Those along with about 50 technical changes are the bulk of Senate... of House Amendment #13, and I would move for its adoption."

Speaker Madigan: "Mr. Tuerk."

Tuerk: "Would the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor indicates he will yield."

Tuerk: "There is one part of this Amendment that concerns me slightly, as far as legislative intent is concerned, and that's that Section that talks about ownership or control of any entity which owns and controls a majority. What I want to know from the Sponsor of the Amendment and the legislative intent, whether that control means control of voting capital stock of the organization? That is a question. Is that what that means?"

Speaker Madigan: "Mr. McPike."

McPike: "Would you restate the question?"

Tuerk: "What I want to know is whether the controls that you speak of in the Amendment - I believe it's on page one of the Amendment - whether that really means control of the voting capital stock of the organization."

McPike: "Yes."

Tuerk: "The answer is 'yes'?"

McPike: "That's correct."

Tuerk: "Thank you."

Speaker Madigan: "Mr. Hastert."

Hastert: "I just want to rise in support of the Amendment. I also salute Representative McPike who's given us a great deal of his time both in the telecommunications Bill and this Bill, to the offer of his offices and the work. This is a cleanup Bill. It takes care of a lot of the little problems, the technical problems that came over. It still keeps the basic principles of the complete Bill that came

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over from the Senate and the work of the Joint Committee, and I ask for its passage."

Speaker Madigan: "Mr. McPike has moved for the adoption of Amendment #13. He is supported in that Motion by Mr. Hastert. Those in favor of the Amendment say 'aye', those opposed say 'no'. The opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #14, offered by Representative Van Duyne."

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Thank you. Thank you, Mr. Speaker. I suppose I probably should start out like everyone else that has a successful Amendment to congratulate all the people who worked diligently, Mr. Levin, Mr. McPike, Mr. Hastert, Mr. Hoffman, Mr. Daniels and all the rest of the people. And with that, I hope that my Amendment passes. But I'm not kidding. This is probably a bone that if I am successful that I would gain from something having to do with the previous Amendments that I... that I have put before the Assembly. It's been purported that the reason for the demand meters that I've been talking about is that the people who use electricity excessively are the ones who force the utilities to overbuild and, you know, this obligation to supply these users ultimately in the off peak season ends up in allowing those facilities to sit there idle and cost the companies a lot of money. Well, the Amendment that I'm offering now seems a little bit anticlimatic because it forces the consumer to remain under the 2,000 kilowatt hours in... in the four months where the companies are making their peak season readings, which almost negates the intent of the Bill. But nevertheless, it shows that if a person is using very miniscule amounts

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of electricity, and he is frugal in the use of that electricity, and if he's successful in staying under the 2,000 kilowatt threshold, therefore, I think he should be rewarded in being able to avoid the imposition of the demand meter. Secondly, it stipulates that the Illinois Commerce Commission shall investigate the provisions of each and, of course, that does separate Commonwealth Edison from Illinois Power, et cetera, so that they do... they are judged on each... each and every merit. So, it's to stipulate that the provisions of each company and their tariffs be determined whether or not the 2,000 kilowatt hours shall be imposed and is being imposed fairly on the people. So that stipulates that the... that the ICC shall investigate the provisions of the electric companies utility tariffs concerning the use of demand meters and determine specifically whether the 2,000 kilowatt hours is an appropriate level of customer usage upon which to base the use of demand meters and shall include... and shall include this in their annual... annual report to the General Assembly. I don't think this is an unreasonable request to make of this Body, and it... and it would show if adopted at least some concern for the monthly rates of our consumers. And I move for the adoption of Amendment #14."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House, and particularly to Representative Van Dyne who it's obvious has a concern on this particular issue. However, I would say the same thing on this Amendment as I said on others, and that is that this should be addressed separately, not be included in a total rewrite of the public utility legislation. For that reason and that reason alone, I oppose the Gentleman's Amendment."

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Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'nos' have it. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Greiman. Mr. Hastert."

Hastert: "Do we want to consider this today or do you want to hold it over?"

Speaker Madigan: "Mr. Greiman in the Chair."

Speaker Greiman: "The... Mr. Cullerton, the Gentleman from Cook, for purposes of a Motion."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we continue all the Special Orders set for Friday, June 21st and continue them until Monday, June 24th at the Call of the Chair."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, has moved that we extend all of the Special Orders until Monday, the 24th, at the Call of the Chair. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Motion is carried. Alright, Mr. McPike on the Adjournment Resolution. Mr. Clerk, read the Resolution."

Clerk O'Brien: "Senate Joint Resolution 77. Resolved by the Senate of the 84th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Friday, June 21, 1985, the Senate stands adjourned until Monday, June 24, 1985, at 10 o'clock a.m.; and the House of Representatives stands adjourned until Monday, June 24, 1985, at 12 o'clock noon."

Speaker Greiman: "Ladies and Gentlemen, wait. Do... do not leave the Chambers. A schedule is being passed out for which you will be advised is next week's schedule. Mr. Clerk, is there an Amendment?"

Clerk O'Brien: "Amendment #1, amends Senate Joint Resolution 77

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to read, the House of Representatives stands adjourned until Monday, June 24, 1985, at 10 o'clock a.m."

Speaker Greiman: "Alright, Mr. McPike moves for the adoption of Amendment #1 to Senate Joint Resolution 77, which would provide that the Senate... that the House stand adjourned until Monday at 10 o'clock. All in favor say 'aye', those opposed 'no'. The 'ayes' have it. And on that Adjournment Resolution, all in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Resolution is adopted. 10 a.m., but we're not... we've not concluded. Mr. McPike on a Motion."

McPike: "Thank you, Mr. Speaker. I move to suspend the provisions of Rule 37(g) so we can extend the deadline for Senate Bills Third Reading until Wednesday, midnight, June 26th."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike, moves to extend... moves to waive the provisions of Rule 37(g) to extend the deadline for Senate Bills until next Wednesday at 12... at 12 o'clock midnight. Yes, Mr. Cullerton. And on that, is there any discussion? Mr. Cullerton. And on that, is there any discussion? Mr. Nash. Alright, all in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Rule 37(g) is modified to provide that deadlines for Senate Bills Third Reading will be extended until Wednesday of next week at midnight. Agreed Resolutions."

Clerk O'Brien: "House Resolution 585, offered by Representative Steczo; 588, by Ronan; 589, by Washington; 591, Hensel. And House Joint Resolution 79, LeFlore; and House Joint Resolution 80, LeFlore."

Speaker Greiman: "The Gentleman from Winnebago on the Agreed Resolutions."

Giorgi: "Mr. Speaker, 585, by Steczo, lauds the Oak Forest

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Baseball Team. 588, by Ronan, commends Father Kyle. 589, by Washington, congratulates the Women's Auxillary. 591, by Hensel, recognizes the First United Methodist Church. LeFlore's 79 and 80, one asks Congress to... extend the Emergency Veterans' Job Training Act and the other talks about a deduction for architectural and transportation barriers for the handicapped, and I move for the adoption of the Agreed Resolutions."

Speaker Greiman: "The Gentleman from... Winnebago moves for the adoption of the Agreed Resolutions. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. General Resolution."

Clerk O'Brien: "House Resolution 586, offered by Representative Shaw - McPike - Young - Rice and Bullock."

Speaker Greiman: "Committee on Assignment. Mr. Nash, for purposes of... an announcement."

Nash: "Thank you, Mr. Speaker. Just a reminder to all the Members that Greek night at the mansion starts at 6:30 Sunday night, 6:30 on till midnight or whenever the Governor kicks us out of the mansion."

Speaker Greiman: "Death Resolutions."

Clerk O'Brien: "House Resolution 587, offered by Representative Flowers, with respect to the memory of James Phillips. House Resolution 590, offered by Representative Regan, with respect to the memory of Robert J. Skimel."

Speaker Greiman: "Ms. Flowers moves for the adoption of the Death Resolutions. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Committee Reports. Excuse me. Mr. Churchill, for what purpose do you seek recognition?"

Churchill: "Thank you, Mr. Speaker. Just to remind all the Members that tomorrow at 1 o'clock, the Third Annual..."

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will start at the Rail. If you're staying down this weekend for Greek night and the other events, come on out to the Rail at 1 o'clock."

Speaker Greiman: "Mr. Clerk."

Clerk O'Brien: "Committee Report. Representative John Dunn, Chairman of the Committee on Judiciary I, to which the following Resolution was referred, action taken June 21, 1985, reported the same back with the following recommendation: 'Be adopted' Senate Joint Resolution 31."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike, moves that the House do stand adjourned until the hour of 10 o'clock on Monday. All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, thankfully the 'ayes' have it, and the Resolution is adopted. And the House will stand adjourned until the hour of 10 o'clock on Monday. Mr. Leverenz."

Leverenz: "Now?"

Speaker Greiman: "No. Too late, Mr. Leverenz. Keep trying."

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