

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

107th Legislative Day

May 19, 1988

Speaker McPike: "...come to order. The Chaplain for today will be Reverend L. V. Gardiner from Calvary Baptist Church in Monmouth. Represen...Reverend Gardiner is a guest of Representative Hultgren."

Reverend Gardiner: "Shall we pray. Eternal God, our Father, the maker and creator of all mankind, it is to Thee we come this morning to give thanks unto Thee for this, another glorious day. Thank You for having watched over us from the earliest of our lives up until this present time. We come, Lord, because we feel the need of Thee and we can't get along without You. Thank You for watching over us last night as we slumbered and slept, unconscious as to where we were. You kept Your hand of mercy around us. And You touched us this morning with Your finger of love and caused us to wake from our slumber. We started out on another day and we thank You. And blessed Lord, as we come, we acknowledge that we have sinned and have come short of Your many blessings. But, as we humbly bow, we ask that Thou wouldest forgive us and honor us as Thy children. Create within us, Oh God, clean hearts and renew within us new and upright spirits. Give us that overcoming faith. Help us, Lord, to overcome every sin and evil that confront us day by day. Father, as we bow, we ask Your divine blessing upon each and every one that is bowed under the sound of this, Your servant's voice. We ask, Lord, that Thou would direct their minds as they do business for this state. We know, God, that You said in Your word that whatever we would ask, believe in, that Thou would grant. And we come now asking for direction because we don't know the way. Go before us as our leader in life. Lead us and guide us and direct us in the ways in which Thou would have us go. Pray, God, for the Governor of this state and we pray for

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all others who are instrumental in helping to make this state go. Pray for the heads of our nation, the President of these United States. Lord, direct him, lead him, and guide him for without You we can do nothing. You said in Your word, in all of thy ways, acknowledge Him and He shall direct thy path.' And Lord we come this morning for direction. Bless this House, God. We pray for those who are sick. Comfort them if it be Your holy will for we realize and know that with Thee all things are possible and without You we can do nothing. Thank You for the gift of Thine only Son, Jesus, who bled and died that we might have life and that we might have it more abundantly. Bless every home that is represented here. May God, they be the kind of home that Thou would have them to be. Bless us now, Lord, as we further go through this life. And when this lifes journey's ended and we, like others, must quit the busy walks of life, may we be able to hear Your welcome voice saying, 'Servant, well done! Thou hast been faithful over a few things. Enter now into the joy of thy salvation which was prepared for us from the foundation of the world.' These and all other blessings we ask in the name of Thy Son, Jesus. Amen."

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

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

Speaker McPike: "Roll Call for attendance. Representative Matijevich."

Matijevich: "Speaker, on this side of the aisle, Ray Christensen is due..is ill today and is excused."

Speaker McPike: "Representative Piel, do you have anything?"

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Piel: "All Members here today, Mr. Speaker."

Speaker McPike: "Take the roll, Mr. Clerk. One hundred seventeen Members answering the roll. A quorum is present. Message from the Governor."

Clerk O'Brien: "'To the honorable Members of the House of Representatives, 85th General Assembly: Pursuant to Article IV, Section 9D of the Illinois Constitution of 1970, I return House Bill 1685 entitled "A Bill for an Act making an appropriation to various agencies", vetoing page 45, line 26 through 46, line 28, inclusive. Sincerely, James R. Thompson, Governor.'"

Speaker McPike: "We're going to do Agreed Resolutions and then we're going to state budget. So if...Representative Mays and Representative Tate, staff, Representative Leverenz and Bowman, staff. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 195, offered by Representative Novak. House Resolution 1431, McPike. 1432, Panayotovich. 1434, Terzich. 1436, Harris. 1437, Saltsman. 1438, Flowers. 1439, Black."

Speaker McPike: "Representative Matijeich."

Matijeich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, both sides of the aisle have examined the Resolutions. They are agreed to and I move the adoption of the Agreed Resolutions."

Speaker McPike: "Representative Matijeich moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendments are adopted. Further...and the Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 194, Hultgren. House Resolution 1435, Novak. House Resolution 1440, Martinez."

Speaker McPike: "Committee on assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 1433, offered by Representative

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White with respect to the memory of Eli Shulman."

Speaker McPike: "Representative Matijevich moves for the adoption of the Death Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Death Resolution's adopted. The Chair would call your attention to page 22 and 23 of the Calendar. Senate Bills First Reading, none of which have House Sponsors. If someone could sign up as Sponsor of these Bills, they will be heard in Rules at 1:00 p.m. today. Special Order of business, state budget, appears House Bill 3201, Representative Mays. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3201, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of State Police. This Bill has been read a second time previously. Amendments #1 and 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3 was withdrawn. Floor Amendment #4, offered by Representative Mays."

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 would simply transfer at the existing level, within state troopers budget. It would take out ten squad cars for a savings of about 140,000 and transfer the dollars into the Division of Criminal Investigation which is the division which investigates drugs and gang crimes and about everything else in the State of Illinois. They took a cut in committee with Committee Amendment #1 of roughly 137,000 so this would restore them to their requested level and I move for its adoption."

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Speaker McPike: "Any discussion? Representative Leverenz."

Leverenz: "Would the Sponsor yield?"

Speaker McPike: "Yes, he will."

Leverenz: "You want to cut a \$140,000 out of the cars which would provide them with how many new cars this year?"

Mays: "This would give them...as you know, in committee, they requested 60 new cars and you cut them to 30. They've got 2,600 car fleet. I'm proposing cutting them from 30 to 20 to gain these dollars."

Leverenz: "You would take 30 percent of their..."

Mays: "33 percent."

Leverenz: "My mathematical error. You would eliminate 33 1/3 percent of their new automobiles?"

Mays: "Absolutely. This is a...kind of like guns and butter..."

Leverenz: "Shame on you."

Mays: "This is kind of like guns and butter only it's drugs and cars this time. And what I'm proposing to do is take down the cars and put in a drug enforcement, law enforcement, criminal investigation."

Leverenz: "How much money...your 140,000 in the Amendment..."

Mays: "Right."

Leverenz: "And how much money is allotted to the Division of Criminal Investigation now? Thought that would stump you?"

Mays: "I have every figure but that one. I do know we cut \$137,700 from DCI's approp request. This would restore..."

Leverenz: "How much money would be in the Division of Criminal Investigations prior to an addition of 140,000?"

Mays: "Do you want just GRF or do you want Road Fund, too?"

Leverenz: "All of it."

Mays: "Thank you. One second, please. 13,476,000."

Leverenz: "13,476,000?"

Mays: "Yes."

Leverenz: "And you want to add a 140,000 more?"

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Mays: "No. That would restore them up to that requested level.  
You asked what the request was."

Leverenz: "Thirteen million and you're worried about 140,000?  
This is a terrible Amendment. Why would you take away  
one-third of the troopers' new automobiles? Some of them  
have 140,000 miles on them. Shame on you. I would ask  
that we would reject this horrible...end this Amendment."

Mays: "Representative Mays, to close."

Leverenz: "Proceed. Go ahead. Representative Mays to close."

Mays: "Thank you very much, Mr. Speaker."

Leverenz: "Thank you."

Mays: "To close, the Representative has made a lot of fun at this  
Amendment and he's poking fun at the thought that we would  
cut 33 1/3 percent from troopers' cars. That is a  
magnificent cut. It is an enormous cut. I might just  
remind the Representative that he cut 50 percent of the  
request in a Committee Amendment that he sponsored  
originally. Now, shame on you. Shame on you. What we're  
talking about doing is reducing the equipment purchase for  
cars from 30 to 20. They've got a fleet of 2,600. They're  
going to be coming in next year for a thousand new cars.  
We could put this money to real good use with the task  
forces that have been formed in fourteen areas of this  
state. They just had a major bust up in Whiteside, Ogle,  
and Lee Counties. They can use these dollars very  
effectively to...in their fight against crime and I would  
move for a roll...for adoption and I would like a Roll  
Call."

Speaker McPike: "The question is, 'Shall Amendment #4 be  
adopted?' All in favor vote 'aye', opposed vote 'no'.  
Representative Mays to explain his vote."

Mays: "Well, simply, should this not prevail, I'd like to ask for  
a verification."

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Speaker McPike: "Have all voted? Have all voted who wish? Take the record. On this Amendment there are 53 'ayes' and 55 'nos' and Representative Mays would like a verification. Mr. Clerk, poll the absentees. Representative Tony Young would...Representative Mays? Representative Tony Young would like to be verified. Representative Daley, right down here in front, would like to be verified. Anyone else? Proceed with the Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Berrios. Braun. Capparelli. Flowers. Huff. Martinez. Krska. Terzich, and Turner."

Speaker McPike: "The...verify the negative, Mr. Clerk."

Clerk O'Brien: "Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie..."

Speaker McPike: "Representative Mays, Representative Lang would like to be verified. Thank you. Proceed."

Clerk O'Brien: "Daley. Davis. DeJaegher. DeLeo. Dunn Farley Flinn. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Jones. Keane. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Matijevich. Mautino. McGann. McPike. Morrow. Mulcahey. Novak. O'Connell. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Van Duyne. White. Williams. Wolf. Anthony Young. Wyvetter Younge, and Mr. Speaker."

Speaker McPike: "Representative Mays, questions of the negative."

Mays: "Thank you very much. Representative Mulcahey?"

Speaker McPike: "He's right here, Representative Mays."

Mays: "Representative Mautino?"

Speaker McPike: "Representative Mautino. Remove him from the Roll Call."

Mays: "Representative Ronan?"

Speaker McPike: "Representative Ronan. Remove him from the

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roll."

Mays: "Representative Keane?"

Speaker McPike: "Representative Keane is right in the middle aisle."

Mays: "Representative Farley?"

Speaker McPike: "Representative Farley. Remove him from the roll."

Mays: "Representative Giglio?"

Speaker McPike: "Representative Giglio. Remove him from the roll."

Mays: "Representative Van Duyne?"

Speaker McPike: "Representative Van Duyne. Remove Mr. Van Duyne."

Mays: "Representative Shaw?"

Speaker McPike: "Representative Shaw. He's back in back."

Mays: "Representative Hicks?"

Speaker McPike: "Representative Hicks. Remove him from the roll."

Mays: "Representative Curran?"

Speaker McPike: "Representative Curran. Remove him from the roll."

Mays: "Representative McGann?"

Speaker McPike: "Representative McGann. Remove him from the roll."

Mays: "Representative O'Connell?"

Speaker McPike: "Representative O'Connell. Representative Braun, did you want to be verified? Representative Braun would like to be verified."

Mays: "Thank you."

Speaker McPike: "Representative Younge would like to be verified."

Mays: "Wyvetter?"

Speaker McPike: "Yes."



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Mays: "Okay."

Speaker McPike: "And...Representative Braun, you wish to vote 'no' and be verified. Thank you. Representative Mautino has returned and he didn't...we (sic-he) should be returned to the Roll Call."

Mays: "Representative O'Connell?"

Speaker McPike: "Representative O'Connell. Remove him from the roll."

Mays: "Representative Laurino?"

Speaker McPike: "Representative Laurino. Representative Laurino. Remove him from the roll."

Mays: "Representative Satterthwaite?"

Speaker McPike: "Representative Satterthwaite is right here. Representative O'Connell has returned. Return him to the roll, Mr. Clerk."

Mays: "Representative Richmond?"

Speaker McPike: "Representative Richmond. Remove him from the roll."

Mays: "Representative Christensen?"

Speaker McPike: "Representative Christensen should not be voting. He's an excused absence."

Mays: "Excuse me, Mr. Speaker. Representative DeLeo?"

Speaker McPike: "Representative DeLeo. Remove him from the roll."

Mays: "Representative Novak?"

Speaker McPike: "What was that last one?"

Mays: "Novak."

Speaker McPike: "Representative Novak. Remove him from the roll."

Mays: "Representative Bugielski?"

Speaker McPike: "Representative Huff would like to vote 'no'. Representative Bugielski. Remove him from the roll."

Mays: "Representative Jones?"

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Speaker McPike: "Representative Jones. Remove her from the roll."

Mays: "Representative Preston?"

Speaker McPike: "Representative Preston. Remove him from the roll."

Mays: "No further questions."

Speaker McPike: "Representative Novak has returned. Do you wish...Representative Novak should be voted 'no'. Representative Leverenz?"

Leverenz: "Yes."

Speaker McPike: "Did you request a verification of the affirmative roll?"

Leverenz: "No. But, what I would like, Mr. Speaker, is a copy of this Roll Call to be sure that all the people voting in the negative would have one in their glove compartment so that on their way home, should they have an opportunity to share this information with anyone that might stop and inquire, that we could pull it out very handily and we can proceed and get this over with and get on with the next dastardly Amendment."

Speaker McPike: "Mr. Leverenz, the Clerk will have a Roll Call. You can give a copy to Representative Hannig in front of you. On this Amendment there are 53 'ayes', 44 'nos'. The amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Didrickson and Mays."

Speaker McPike: "Representative Didrickson on Amendment #5."

Didrickson: "Thank you, Mr. Speaker, Members of the House. Amendment #5 is no new money, it just reprioritizes. It takes \$100,000 GRF from the...state troopers travel line and puts it into the MEG Grants line for drug enforcement."

Speaker McPike: "The Lady moves for the adoption of Amendment #5. Representative Leverenz."

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Leverenz: "The Sponsor yield?"

Speaker McPike: "Yes. She will."

Leverenz: "How much money would this take out of the travel line item?"

Didrickson: "\$100,000."

Leverenz: "And it would move it over or just eliminate it?"

Didrickson: "It moves it over into the 'MEGs Grant' line item, the Metropolitan Enforcement Group."

Leverenz: "What is the real underlying reason for this Amendment?"

Didrickson: "Because I, along with...the director of the department, believe in the effectiveness of the MEGs units with regards to drug trafficking."

Leverenz: "How much do they have in their travel line item and you would be taking away 100,000?"

Didrickson: "They have \$804,100."

Leverenz: "This would remove, then, approximately a tenth or one-eighth?"

Didrickson: "Your numbers are correct."

Leverenz: "Which one?"

Didrickson: "About 10 percent."

Leverenz: "What is the feeling of the department on this Amendment?"

Didrickson: "They have not expressed an opinion on this particular Amendment, but I will read to you a letter from the director, Jeremy Margolis, February 19th, 1988, with regards to the effectiveness. He sites...and it was sent to all of us. You should have a copy of this, too. Sites the effectiveness of one particular enforcement group in concert with federal authorities seized approximately 5,000 pounds of cocaine in a single incident, street value about 250,000,000. Goes on to say that he could highlight other achievements in the struggle against drug traffickers and

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it, unfortunately, however, he has had to cut, due to severe revenue short fall, some grants to the MEGs units, but feels very badly about this because he believes that the effectiveness of the MEGs units is extremely important to the operations of state police."

Leverenz: "Well, you indicate that the department has no position on the Amendment at all. There was a conversation...on the floor...did Representative Mays tell you how Mr. Mark Gannar felt about this in expressing the will of the department or the feelings of the department? He didn't share this with you?"

Didrickson: "Representative Leverenz, this is something different, totally different."

Leverenz: "Oh no it isn't. Mr. Speaker, to the Amendment, the Amendment would seek to cut \$100,000 in the state troopers travel line item which would devastate certain movements of the state police, specifically, may do great damage to the executive security group and that is what the Amendment was even talked about. And I would do whatever we have to do to resist the Amendment and would ask those on the other side of the aisle to look at this one with great care before they do great damage. I would ask for your 'no' vote."

Speaker McPike: "Representative Goforth."

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

Speaker McPike: "Yes, she will."

Goforth: "Representative...what is the...really the intent of this Amendment?"

Didrickson: "The intent is strictly to put \$100,000 of money into the MEG units which are probably one of the most effective drug trafficking...units that we've got in terms of eliminating some of the problems we have in the State of Illinois. It has nothing to do with anything other than my

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belief and the belief of a lot of people in the State of Illinois that if you really want to go after drug trafficking, you're going to put more money into the MEGS units versus less and I think it's a matter of priorities. My priority isn't \$804,100 for executive security travel, okay? My priority is to take \$100,000 out of that line item and put it where it really is going to be put to good use for the people of the State of Illinois, the MEGS units."

Goforth: "Representative, do you know how many troopers are assigned to executive people in the state?"

Didrickson: "About 50 to 60."

Goforth: "Which departments are they assigned to? Is that all out of the Governor's office?"

Didrickson: "No. No, it's not."

Goforth: "Do you know who else they're assigned to?"

Didrickson: "Yes, I do."

Goforth: "Could you give the...this General Assembly some of that information?"

Didrickson: "They're assigned to the Lieutenant Governor, they're assigned to Secretary of State, they're assigned to the Comptroller, the Attorney General, and others."

Goforth: "What others?"

Didrickson: "I'd be glad to share that information later with you."

Goforth: "Well, it's come to my information that some people in the General Assembly have security. Is that true, or not?"

Didrickson: "My understanding is that your information is correct. However, my real interest here is to put \$100,000 into the MEGS unit line item and I happen to think that the executive security travel line item is one that we have some flexibility on. You, perhaps, share the same opinion."

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Goforth: "Okay, thank you."

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I simply rise in support of the Lady's Amendment. She's been sincerely trying all year to find some additional dollars to put into what has become one of the most effective drug enforcement units in the country, the MEGs groups that we have here in Illinois. And she's been sincerely looking at this and we just felt that...looking at the troopers travel lines, we could have a little bit less there and a little bit more in MEGs and I think that's the kind of priorities that the General Assembly ought to be making so we offer this in sincere...in sincerity and I rise in support of the Lady's Amendment."

Speaker McPike: "Representative Didrickson to close."

Didrickson: "Thank you, Mr. Speaker, Members of the House. Unfortunately, Representative Leverenz and I, I thought, had some agreement on this and we don't. Rather than get into some partisan bickering, here, I think we ought to look at what the real Amendment does and it just transfers out of executive security travel line item for a better cause, a better cause and a better reason, the kids in the State of Illinois and to the MEGs units. And as you know, the MEGs units are the most effective force, it is appearing, that we have in order to fight drug abuse in the State of Illinois. For example, I'm just going to give you the 1987 report with regards to arrest and convictions. There were 1,369 arrests made by the MEGs units and that turned into 860 convictions. If you can find a better place to put \$100,000 versus this particular line item and this transfer, I'd be glad to work with you. I think a 'yes' vote is the only vote in this and I ask for a Roll Call vote because, Representative Leverenz, I think this

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one also would be a very good Roll Call vote to keep."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this...Amendment there are 73 'ayes', and 42 'nos', the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 3201, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of the State Police. Third Reading of the Bill."

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the operations budget for the Department of State Police. We've fine tuned it but basically left it at the same level as it was reported out of committee. We will spend around \$172,000...or \$172,000,000 for the operation of the state police for fiscal '89. I move for its passage."

Speaker McPike: "Any discussion? Question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 116 'ayes', no 'nays'. House Bill 3201 having received the Constitutional Majority is hereby declared passed. House Bill 3207, Representative Mays. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3207, a Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Arts Council. This Bill has been read a second time previously. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

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Clerk O'Brien: "No Motions filed relating to Committee Amendment #1."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Amendments 2 and 3 lost in committee. Floor Amendment #4, offered by Representative Mays. Four offered by Representative Mays."

Speaker McPike: "Representative Mays."

Mays: "I would like to withdraw Amendments #4 and 5, please."

Speaker McPike: "The Gentleman withdraws Amendment #4, the Gentleman withdraws Amendment #5. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6 offered by Representative Peterson."

Speaker McPike: "Representative Peterson."

Peterson: "Mr. Speaker, withdraw Amendment #6."

Speaker McPike: "Gentleman withdraws Amendment #6, further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 3207, a Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Arts Council. Third Reading of the Bill."

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. This is the operations budget for the Illinois Arts Council. It is basically going to go out of the House at the committee level and I would move for its passage."

Speaker McPike: "Is there any discussion? Being none the question is, 'Shall House Bill 3207 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 110 'ayes', 3 'nos' and 3 voting 'present'. House Bill 3207, having received the Constitutional Majority is hereby declared passed. House Bill 3782,



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Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3782, a Bill for an Act making certain appropriations. Second Reading of the Bill. No Committee Amendments. This Bill has been read a second time previously."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "House Bill 3782, a Bill for an Act making certain appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Leverenz."

Leverenz: "I thank you. Mr. Speaker at this time I would now move that we would extend the deadline on this Bill to the date of June 30th."

Speaker McPike: "Could you state the Motion again Representative Leverenz?"

Leverenz: "At this time I would move that the deadline for this particular Bill would be extended to June 30."

Speaker McPike: "The Gentleman moves that the deadline on House Bill 3782 be extended until June 30th, 1988. Is there any discussion? Is there any opposition? Hearing none the Attendance Roll Call will be used and the Gentleman's Motion carries. House Bill 3783, Representative Tate. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3783, a Bill for an Act making certain appropriations. Second Reading of the Bill. This Bill's been read a second time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "House Bill 3782..."

Speaker McPike: "Eighty-three, 3783."

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Clerk O'Brien: "...3783, a Bill for an Act making certain appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to move to extend the deadline to June 30th on this Bill."

Speaker McPike: "Gentleman moves to extend the deadline on House Bill 3783 until June 30th, 1988. Any discussion? Is there any opposition? Hearing none the Attendance Roll Call will be used. Attendance Roll Call will be used. The Gentleman's Motion carries. House Bill 3846, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3846, a Bill for an Act to amend the General Obligation Bond Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Floor Amendment #2 eliminates the provision of the Bill authorizing the Governor and the Bureau of the Budget Director to sell variable rate government obligation bonds. Also eliminates the provision authorizing the Governor and the Director to sell GO bonds by private negotiated sale. Currently such bonds may only be sold by public sale."

Speaker McPike: "You have heard the Amendment. Any discussion? Being none the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

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Clerk O'Brien: "Floor Amendment #3, offered by Representative Ewing, Mays and Tate."

Speaker McPike: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I believe this Amendment is agreed to. It removes provisions of the Bill which makes newspaper advertising of notice of any GO bond sale discretionary. Currently notice of such sales is required to be published in at least two daily newspapers, one of which is published in Chicago and one of which is published in Springfield. And I would ask for the adoption of the Amendment."

Speaker McPike: "Is there any discussion? Question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Piel."

Speaker McPike: "Representative Piel. Is Representative Piel here? Representative Mays you want to handle that?"

Mays: "Well, yes, I'd love...I'd like to handle that with leave of the Body."

Speaker McPike: "Does the Gentleman have leave? Proceed."

Mays: "This is another Agreed Amendment which would eliminate the provisions which would authorize the Governor and the Bureau of the Budget to reallocate any or all the unspent GO bonds without approval from the General Assembly, I would move its adoption."

Speaker McPike: "The Gentleman moves the adoption of Amendment #4. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Piel and Ewing."

Speaker McPike: "Representative Ewing."

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Ewing: "Mr. Speaker, this Amendment #5 is also an Agreed Amendment, to the best of my knowledge. It eliminates provisions of the Bill which requires that investment income earned from the Build Illinois Bond Fund as well as the various GO Bond Fund categories be deposited in their respective funds and I would ask for its adoption (sic-adoption). "

Speaker McPike: "Is there any discussion? Question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Representative Ewing, Mays and Barnes."

Speaker McPike: "Representative Ewing."

Ewing: "I move to withdraw this Amendment."

Speaker McPike: "The Gentleman withdraws Amendment #6. Further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Representative McPike."

Speaker McPike: "Representative Leverenz."

Leverenz: "Withdraw."

Speaker McPike: "Gentleman withdraws Amendment #7. Further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representative McPike, Leverenz."

Speaker McPike: "Representative Leverenz."

Leverenz: "This would add ten million dollars for the Waste Water Treatment Facilities Act. I would ask for your support to adopt this Amendment."

Speaker McPike: "Is there any discussion? Being none, the question is, 'Shall Amendment #8 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendments adopted. Further Amendments?"

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Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Leverenz. Mr. Clerk read the Bill."

Clerk Leone: "House Bill 3846, a Bill for an Act to amend the General Obligation Bond Act. Third Reading of the Bill."

Speaker McPike: "Representative Leverenz."

Leverenz: "This is the Bond Authorization Bill now containing 767,100,000. I would ask for your 'aye' vote to pass the Bill."

Speaker McPike: "Any discussion? Question is, 'Shall House Bill 3846 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 110 'ayes', no 'nays', 3 voting 'present'. House Bill 3846 having received the Constitutional Majority is hereby declared passed. House Bill 3984, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3984, a Bill for an Act making certain appropriations. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

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

Clerk Leone: "House Bill 3984, a Bill for an Act making certain appropriations. Third Reading of the Bill."

Speaker McPike: "Representative Bowman."

Bowman: "Mr. Speaker, I ask leave of the House to table this Bill."

Speaker McPike: "After all this?"

Bowman: "Hey, you could have called on me first, and I would have saved everyone the trouble."

Speaker McPike: "The Gentleman moves to table House Bill 3984. Representative Bowman."

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Bowman: "Yes, to save some additional agony, I also ask leave of the House to table 3985, and 4278, both of which are Appropriation Bills, both of which I am the Chief Sponsor."

Speaker McPike: "Motion is to table, House Bill 3984, 3985, and 4278. Is there any opposition to that Motion? Being none the Attendance Roll Call will be used. The Motion carries, the Bills are tabled. Anyone else have any Bills they would like to table? Special Order of Health and Safety. We're going to Second Reading...Bills on Second Reading in this category first. House Bill 3026, Representative Stern. Out of the record. House Bill 3098, Representative Currie. Out of the record. House Bill 3254, Representative Tate...3254. Some indication to the Chair as to whether or not you would like to call it. No? It was a no. Out of the record. House Bill 3394, Representative Pullen. Read the Bill. Read the Bill, Representative Pullen you want this?"

Clerk Leone: "House Bill 3394, a Bill for an Act to amend an Act relating to the prevention of certain communicable diseases. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3695, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3695, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendment #2 was adopted previously."

Speaker McPike: "Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Representative Breslin, there is a request for a

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fiscal note has been filed. Representative Breslin."

Breslin: "I move that the Fiscal Note Act does not apply."

Speaker McPike: "Lady moves that the Fiscal Note Act does not apply. Request for a fiscal note was filed by Representative Cullerton. The Lady moves that that does not apply to this Bill. Representative McCracken."

McCracken: "I just assumed I had filed it so I was going to ask why you wanted to take it off. But I guess I don't care."

Speaker McPike: "You've heard the Ladies Motion. Is there any discussion? Is there any objections? Hearing none the Attendance Roll Call will be used. Objections? Question is, 'Does the Fiscal Note Act apply to House Bill 3695?' All those in favor of the Ladies Motion vote 'aye', all opposed vote 'no'. Representative Young to explain his vote."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would think the fiscal note is applicable in this Bill simply because if the Bill passes, in the City of Chicago all AIDS patients would wind up going to Cook County Hospital, because they'll be allowed not to go to private facilities. I think it's a little late now because most people don't really know what this Bill does. But I would urge a 'no' vote, so we can get an estimate of how many people will be forced onto public facilities."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 86 'ayes', 28 'nos' and the Motion carries. Third Reading. House Bill 3780, Representative Homer. Representative Homer, do you want this Bill called? Yes or No? Representative Homer. Representative Homer. Representative Homer. Yes or No? Thank you. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3780, a Bill for an Act in relationship

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to the Department of Nuclear Safety. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Amendment #2 was ruled nongermane. Next Amendment is Floor Amendment #3, offered by Representative Giglio."

Speaker McPike: "Representative Giglio. Representative Giglio. Representative Homer."

Homer: "Thank you, Mr. Speaker. I understand that Representative Giglio is predisposed at this time. In accommodation to him I would ask leave to handle the Amendments on his behalf."

Speaker McPike: "Does the Gentleman have leave? Proceed, Representative Homer, with the Amendment."

Homer: "Amendment #3 is a very brief Amendment, it simply changes the title of the Bill to an Act in relation to radon gas, radon gas detection and consumer protection. Ask for the adoption of the Amendment."

Speaker McPike: "Gentleman moves for the adoption of the Amendment. Any discussion? Question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Giglio."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Speaker. I'd ask to withdraw Amendment 4."

Speaker McPike: "Gentleman withdraws Amendment #4. Further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Giglio."

Speaker McPike: "Representative Homer."

Homer: "Amendment #5, Mr. Speaker, would amend the Travel Promotion Consumer Protection Act. To change the



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definition of travel promoter and to provide that a travel promoter is not a person acting as an agent for a travel promoter so as to obviate the necessity for the agent of a travel promoter to also obtain bonds under the Travel Promotion Consumer Protection Act. I ask for your support of the Amendment."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 4191, Representative Phelps. Representative Phelps. Out of the record. House Bill 4205, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4205, a Bill for an Act to amend the Abused and Neglected Child Report Act. Second Reading of the Bill. To House Bill 4205, there are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker McPike: "Third Reading. The Chair's error, the Bill will be returned to Second Reading, a fiscal note has been requested and none has been filed, so the Bill will be left on Second Reading. Special Order of Business, House Bills Third Reading. House Bill 741, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 13 of the Calendar..."

Speaker McPike: "Representative Homer, did you wish to speak?"

Homer: "Thank you, a point of inquiry, the Chair's announcement with respect to the Bill which did not have the fiscal note filed, what Bill was the Chair referring to?"

Speaker McPike: "House Bill 4205."

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Homer: "Alright, thank you."

Speaker McPike: "Proceed, Mr. Clerk."

Clerk Leone: "House Bill 741, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There is one area within the subject matter of AIDS that there is very general agreement on, and that is that it is cheaper to treat an AIDS patient in a nursing home setting, in terms of long term care, than simply to have that patient in the hospital. And currently there are several hundred AIDS patients who qualify for public aid, who are being paid for by the State of Illinois at the cost of approximately six hundred dollars a day in the hospital. What House Bill 741 does is provides a cheaper alternative and one that many, many other states have gone to, and that is the alternative of long term care, for PWAs. This legislation simply authorizes the Department of Public Aid to negotiate reimbursement rates with long term care providers in the same way that is done now with respect to other kinds of nursing home patients who need special care. It's a unique Bill in that it...we have the costs now, this will save costs...save money it is something that everybody thinks makes an awful lot of sense. And if you look at the sponsorship of this Bill you see a unique coalition supporting passage of House Bill 741."

Speaker McPike: "Any discussion? Being none the question is, 'Shall House Bill 741 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Pullen to explain her vote."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House. I regret that I think there has been some confusion about this Bill. The Gentleman has worked to correct problems

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with the Bill that were there when it was originally introduced, I think that to a large degree it is now an Agreed Bill. And my personal position is that I believe that it is an appropriate measure for the State of Illinois to provide appropriate care for AIDS patients who cannot pay for their own care in those limited circumstances where they cannot. I think this is a good Bill for the taxpayers, and that we should pass it."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 90 'ayes', 18 'nos', 4 voting 'present'. House Bill 741 having received the Constitutional Majority is hereby declared passed. We skipped over House Bill 4191, Gentleman has returned to the chamber. House Bill 4191, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4191, a Bill for an Act in relation to the powers and duties of certain state agencies. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Ropp."

Ropp: "Amendment #1, I would like to withdraw, please."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. A year ago we passed legislation dealing with all-terrain vehicles. It was an Agreed Bill, everyone was very much in support of it. The Bill goes into effect this coming October 1, 1988. A number of people who felt that they were not a part of a process finally read the Bill, and said there needed to be

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some changes. We have in effect addressed those changes in Amendment #2, putting some restrictions on those people who would be in a position as youngsters to ride it, and we are attempting to answer their problems in this Amendment. Establishing certain procedures, establishing certain areas and people that are exempt from being registered and I think there is an attempt on behalf of the Sponsor that in all good intentions is attempting to address his concerns from constituents. I have in fact with this Amendment provided the answers to the questions that people have had relative to this Bill. And because the Federal Government has in fact, literally, stopped the sale of any three wheel all-terrain vehicle, because of the hazard piece of equipment that it is. It is in my judgement that we should respond and to allow this Bill to go into effect in 1988, October 1, with the necessary Amendments that we have made rather than to allow another year to go by and allow any number of young people to either be fatally injured, drastically hurt, and possibly for life, have severe injuries and so I urge your support of this Amendment and would be happy to answer any questions that you might have."

Speaker McPike: "Representative Weaver on the Amendment."

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

Speaker McPike: "Yes."

Weaver: "Representative Ropp."

Ropp: "Yes, Sir."

Weaver: "I don't happen to have a copy of your Second Amendment. Is it similar in nature to the Amendment #1?"

Ropp: "No. Well, the difference is that in number one it stated that the Department of Conservation would be the ones who would minister the safety program. That was never the agreement, that was never my intent anyway. In last years

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Bill of 612 the Department of Transportation was the agency that was to provide the training program which is very helpful in motorcycles today and it was only fitting that they should implement the ATV training program. And so that portion is changed in Amendment #2."

Weaver: "So Amendment #2, does not deal at all with people riding ATVs on their own property?"

Ropp: "Oh, yes it does. Yeah. Because that was in number one, too. The major change in number two is that we have restored the Department of Transportation as the agency to implement the training program and we've also stated that no person under 8 will be allowed to drive or ride it, and from 8 to 14 you had to have the safety program. That is already...that's the new provision in Amendment #2, and Amendment 2 included the same provision that said if you are a farmer or a leasor or a landowner; or your family, you would be exempt and could drive on your own property."

Weaver: "Does it also exempt those who are riding in competition?"

Ropp: "I think so..."

Weaver: "The reason I ask is part of the original statute deals with requirements of headlights and you don't really want glass..."

Ropp: "No we don't deal with headlights."

Weaver: "Well, the original statute as was passed last year, unless this exempts competition bikes from..."

Ropp: "Yes, it does exempt."

Weaver: "It does exempt. Okay, super. Thank you."

Speaker McPike: "Representative Pedersen."

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

Speaker McPike: "Yes, he will."

Pedersen: "Representative, in your Amendment you note that this Amendment would prohibit individuals under 8 years of age from operating all-terrain vehicles. Why not sixteen?"

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Eight years old? Your going to let kids nine years old ride these things around even on their own property after all the injuries and all the problems that have accumulated from ATVs?"

Ropp: "I understand your concern. I had a call from an individual I believe in Indiana who was the president of some all-terrain vehicle competition, stating that in the State of Illinois we do have a number of state and nationally functioned races where young people of this age competed, and he felt that this as we had proposed before would eliminate those contests which they felt were safe and adequately run. So we have placed in there the age of 10 and that the training should be from 8 until 14."

Pedersen: "Alright, but this...you know personally, I don't think kids should even be riding these in competition. But another question Representative, you state that the Department of Transportation would run safety courses and charge thirty dollars per student. Is this an initiative of the Department of Transportation?"

Ropp: "This is an agreement that we had last year with the Department of Transportation."

Pedersen: "They still support this training for nine year olds and up?"

Ropp: "To the best of my knowledge that's true, yes."

Pedersen: "Thank you, Representative. Mr. Speaker, to the Amendment. I think all of us have read all the horror stories about ATVs. Personally, I think they should be banned. I know the construction of these vehicles has been stopped by the Federal Government. I think a 'no' vote is an appropriate vote on this Amendment. Thank you."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Speaker. A question for the Sponsor."

Speaker McPike: "Yes."

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Homer: "Representative Ropp, did you have a Bill in Transportation Committee that did what this Amendment 2 purports to do?"

Ropp: "I had a Bill that is true, it was assigned along with other all-terrain vehicle Bills to a subcommittee which I understand never had enough Members to even meet."

Homer: "So there were a total of about five Bills, that would have...Did you have a further response?"

Ropp: "I stand corrected, I thought my Bill got out and...as I understand it, it was killed in rules, but I didn't recall that that was the case. The situation is somewhat interesting, that about three or four Bills of ATV consideration got assigned to the Department (sic-Committee) of Transportation. This particular Bill went to environment, that also deals with ATV so there's a little interest here."

Homer: "Mr. Speaker, to the Amendment."

Speaker McPike: "Yes, proceed."

Homer: "The background of this is that a year ago, Representative Ropp handled the Bill that established the legislation for all-terrain vehicles. And that Bill did pass, it went back and forth and ultimately a Conference Committee was approved, it went to the Governor and the Governor signed the Bill. It had an unusual effective date, the effective date was not until October 1st, of 1988, and so I don't know about you but when I went home I didn't really hear from any of my constituents about it, even though it had passed into law, until this year. And in the past month or so, all of a sudden I start getting letters and phone calls from people upset about the passage of that Bill last year. And there really, to my recall, wasn't a great deal of debate or discussion about it at least that I was aware of last year, and now when these people are made aware that it

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was becoming effective shortly, all of a sudden they were getting interest and getting input into the process. So as a result Representative Phelps introduced House Bill 4191 and it's a very simple Bill all it says is that let's extend the effective date another year until October 1, of '89, so that we have time now that all of the input's coming in finally, that we have time to reflect on what we have done and to refine the Bill and put it in good working order. And five people apparently introduced Bills to give their version of the way the ATV legislation should be amended. Representative Ropp did that as well. Now he seeks to impose his version on Representative Phelps Bill that wants to extend the deadline. I don't think that's probably the best procedure, because the Transportation Committee set up a subcommittee in order to put those Bills in a working subcommittee hopefully that between now and next year, now that the input is in we can review and reflect upon the legislation and try to come up with a good solid consensus approach. I don't think the correct way is to circumvent that committee hearing process by using one of those five approaches putting it on Representative Phelps' Bill which is certainly hostile to the Sponsor's intent. So I would ask that you at this time reject Representative Ropp's Amendment...not on the merits because perhaps it has some good points to it, but simply in order to let the process flow in a smooth orderly way keep this Bill as it is simply extending the effective date and that way by next year hopefully we can come up with some good consensus type of language to put into such a Bill. So I would recommend a 'no' vote on the Amendment. I would ask for a Roll Call and thank you for your consideration."

Speaker McPike: "Representative Phelps."

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



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House. Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Phelps: "Representative Ropp, do you recall last year a similar position that myself and possibly many others had with their version of what an All-Terrain Vehicle Act should reflect, that also got either hung up in rules or placed in subcommittee with exception of yours that became law. Do you recall that?"

Ropp: "I think there were several ideas relative to this particular issue. Yes."

Phelps: "Well, the reason I ask you that question, I don't want you to feel like you're the only mistreated one around here. Or feel lone ranger or something; but the Amendment, Representative Ropp, would really gut the Bill and I've talked to you about it does not do what I recommend to do. And I feel that in fairness to the other people who had their versions, as Representative Homer mentioned would really feel like that you've got upperhand in trying to use my Bill, that completely makes a different direction out of the intent and I wish you would withdraw the Amendment because we want to take in consideration all versions, all recommendations that are flooding all of us by mail and I know that you're very sincere in your effort and I'll try to work with you but let's give it a little time to hash it over."

Speaker McPike: "Yeah, Mr. Ropp, do you want to withdraw the Amendment?"

Ropp: "No."

Speaker McPike: "Mr....Representative Granberg."

Granberg: "Will the Sponsor yield?"

Speaker McPike: "He indicates he will."

Granberg: "Representative Ropp, was the multistate lottery attached to this Bill last year?"

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Ropp: "Yes."

Granberg: "Do you think that's one of the reasons it flew out without serious consideration to the ATV aspect?"

Ropp: "I don't think so because I didn't spend any time on the multistate lottery, it just got whipped on there. We spent more time in working out with a variety of people the interest that we had about safety for use of the all-terrain vehicle."

Granberg: "Thank you. To the Amendment, I would urge the Members of the General Assembly to vote against this Amendment. I like Representative Ropp, had a Bill in to deal with the ATV legislation this Session. My Bill like Representative Ropp's was put in subcommittee. My Bill like Representative Ropp's did not come out of subcommittee. I do not choose to use Representative Phelps to try to Amend his Bill to reflect what I wanted to do. I asked Representative Phelps if I could Sponsor...Cosponsor his Bill so we could work out our interest and our concerns over the course of this year. And I think that's the appropriate way to do it. I don't want to force my ideas on Representative Phelps' Bill and I think as a Sponsor, Representative Phelps should be given that privilege, so I would urge all the Members of this General Assembly to reject this Amendment."

Speaker McPike: "Representative Ropp, to close."

Ropp: "Thank you, Mr. Speaker, Members of the House. I have not in any way not talked with Representative Phelps about this. I think the concern is a deep one and if your gonna vote 'no' don't vote 'no' because of any particular concerns that you have for somewhat the procedure that we're talking about. I think you would want to support this Amendment for what it attempts to do. It attempts to establish a training program for young people who are

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wanting to drive all-terrain vehicles. These are dangerous pieces of equipment. If you vote 'no' because you don't want to even have young people to get on an all-terrain vehicle, you are actually saying that we support allowing them to ride these monsters of the midway, and without any adequate training. And I think that by supporting the Bill in its present form without this Amendment you are allowing one more year to pass where these young people will have that opportunity of not having the training and ultimately you're gonna see a lot of young people who will be killed, who will be hurt and injured for life. I just think that it...we can still even after the effective date of this Bill going into effect October 1, continue to refine and to adjust it. I just think that because we have operated working on all-terrain vehicles for about three years we should not just now extend it one more year. To me the lives of these young people are more valuable and more important and this is the beginning process. To help train those people, to provide those people who want to ride all-terrain vehicles with areas in which they can in fact have adequate grounds, adequate trails to really ride them in Illinois. Because we do not have those kind of facilities. I urge your support of this, and I certainly think that it is in the best interest of safety allowing young people to learn and to be adequately trained and that's what this Amendment does. I urge your support."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'nos' have it and the Amendment's defeated. You really want a Roll Call on that Representative Ropp? The question is, 'Shall the Amendment be adopted?' All those in favor vote 'aye', opposed vote 'no'. Would you like to explain your vote Representative Ropp?"

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Ropp: "I would be very happy to."

Speaker McPike: "Proceed."

Ropp: "Mr. Speaker and Members of the House. It's my judgement that the lives of young people are more important than delaying this process for a year. And I would hate to think that during the course of the next twelve months beginning October 1, for all those young people who are severely injured or even killed I can...you can say it's because I voted 'no' on this Amendment."

Speaker McPike: "Representative Hallock to explain his vote."

Hallock: "I would like to explain Representative Ropp's vote also but he did it for himself, so we'll let it go."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker...anybody with that few friends needs some executive security."

Speaker McPike: "Have all voted? Representative Phelps."

Phelps: "Thank you, Mr. Speaker, just real quickly and I appreciate the support. In all due consideration to Representative Ropp, the only thing I would agree with him that we all really would really feel bad if anyone gets hurt or killed during this course of time that we've delayed it. But I feel that the quality of the Bill that we'll turn out will save more lives in the long run."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment there are 15 'ayes' and 96 'nos', the Amendment is defeated. Further Amendments?"

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

Speaker McPike: "Representative Kubik."

Kubik: "Mr. Speaker, withdraw Amendment."

Speaker McPike: "The Gentleman withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Representative Kubik."

Kubik: "Withdraw."

Speaker McPike: "Gentleman withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Kubik."

Kubik: "Withdraw."

Speaker McPike: "Gentleman withdraws that Amendment also. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3003, Representative Martinez. Representative Martinez here? Out of the record. House Bill 3111, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3111, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Occasionally, this Body passes a Bill that at the time we thought was a good Bill and without realizing what some of the ramifications are and who is affected and who has to pay for the cost of the legislation we pass. This is true with respect to the Bill we passed yesterday...last year, to require anybody getting married in the State of Illinois to have an AIDS test. And I don't know about you but I've heard from an awful lot of people in all parts of the state, people on the northwest side of Chicago, people downstate that are mad as hell about the additional cost that this requirement has imposed. The cost of an

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individual couple getting married under this legislation that we passed last year can be in excess of two hundred and fifty dollars. And the result has been that many, many people who wanted to get married in the State of Illinois have gone outside of the state in order to get married. If you look at the figures for example for Kenosha County, Wisconsin in January of 1987 there were 2 Illinois residents who got married in Kenosha, this year there were 18; in February in '87 there were 5, this year there were 126; in March of 87, there were 7, this March there were 100. And if you look as well at the figures in the counties of Cook, Lake, McHenry, and the other counties around the state you find that there is a very substantial reduction in the number of people getting married in those counties. In Cook in the month of January there was a 58 percent reduction, in Lake there was a 46 percent reduction, in McHenry there was a reduction down to 39 percent. We occasionally do make a mistake and we have the opportunity in House Bill 3111, to correct that mistake. That legislation provided for the testing of anybody who would get married in the State of Illinois. What the professionals have told us is that this is the wrong population to be tested in terms of AIDS. This is the population least likely to get the disease. And the result is what we have seen in the three months...the first three months of the year were 12,000 people got married and were required to take the test there were 3 cases that were uncovered of AIDS. So each individual got married, each individual couple had to pay up to two hundred and fifty dollars as a tax to find three people who had this disease. And what I have heard from many, many people all over the state is they think this is unfair. There are only two states in the country that passed marriage test

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requirements, Illinois and Louisiana. And in Louisiana they have gone the route of repeal, even the Sponsor of the Bill that established the marriage testing in Louisiana has said they made a mistake because people are not getting married in Louisiana the same way that they are not getting married here. We hear from the health departments, we hear from the Clerk's Office that there have been some very adverse consequences in the marriage testing. This legislation represents a compromise in terms of the marriage testing issue. It would repeal the mandate in the law for marriage testing, but it would give the Director of the Department of Public Health the authority in his discretion by rule to reestablish the requirement if he deems it to be medically justified. This legislation I think is something which is a Bill that an awful lot of people would like to see passed. It removes what is in effect a major tax on marriage and I would encourage the passage of House Bill 3111."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3111, and on that question the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like the House to really think about what is being proposed here. This Bill repeals premarital AIDS testing and it repeals the long standing premarital syphilis testing in this state. I can tell you that there is nothing about the AIDS epidemic that has got better during the last year. In fact, it has indeed got worse. This House last year decided by an overwhelming vote that it was appropriate to require premarital AIDS testing because this is a deadly virus, it is transmitted sexually and because the length of time when a person shows no symptoms but is just as infectious as if they are obviously

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ill, is several years. In fact, Ladies and Gentlemen in December the National Academy of Sciences testified that the length of time between diagnosis, excuse me, between infection and diagnosis is now believed to be at least eight years. During most of that time a person who is infected is not showing obvious symptoms or feeling ill. This is a different virus from that which has previously been known to man. We are accustomed to viruses, to infections that become apparent immediately, that can be treated, that are not all that difficult to manage. This virus though larks and can be spread during many, many years while a person does not feel or appear ill. It is of some comfort I think for Illinois that we have not yet seen a great many people found infected under this law, but I think it would be foolish for us to assume that this epidemic is static because the very nature of an epidemic indicates it is not static. There are difficulties involving costs. Many of those difficulties have to do with lack of correct information because there are labs in Illinois that are charging very reasonable fees for premarital AIDS testing and there are some that are charging unreasonable fees. It seems that whenever this issue is discussed in the major news media they always pick up on the unreasonable numbers and never tell the people almost never tell the people, where they can go to comply with this law in a cost effective manner. That is not the fault of the law or of the fact that we require this. One of the reasons that the Governor approved of premarital testing last year was that he hoped by this to prevent the unknowing conception of children who would be infected with this dreadful disease. That I think is an important reason to keep this law on the books. I personally think that it's also important to prevent even just the spouse from



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becoming infected with this dreadful disease. What we're talking about is a situation where two people in getting married can share something that will kill both of them, without their knowing about it, if indeed they are not tested before their marriage license is issued. I believe that the cost problems can easily be solved if the Department of Public Health in this state wants premarital testing to work. I question whether that is the case in terms of our Director of Public Health. But there are ways in which he could be sure that this important test is provided to people at reasonable costs and he should be pursuing those ways because this is the law of the State of Illinois. Perhaps the House should know about some recent studies which have not yet been published but which have come to my attention, that indicate where this epidemic is going. In New York City, a recent study has been done among homeless youth at a shelter where the medical director decided to find out how many of these homeless youth who seem to be perfectly healthy and felt perfectly healthy were carrying the AIDS virus, because of their life style before they came to the shelter. And in testing 45, fourteen to nineteen year old kids of both sexes, he found that 42 percent of them were carrying the AIDS virus, although they seemed to be perfectly healthy. The recent military recruit data shows that among seventeen year old female applicants for military service they have twice the infection rate as seventeen year old male applicants for military service. I'd like you to think about the implications of that and the reason that they found out about this was because they tested them, they did not appear to be ill. And here in Illinois our Department of Alcoholism and Substance Abuse is conducting some infection studies to try to determine how many people who are

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intravenous drug abusers, some of whom do get married you know and have kids, how many of these people might be infected. At one of the major drug treatment centers in Chicago the preliminary figures after just two months, so they cannot be considered conclusive and they haven't been published, but they are indicative I believe, one of the major drug treatment centers in Chicago, the infection rate among those clients was 60 percent. The problems that we've all heard about on the two coasts are coming home to Illinois. We do have the advantage that this Legislature has begun to work against the AIDS virus unlike Legislatures on the two coasts. I implore you do not take a step backward. Do not indicate to the other states that AIDS isn't the problem we thought it was a year ago. That would be the most disastrous thing that we could do for the young people in this state, for the families in this state and for the future of this state. Please vote 'no' on this perhaps well meaning but very ill conceived and dangerous Bill. Thank you."

Speaker Breslin: "The Lady from Lake, Representative Stern."

Stern: "Madam Speaker and Members of the House. I have in my hand a cartoon which appeared in the Waukegan News Sun a few weeks ago. Which talks about Springtime in Illinois, the time for weddings taking place mainly in neighboring states. This is what is happening in Lake County, this is what is happening in other counties that are on the borders. Couples in order to avoid both the expense and the anxiety that's generated out of false positive tests for AIDS are going to Indiana, to Wisconsin, to Iowa for their marriage licenses. The ball team...the football team in maybe it's a baseball team, what do I know sorry, the Kenosha Twins had an ad in our local paper saying you bring the bride we'll provide the diamond and they had group

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weddings, in Kenosha, of Illinois couples crossing the border to be married there. Now I suggest to you that it is a counterproductive law which drives our residents out of state in order to avoid complying. The Representative who just spoke gave us a series of alarming statistics from studies which she acknowledged were inconclusive and unconfirmed. I find this somewhat anxiety making myself, that there should be studies known only to that Representative and that have not been published. This particular Bill which we are contemplating now is different from the straight repealed Bill. This is a compromise, and I urge you to examine it in that light. This does not say we will not have any premarital AIDS test in Illinois anymore. What it says is the mandate is repealed and the Director of Public Health can at his infinite wisdom decide if it should be reinstated. As to the statement about protecting the unborn children, in approximately ninety percent of the cases of babies born with AIDS, and I would agree with the Representative that this is the most tragic and searing aspect of this epidemic, in ninety percent of those cases the children are born to unwed drug abusing mothers. You are not going to reach that kind of an individual with a premarital AIDS test. I urge you to support this legislation; it is rational, it is sensible, it is nonhysterical. It grieves me to see Illinois become the laughingstock of the public health community in the United States. This is a sensible Bill and a sensible way to approach what is an alarming situation. I urge your 'aye' vote on Representative Levin's Bill."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Levin, could I ask you a few questions?"

Speaker Breslin: "Proceed."

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Johnson: "One of the points you made was the large outpouring of sentiment you have in opposition to current law from downstate...downstaters who are really upset about this Bill. How many letters and calls has your office received from outside the city of Chicago, all the downstate legions who are so upset about this Bill? How...what's the total number of letters and calls you've received wanting to repeal it?"

Speaker Breslin: "Representative Levin."

Levin: "About... between seventy-five and one hundred."

Johnson: "From downstate Illinois?"

Levin: "From downstate Illinois, from outside the Chicago area."

Johnson: "You indicated...you indicated the cost of the program...or cost of the test was two hundred and fifty dollars. I've been married since the first of the year and I had to have an AIDS test, and I think it cost me forty-six or fifty or something like that, it didn't seem horribly burdensome. How...who are the people who have to pay the two hundred and fifty? Nobody I've talked to in my district or in Champaign-Urbana, adjoining my district is upset about it. It's not a whole lot more than the other...the other law."

Levin: "There is a range of cost depending on what laboratories you go to."

Johnson: "How many people of the total number are paying two hundred and fifty dollars?"

Levin: "I do not have that figure. I don't know how many are paying two fifty, I don't know how many are paying you know the amount that you suggested."

Johnson: "There's...you said there had been three cases of AIDS uncovered as a result of this?"

Levin: "My understanding is that there were out of for the months of January, February and March of 12,000 people who were

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tested there were three positive tests."

Johnson: "I assume you'll concede that AIDS is a communicable disease, where one would want to know if one were being exposed to AIDS. Is that correct?"

Levin: "Sure."

Johnson: "And you would also concede I assume that AIDS is in most cases is fatal, it's the kind of thing you don't want to get.

Levin: "And there are other ways, you know, there are other ways..."

Johnson: "Is that correct?"

Levin: "Absolutely."

Johnson: "I presume those three people or those three cases where AIDS was uncovered are relatively happy that we passed this law. I presume their dependents are, too. You know one of the points that Representative Stern and you have both made is apparently marriage is a big industry in Illinois and we're driving business and industry out by this burdensome law. What is the revenue loss that we've experienced in Illinois as a result of the passage of this oppressive Bill? I mean, is it like millions and millions so we won't have to have a tax increase if we repeal this Bill or what is it?"

Levin: "This is money that goes to the counties, which they are losing."

Johnson: "Well, that's what I'm asking the counties. What are we losing? What are the counties losing total? What have they lost so far?"

Levin: "I don't have that figure."

Johnson: "Well, Mr. Speaker, Madam Speaker, I'm sorry, Members of the House. Some of the Sponsors of this Bill, really all of them are friends of mine, well-meaning people. But they're really not too concerned I would suggest about the

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cost to the average testee because in almost every case, I can't speak for all the Sponsors but in almost every case they're the ones who are really upset about Representative Phelps attempt to repeal the thirty-six dollar child support charge that people pay even though they're not delinquent on their child support, and even though it doesn't serve any real purpose in terms of collection, because it didn't have anything to do with delinquency. And that's just about the same cost as one of these AIDS tests. I would suggest that people who viewed or view AIDS as a civil liberties issue or a cottage industry issue, aren't looking at the substance of the issue and that is as a public health matter. Those three people who've had their lives saved as a result of a simple, relatively inexpensive test are people that I'm sure with a number of others and if you multiply that down the line probably thousands of others, who are gonna be saved death and in some cases loss of means of support as a result of a relatively moderate, very moderate approach towards a major serious public health problem. So with all due respects to the Sponsor of the Bill, who I'm sure are sincere in their effort..."

Speaker Breslin: "Bring your remarks to a close please."

Johnson: "...This is a Bill that ought to be defeated. We've taken the forefront nationally in terms of addressing a serious public health problems and I don't see any purpose with no more than...than seventy-five letters from around the state of people that are concerned about it. To save potentially thousands of lives to me it's a relatively small cost, it's one that I personally willingly paid and I would suggest a number of others are willing and able to pay for the long-run benefit to the people of the State of Illinois. Vote 'no'."

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

Currie: "Thank you very much, Madam Speaker and Members of the House. There's no question AIDS is a serious public health problem. What I don't understand about this General Assembly is, why when we face a serious public health problem, we don't listen to the public health experts? The experts are unanimous in telling us that the AIDS blood marriage license test requirement is a waste of money. It is not cost-effective, it is not an efficient way to stem the plague that is the disease of AIDS. Gay men are at substantial risk for AIDS. Gay men do not get married. Drug abusers are at high risk for AIDS, the marriage rates in the drug abusing population are low. The babies that are born with AIDS are born to mothers who never took the walk down the aisle, they are born to people who would never have been tested for AIDS under this provision. The millions of dollars that Illinois citizens will spend on this inefficient requirement this year could be spent to educate people how to avoid contracting the disease. The money that will be spent on this requirement is...is four times as much as we are spending this year to educate youngsters and educate the general public how to prevent the disease from spreading to themselves. That would be an efficient way to spend our money. The marriage license blood test requirement is not. One other state in the nation jumped forward on this issue as did Illinois last year, Louisiana. Louisiana has woken up, Ladies and Gentlemen of the Illinois House of Representatives. Illinois...Louisiana is rushing to repeal because they understand they made a mistake. We're big boys and girls, we can admit it when we've made a mistake. In order to admit this mistake the correct vote on House Bill 3111 is 'yes'."

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Speaker Breslin: "The lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House. I think I rise just for a level of consciousness that I would like to create with the Members of the House. To me it seems like we are becoming involved in a pro-disease society instead of an anti-disease society. We're trying to curb testing for AIDS, we're now stopping or trying to stop the syphilis testing. I have to tell you in our society today with the young people being as promiscuous as they are and if we look at what happens they go to Rush Street, they leave home these days much earlier than they ever left home before. What are we doing? What are we trying to do? Why are we trying to protect an area that is causing an absolute crisis in our country? A crisis, I happen to be a mother, there's a lot of mothers here, a lot of fathers here. I just had a son get married last July, I'll tell you something I wish he was tested for AIDS, only because he has been promiscuous, he's in a life style contrary to what we have known, where we're at and what we're doing. Hey, face it we don't live today the way we lived thirty years ago. It just isn't the fact, life is not the way it is. What we're looking at, we're looking at people going out of the state to get tested...or to have a marriage license test. How many people should get married if they can't pay for that license in the state right now? Why are they fleeing, are they guilty, do they know that they have been promiscuous? I think we better keep this, we better continue to have the testing going on and perhaps you'll help your children and perhaps we're gonna help the future children of tomorrow."

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

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



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Speaker Breslin: "He will."

Younge: "Representative, Representative Pullen said that in your Bill, is a provision to repeal the premarital testing for syphilis also?"

Levin: "That is correct. Just a couple...a few years ago, forty-four states had that same requirement. And what they found, and what is the unanimous view of public health experts is that expense is not finding an incidence of the disease. And so as a result of the forty-four states that had that requirement just a couple of years ago, half of them have repealed it. And so this would repeal...the as well the requirement for the premarital testing for syphilis."

Younge: "To speak to the issue, I was planning to vote with you but I don't think a person can vote for this Bill if that is repealed too."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren. Representative Hultgren do you still wish to speak on this issue?"

Hultgren: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Hultgren: "Representative Levin, I've listened carefully to the remarks you made and the remarks that the other proponents of this legislation made. And frankly I think you make some telling arguments for the repeal of the AIDS licensing, specifically that it doesn't address the...the most vulnerable population and so forth. But if I understand this legislation it goes beyond repeal of the AIDS test to a repeal of other tests, disease tests before marriage. And I'm not sure the same arguments that you've made with regard to the AIDS test apply to the other tests that you're seeking to repeal and wonder if you could take a few moments to address the need for repealing those other

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tests which indeed have been on the books here in Illinois for a good many years and I don't believe have been a subject of any controversy."

Levin: "Representative, the...this Bill would remove the mandate for the syphilis test, no other test. It would remove the mandate for the syphilis test, and that syphilis test has had the same kind of history that, you know people go out and have to spend money for that test and the incidence of what has been uncovered as a result of that test has been very, very low. Other states as I said the vast majority of states just a couple of years ago had a requirement for testing for syphilis, they have repealed it because the incidence rate has been so low, on what has come out of that test given the cost imposed on people wanting to get married. I would just remind you that with respect to both of those tests that this legislation repeals the mandate for the test. But what it does is it gives to the Director of the Department of Public Health the authority if he believes that it is medically justified to reestablish either test by rule. And what they have done in the State of Texas I think makes an awful lot of sense, in terms of testing for AIDS. They have established a threshold in terms of the incidents of AIDS for the general population and above a certain threshold they, it kicks in a requirement for a premarital testing for AIDS. The Director of Public Health could do something like that for AIDS, he could do something like that for syphilis. This gives him the flexibility, but what it does is it removes the mandate from the statute and it allows the director to use his judgement based on what the situation is."

Hultgren: "Well, if I may follow up on that. In your arguments and in the arguments of others, you pointed out that the high risk groups for AIDS would be homosexual men,

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intravenous drug abusers, those same high risk groups which are identified as people who are not likely to marry, does not necessarily apply to the syphilis test does it?"

Levin: "No, you are correct. What we're doing is following the recommendations of the public health professionals who have suggested that mandating the syphilis test is a needless expense, that the experience has been that the number of people that are uncovered as having that disease is very, very low given the total number that take the test in order to get married. And it was their recommendation that this is an outmoded requirement one that imposed a tax, although objectively it's of lesser cost than the AIDS test on people that are getting married. So what we're trying to do is follow the recommendation of the experts. I've got to admit that this specific suggestion came from a airplane ride I had with Director Turnock as far as the repeal of the syphilis test. He felt that it was outmoded and suggested...I just talked to him about this Bill that I was going to introduce, and he suggested we added the syphilis to it."

Hultgren: "Thank you."

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

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

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

Levin: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. I just want to remind you that the current law imposes what is in effect approximately two hundred and fifty dollar tax on every man and woman of this state who

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decide they want to get married. This legislation would repeal that tax. The groups that are supporting this legislation are very, very broad based, and include the Illinois State Medical Society, Chicago Public Health Department, Cook County Public Health, the County Clerks, a wide variety of professionals in the field, support repeal of the marriage test. I think that we ought to get government in this case off the backs of the people of this state who want to get married. This is a tax that we don't need. The people in Illinois ought to be able to get married in Illinois. They shouldn't be forced to leave this state and our counties need the revenue that they are losing as well. I urge an 'aye' vote, on House Bill 3111, which gives the flexibility if it's necessary to bring these test back if it's medically justified."

Speaker Breslin: "The question is, 'Shall House Bill 3111 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Chair would recognize at this time former Representative Glenn Schneider. Welcome, right over here on the Democratic side of the aisle, Glenn Schneider. Representative White, one minute to explain your vote. Representative White."

White: "Madam Speaker, Ladies and Gentlemen of the House. To...I'd like right now to share with you some facts. 25,000 persons were tested for AIDS since the enactment of the premarital testing Bill, and only five have come down with the AIDS virus and only twelve persons within a twelve month period of time have contracted syphilis. I think that our dollar should be spent wisely and I think that we should do it, via research, education and treatment. States like California, New York, and Florida, have a high AIDS population. They themselves do not think very much of enacting this kind of legislation, that of premarital

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testing. So with only two states passing this piece of legislation..."

Speaker Breslin: "Bring your remarks to a close, Sir."

White: "I think that the State of Illinois becomes a laughingstock for the nation in passing such a meaningless piece of legislation, I think a green vote at this time is a proper vote."

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

Black: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, this Bill was filed in February, less than seven weeks after this law took effect. It was said earlier that perhaps we made a mistake and we should be grown up and admit that mistake if indeed we made one. As I said in committee and as I say to you here today, how in the world can you find if you've made a mistake when you want to reverse something before you have six, seven, eight months worth of hard data in to draw a conclusion? In all due respect to the Sponsors of the Bill, if we've made a mistake I'll change my vote, but I'd like to see some months of data before we do so. This Bill was filed in February, I think it's a little early to release...to change your mind at this point, a 'no' vote would be in order."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino. One minute to explain your vote."

Mautino: "Thank you very much, Madam Speaker. In response to the last individual, yes we've made a mistake and yes we should stand tall and admit we made a mistake. This is not the population of our society here in Illinois that is adamantly affected by this legislation. If anyone in this room has a child or a relative who is living outside of this country for example, living in Italy and intends to be

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married in the State of Illinois but only has about three weeks to accomplish this, it is literally impossible for that person to come over here, have that test, get the results and be allowed to be married in this State. This is an absolutely essential piece of legislation that we should stand up and say yes we made a mistake on the marriage end, cover the other areas and leave this..."

Speaker Breslin: "...bring your remarks to a close. Representative O'Connell, one...excuse me Representative Mautino."

Mautino: "And eliminate the so called marriage tax that we find unacceptable by a 'yes' vote."

Speaker Breslin: "Representative O'Connell, one minute to explain your vote."

O'Connell: "Thank you, Madam Speaker. I don't find the testing itself to be objectionable. Indeed the threat of the spread...the further spread of AIDS is sufficient enough for us to try to do something to limit that spread. The real problem of this Bill is the cost. The cost is a factor and perhaps what we should do is to focus our attention on some central laboratory, governmental laboratory, which can lower the cost of these individual AIDS testing. And perhaps that's where we should focus our attention and hopefully the acceptance of the testing will be fine but the cost is clearly intolerable. It's a mandate on our people and I don't think that that aspect of it is very positive."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 37 voting 'aye', 76 voting 'no' and 4 voting 'present' and the Bill fails. The next Bill appears on page 15 on your Calendar, House Bill 3161, Representative Myron Olson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3161, a Bill for an Act to amend

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certain Acts in relation to the public health. Third Reading of the Bill."

Speaker Breslin: "Representative Olson."

Olson: "Thank you very much, Madam Speaker, Gentlemen and Ladies of the House. House Bill 3161 is a JCAR initiative which puts into place a number of changes relative to bringing our statutory authority up to date. It includes amending the Hearing Aid Consumers Protection Act, the Health Facilities Planning Act, and the Nursing Home Care Reform Act. We have two Amendments that dealt with the number of hours an audiologist had to have to practice and the second Amendment dealt with the automatic renewal of the waivers concerning physical plant requirements for our nursing homes. We would move for the passage of this Bill."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 3161, on that question is there any discussion? Hearing none the question is, 'Shall House Bill 3161 pass?' All those in favor vote 'aye', all those opposed vote 'no', the voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye'...Representative Morrow votes 'aye', there are 115 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 15 appears House Bill 3184, Representative Stange. Representative Stange. Clerk read the Bill."

Clerk O'Brien: "House Bill 3184, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Breslin: "Representative Stange."

Stange: "Thank you, Madam Speaker. Can we take this Bill out of the record for a minute?"

Speaker Breslin: "Out of the record. The next Bill appears on

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page 15, House Bill 3323, Representative Cullerton. Out of the record. On page 16 appears House Bill 3508, Representative O'Connell. Clerk read the Bill."

Clerk O'Brien: "House Bill 3508..."

Speaker Breslin: "Out of the record. On page 17 appears House Bill 3672, Representative Klemm. Are you ready on this Bill? Clerk read the Bill."

Clerk O'Brien: "House Bill 3672, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Klemm."

Klemm: "Alright..I...I...thank you, Madam Speaker. I had filed a Motion to call the Bill back for reconsideration on the Amendments that were passed."

Speaker Breslin: "Leave. Does the Gentleman have leave? The Gentleman has leave. The Gentleman..."

Klemm: "Does the Clerk require leave?"

Speaker Breslin: "The Bill is on Second Reading. Are there any Amendments filed, Mr. Clerk? Are there any Amendments filed?"

Clerk O'Brien: "Amendment...Amendment #1 has been adopted."

Speaker Breslin: "And is there a Motion filed?"

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

Speaker Breslin: "How many Amendments are on this Bill? One. Representative Klemm."

Klemm: "On May 17th I filed a Motion to reconsider under Rule 73b, it was given to the well."

Speaker Breslin: "To reconsider what, Representative Klemm?"

Klemm: "Reconsider the vote on the Amendments...on adopting the Amendments."

Speaker Breslin: "Which Amendments?"

Klemm: "I thought it was 1 and 2 or is it 2 and 3?"

Speaker Breslin: "2 and 3 okay."

Klemm: "Amendments 2 and 3 that were adopted on the floor."



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Speaker Breslin: "Very good. This is a procedural matter."

Klemm: "That's correct."

Speaker Breslin: "We understand. Amendment #1 has been adopted. Amendments 2 and 3 were not properly tabled, Representative Klemm, therefore moves that this House table Amendments 2 and 3 previously adopted. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it."

Klemm: "We may need a recorded vote on that."

Speaker Breslin: "We need a recorded vote. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The question is, 'Shall we table Amendments 2 and 3?' Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Dunn is voting 'aye'. On this question there are 109 voting 'aye', none voting 'no' and 2 voting 'present', and the Amendments are tabled. Representative Klemm now moves..."

Klemm: "Madam Speaker, could I have leave from the House to have immediate consideration on Third Reading?"

Speaker Breslin: "The Gentleman moves for immediate consideration of House Bill 3672 on Third Reading. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "House Bill 3672, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Klemm."

Klemm: "Thank you, Madam Speaker. I'm glad we corrected the difficulties we had. House Bill 3672 authorizes local fire departments and State and Federal firefighting vehicles and vehicles designed and used exclusively as ambulances or rescue vehicles to use the blue oscillating, rotating or flashing light in combination with the red lights. We have in Illinois a number of combinations of lights used."

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Police departments throughout the State are allowed to use nine different combination of lights, but in a federal study we find that the combination of the blue, red and white oscillating lights are the most effective as far as all-weather and emergency response vehicles. In Illinois Statutes we find also that firefighting vehicles and ambulances are not authorized to use it, but we do find in reality that they are using it. This Bill would at least codify and allow those fire districts and ambulances who are using it, a permissive use of the blue oscillating light. It allows and keeps all the other uses of the lights as they currently exist in the law and I ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3672 and on that question is there any discussion? Hearing none the question is, 'Shall House Bill 3672 pass?' Representative Black for what reason do you seek recognition?"

Black: "Thank you, Madam Speaker. I just had one question of the Sponsor."

Speaker Breslin: "State your question."

Black: "Representative Klemm, you and I have talked and I appreciate your help on this matter, but I'm still a little confused on this Bill because we just changed all of this last year and there is some confusion back in my district about the expense that perhaps police departments have already gone to comply with some of the new provisions that the Bill...the law last year let them do. And I think if you could just address for me for the record whether you've heard of any opposition to this Bill or whether it seems to be in agreement."

Klemm: "Well there's no expense incurred by anyone since it's not mandatory, it's permissive. So therefore there's no

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expense involved. There are police departments that probably would prefer that it be used exclusively for police departments and not allow anybody else to do it and I understand that. The State Police and IDOT doesn't want to confuse the por...motoring public with a number of combinations of lights and I can understand that. However, with the Amendment that was adopted in the Transportation Committee I think it resolves most of the difficulties and it is permissive."

Black: "Thank you very much, Representative."

Speaker Breslin: "The question is, 'Shall House Bill 3672 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', 4 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 18 appears House Bill 3831, Representative Myron Olson. Clerk read the Bill."

Clerk O'Brien: "House Bill 3831, a Bill for an Act to amend the AIDS Registry Act. Third Reading of the Bill."

Speaker Breslin: "Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This again is the Joint Committee of Administrative Rules Initiative which comes out of our legislative activity last year. It has two Amendments, Amendment #1 amended the Civil Code to grant the Department of Public Health the statutory authority to prove tests or testing procedures used in determining exposure to the HIV virus and other...other causative effect and the second Amendment dealt with the definition of AIDS Related Complex and it now would be defined under Amendment #2 by the Center for Disease Control or the National Institute of Health. I

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move for the adoption of the legislation."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3831. Is there any discussion? Hearing none the question is, 'Shall House Bill 3831 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 18 appears House Bill 3855, Representative Churchill. Clerk read the Bill."

Clerk O'Brien: "House Bill 3855, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3855 provides that DCFS in cooperation with the Department of Public Health and the local health department shall establish programs whereby regular health inspection shall be made of all licensed day care centers that are operating in the State of Illinois."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3855. On the question is there any discussion? Hearing none the question is, 'Shall House Bill 3855 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', 2 voting 'no', and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 19 appears House Bill 40...4000, Representative Pullen. Clerk read the Bill."

Clerk O'Brien: "House Bill 4000, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

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Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Last year we passed legislation which requires convicted sex offenders to be tested for the AIDS virus. Since that time it has come to my attention that in many instances of sexual assault there is no conviction even if there is an arrest, or that at best the conviction takes place months to years after the incident and consequently the information that can be provided to the victim of sexual assault by an HIV test after conviction is not as helpful as we had contemplated when we passed that law. This Bill would give standing to go into court to the victim of sexual assault in order to seek a court ordered test of the defendant. It does have due process safeguards. It is not a measure of punishment, but it is to assist the victim of sexual assault in having a better understanding of whether the assault has exposed that victim to the AIDS virus. I urge the House to pass House Bill 4000 please."

Speaker Breslin: "The Lady has moved for the passage of House Bill 4000 and on that question is there any discussion? Hearing none the question is, 'Shall House Bill 4000 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 107 voting 'aye', none voting 'no', and 10 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 19 appears House Bill 4005, Representative Pullen. Clerk read the Bill."

Clerk O'Brien: "House Bill 4005, a Bill for an Act to amend the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker Breslin: "Representative Pullen."

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Pullen: "Thank you, Madam Speaker. May I pull this Bill back to Second Reading for a couple of technical Amendments please?"

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second for purposes of an Amendment. Are there any objections? Hearing none the Lady has leave, the Bill is on Second. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #3 offered by Representative Capparelli and Pullen."

Speaker Breslin: "Representative Capparelli and Pullen. Representative Pullen would you like to proceed?"

Pullen: "Thank you, Madam Speaker. Amendment 3 was suggested by the...I believe by the House Democratic Staff because of a drafting error in Amendment 2 which the House previously adopted which was sponsored by the Gentleman who is the lead Sponsor on this, Representative Capparelli. And this Amendment is simply technical so that we can change a reference to a sentence where a language should have been put to the correct reference. I move its adoption."

Speaker Breslin: "The Lady has moved the adoption of Amendment 3 to House Bill 4005. On the question is there any discussion? Hearing none the question is, 'Shall Amendment 3 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4 offered by Representative Pullen and Ryder."

Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment is largely technical in that it more narrowly defines what we...one of the things that we did with Amendment #1 which was previously adopted by this House. In Amendment 1 there was a phrase concerning

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liability immunity and there were questions raised which I answered by way of giving legislative intent. The better way of handling that is to express the intent more clearly and this Amendment does that so that it limits the immunity that we granted in Amendment 1. I move its adoption."

Speaker Breslin: "The Lady's moved the adoption of Amendment 4 to House Bill 4005, is there any discussion? Hearing none the question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Pullen now asks leave for immediate consideration of House Bill 4005 as amended. Is there any objection? Hearing none the Lady has leave the Bill...read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "House Bill 4005, a Bill for an Act to amend Sections of the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Last year the House and Senate adopted legislation which says in essence that no person...no test may be performed on a person without his written informed consent which is a provision above and beyond the general informed consent that patients undergoing medical treatment already provide for their treatment. When we did that we did not take into consideration the needs of health care workers in situations where they have been exposed to bodily fluids of a patient and have a need to know for their protection and benefit as well as the best treatment of the patient, whether or not the patient is infected with the AIDS virus. This Bill would indicate that written informed consent is

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not required in those situations where a health care worker has been exposed in a nature likely to transmit the HIV virus as certified by a physician. It also as amended would provide for such testing in incidents where a firefighter or ambulance attendant has been involved in an exposure likely to transmit HIV and there is a very carefully drawn now...now that we've adopted Amendment 4, a statement indicating that nothing in the Act shall be construed to impose civil liability or criminal sanction for performing a test without written informed consent pursuant to these provisions. So that in the narrow situation covered by this Bill there would not...there clearly would not be liability. The Bill according to the latest information I have is supported by the Illinois Medical Society which helped me work out language. Until the firefighters and ambulance attendants were added it was supported by the Department of Public Health and the Illinois Hospital Association. They are not crazy about that part having been added but I still think that it is an important measure and those two organizations do believe that the part concerning health care workers is an important thing to add to the AIDS Confidentiality Act. And I would ask for support from the House now for the protection of our health care workers so that their rights can be protected under the law. Thank you."

Speaker Breslin: "The Lady has moved for the passage for House Bill 4005. On the question is there any discussion? Hearing none the question is, 'Shall House Bill 4005 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? Have all voted who wish? The Clerk will take the record. On this question there are 93 voting 'aye', 9 voting 'no' and 13 voting 'present'.



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This Bill having received the Constitutional Majority is hereby declared passed. On page 20 appears House Bill 4057, Representative Berrios. Is Representative Berrios in the chamber? Out of the record. On page 20 appears House Bill 4094, Representative McCracken. Clerk read the Bill."

Clerk O'Brien: "House Bill 4094, a Bill for an Act creating presumptions concerning nutrition and hydration. Third Reading of the Bill."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. I ask leave to return this Bill to the Order of Second Reading for a technical Amendment."

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

Clerk O'Brien: "Amendment #4 offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. We previously adopted Amendment #2 and there was a technical error in that Amendment which Amendment #4 would correct by changing the word in line 16 of the Bill from 'might' to 'would'."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4 to House Bill 4094. On the question is there any discussion? Hearing none the question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed '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: "Representative McCracken now asks leave for

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immediate con...move the Bill to Third Mr. Clerk.  
Representative McCracken now asks leave for immediate  
consideration of House Bill 4094 as amended. Does he have  
leave? Hearing no objection he has leave. Read the Bill,  
Mr. Clerk."

Clerk O'Brien: "House Bill 4094, a Bill for an Act creating  
presumptions concerning nutrition and hydration. Third  
Reading of the Bill."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker. As amended the Bill  
creates a presumption of the necessity to continue  
hydration and nutrition except in the specified instances  
enumerated in the Bill. Those instances include an  
execution under a Living Will Act, an execution under the  
Durable Power of Attorney, any clear and convincing  
evidence of an intent while still competent to have the  
nutrition and hydration withdrawn and also allows for a  
satisfying of the number one exception in the Bill for  
Christian Science Adherents that was requested by them and  
I move the passage of this Bill."

Speaker Breslin: "The Gentleman moves for the passage of House  
Bill 4094, on the question the Gentleman from Cook,  
Representative Bowman."

Bowman: "Question of the Sponsor."

Speaker Breslin: "Proceed."

Bowman: "Representative McCracken, what is the position of the  
Illinois Bar Association and the Chicago Bar Association on  
this Bill?"

McCracken: "I don't know. I called the Bill in committee, it  
passed and, you know, there was some concern over either  
one of two Bills I had that day and to be perfectly honest  
I can't tell you that this was or was not the Bill."

Bowman: "Okay. Now there are various organizations that are

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keenly interested in this issue. I wondered if you could tell me what the position of any of the...any organizations that you do happen to know have a position on this?"

McCracken: "It's considered a pro-life issue and is supported and suggested by them. I've had no contact from any lawyer groups with the possible exception of the Bar Associations. Since it came out of committee I don't think there was any testimony against this in committee, but honestly I just can't recall for sure."

Bowman: "Well, there are organizations for example who have supported living will arrangements."

McCracken: "Oh yes."

Bowman: "And I just wondered if they are in support of this legislation as well or at least neutral on it."

McCracken: "Yeah, if you're referring to the Catholic Conference or something like that."

Bowman: "Well there have been a number of them, in fact I think there's, I can't remember the name off hand but there's an organization that's devoted specifically to promoting living wills and that sort of thing."

McCracken: "Well, I have not heard one way or the other but this Bill specifically includes as an exception to the presumption a living will executed under the Act."

Bowman: "Do you know how Senator Geo-Karis feels about this Bill?"

McCracken: "No I don't."

Bowman: "Okay. My seatmate wanted me to ask that."

McCracken: "Well, I'll tell you, I know what she's referring to and you're referring to 3598. And I told Geo that I went with her on that Bill at the airport. So now...well, I shouldn't say she's in favor of 3598 now but I told her I was taking out what she had objected to previously."

Bowman: "Okay, so you have taken out what Senator Geo-Karis had

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objected to?"

McCracken: "On the other Bill. This one was not the subject of that."

Bowman: "Okay. Okay. Different Bill, I see."

McCracken: "Right."

Bowman: "Okay. Thank you, no further questions. Thank you very much."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn on the question."

Dunn: "Question of the Sponsor?"

Speaker Breslin: "Proceed."

Dunn: "I don't have a copy of any of the Amendments. All I have is a copy of the original Bill. What do the Amendments which have been adopted do with regard to the language in the original Bill?"

McCracken: "Yes, I'd be happy to. Amendment #1 adopted in the committee changed line 7 from Durable Power of Attorney to Power of Attorney for health care. On line 9 by changing the word 'regarding' to the phrase 'regarding withholding or withdrawing', which I think is just a more proper reference to the subject matter of the Act. And it also deleted the reservation originally stated in the Bill regarding hyperalimentation. That is...that language."

Dunn: "Regarding what? I can't hear you."

McCracken: "Other than hyperalimentation lines 12 and 13."

Dunn: "Okay."

McCracken: "That's deleted from the Bill. On line..."

Dunn: "Is that...go ahead."

McCracken: "On line 16 the word 'would' has been changed to 'might' and immediately at the end of the Bill as originally drawn it adds an immediate effective date. Amendment #2, adopted on the floor, is the Christian Science provision which holds that in the event of a

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practitioners being involved, exception #1 as you have in the original Bill is deemed satisfied. That was requested by the Christian Science. And then Amendment #4 changes on line 16 the word 'might' to the word 'would'. Now obviously that puts it back in the original condition as you have in front of you in the Bill and that's the extent of the Amendments."

Dunn: "What is the position of the Illinois State Medical Society with regard to this legislation?"

McCracken: "Now you've jogged my memory, yes, they did testify against the Bill."

Dunn: "I can't hear you."

McCracken: "They did testify against the Bill."

Dunn: "They...the State Medical Society registered in opposition?"

McCracken: "Yes."

Dunn: "Thank you very much. Madam Speaker, Ladies and Gentlemen of the House, to the Bill. I recall this subject matter in committee and if I recall correctly I raised some questions about why we need this legislation when what it really does is try to codify what is a case by case situation and the Medical Society lobbyist was in the room and I asked him to come forward and express an opinion about the Bill and I do believe he did come forward and indicate opposition. So the medical doctors who will be on the scene and have to decide what to do when some human being unfortunately finds himself or herself in a position to fall into the scope that is encompassed by this legislation. The doctor on the scene is going to have to make some decisions and the Doctors Professional Association indicates that they oppose this Bill and I think the reason they oppose it, is because the situations that come up should be decided upon on a case by case basis and broad sweeping powers seem to be

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fine in many cases, but broad sweeping language almost always neglects to consider the exceptional or the unusual case. And that seems to be what this legislation is attempting to address in the first instance. So it seems..."

Speaker Breslin: "Bring your remarks to a close, Sir. Bring your remarks to a close."

Dunn: "So I oppose this legislation. And ask for a red vote."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Ladies and Gentlemen a few years ago I passed a Living Will Act which allowed people who were at the point of their death to have some determination over their medical treatment, their medical care. It allowed people to sign a document, I think most of you are familiar with that. This legislation is legislation which I highly approve of, it coordinates well with the Living Will Act. What it does, I think, is make sure simply that nobody is starved to death or nobody is forced to die of thirst, a pretty horrible way to die, because some physician would individually make that determination. It says that people ought to have the right to nutrition and people ought to have the right to hydration. I think it's a simple concept that back...that basically strengthens the original idea of a living will and as the father of the living will or what have you, I strongly support the concept of this legislation and I ask for an 'aye' vote."

Speaker Breslin: "Representative Young on the question."

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

Speaker Breslin: "He will."

Young: "Representative, most of the debate I heard centered around how this Bill would affect adults. Well, what if there were say a new born child who was born for whatever

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reason a mental vegetable but could assimilate food, how would this Bill affect that situation?"

Speaker Breslin: "Representative McCracken."

McCracken: "I'm glad you ask that because it is not intended that the word 'person' encompass children or minors. And the reason it's drafted as it is, is because federal law on the child abuse, I forget the title of it, but the federal law on this point, prohibits the cessation of nutrition and hydration from disabled children. So the purpose of this is to conform and the reason this language was chosen was to conform to that Act."

Speaker Breslin: "Any further discussion?"

Young: "My only question is is that what the Bill actually says? Does the Bill say that?"

McCracken: "No but it says 'person'."

Young: "Okay, no further questions."

Speaker Breslin: "Representative McCracken to close."

McCracken: "It's important as a matter of public policy. I think it's modestly drawn within that context and I think the committee members who recall the medical testimony would agree that the Medical Society's position was not very convincing. I think it deserves an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 4094 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 102 voting 'aye', none voting 'no', and 12 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 20 appears House Bill 4165, Representative Braun. Out of the record. On page 20 appears House Bill 4174, Representative Ryder. Clerk read the Bill."

Clerk O'Brien: "House Bill 4174, a Bill for an Act to amend the

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Illinois Health Finance Reform Act. Third Reading of the Bill."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you. Ladies and Gentlemen of the House, this Bill passed out of committee on the Agreed List. It is necessary because in December of 1987 the Congress passed the Omnibus Reconciliation Act which created mandates under Title 19 of the social security medicaid portion. The Bill is intended to, and I believe that it does, creates or solves some problems that were created by that Omnibus Act as it relates to those hospitals that receive an exceptional amount, 65% or more of their assistance from public funds. It is an administration Bill and I would ask that it receive favorable consideration."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 4174. On the question is the Gentleman from Cook, Representative Young."

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

Speaker Breslin: "He indicates he will."

Young: "I'm not quite sure I understand what this Bill is doing, Representative. Is this Bill someway prohibiting hospitals from doing something?"

Ryder: "No, just the opposite. Just the opposite, it..."

Young: "Okay, could you explain it again for me?"

Ryder: "It allows the hospitals that...there are certain hospitals that either through an I Care Program or others that receive exceptional amount, 65% or more of their patient income from public sources, medicare, medicaid, etc., public aid. We had some problems with the rules because of those hospitals and the way we run those hospitals as it relates with this Omnibus Act that was created by Congress. As a result this attempts to straighten that out. It is not the intent to deprive those



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hospitals of compensation, in fact, I think that it allows us to continue that compensation."

Young: "Well then what...how does it...what does it actually do?"

Ryder: "It allows the department to make additional cash payments outside of the I Care Program to help maintain the kind of cash flow that these hospitals were accustomed to. So it helps, Representative, it's not intended to penalize or hurt."

Speaker Breslin: "Any further discussion? Hearing none...Representative Young do you still wish to speak?"

Young: "I just have one more question because I'm still not understanding the Bill. Could you tell me how would you envision this affecting a place like County Hospital where maybe 80 or 90% of their patients are medicaid, medicare?"

Ryder: "It is my understanding that this Bill would then allow that County Hospital to continue receiving the 80 or 90% that they're talking about. So they're not penalized under this new Act. And as a result...as a result we hoped that it would...it is not meant to harm, not meant to hurt a hospital such as County Hospital."

Speaker Breslin: "The question is, 'Shall House Bill 4174 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 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Before we move from this Order of Business we have two more Bills to call. Representative Homer's Bills on page 9 on your Calendar, House Bill 3780. This Bill is on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3780, a Bill for an Act in relation to the Department of Nuclear Safety. Second Reading of the

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Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Representative Homer, I thought this Bill had moved to Third Reading today. Mr. Clerk is that incorrect? An Amendment was a...okay, the Bill is on Third Reading. Representative Homer. So do you need to read it again Mr. Clerk?"

Clerk O'Brien: "House Bill 3780, a Bill for an Act in relation to the Department of Nuclear Safety. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. House Bill 3780 creates the Radon Gas Safety Act. Radon is a colorless, odorless gas produced by the decay of uranium in the soil. As the gas decays it gives off radioactive particles that when inhaled lodge in the lungs. The gas occurs naturally out-of-doors where it poses only a minimal health risk. Inside a house or building however, the gas can seep through the foundation in cracks and drains and accumulate to dangerous levels. The U. S. EPA estimates that one person out of every one hundred will fall victim to lung cancer as a result of radon exposure. And between five thousand and twenty thousand lung cancer deaths each year are caused by radon gas. A. B. Craig, head of the U. S. EPA's task force on radon gas says: 'Radon is by far the most serious health effect problem that the EPA is working on. The agency considers radon a more urgent public health threat than dyoxin, asbestos or toxic waste dumps.' The National Cancer Institute says radon is second only to smoking as the leading cause of lung cancer. A recent ten state study by the EPA shows that twenty-one percent of homes tested at random were above the acceptable minimum levels...maximum levels of radon gas. This is a good news bad news story. You've heard the bad news, the good news

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is that unlike asbestos the cost to abate the radon problem is minimal. Safe certified and relat...and relatively inexpensive methods are being developed by both the public and private sectors to correct the problem in homes and buildings where the problem is found to exist. The legislation has been drafted by a task force commissioned by the Department of Nuclear Safety and the Bill would undertake to authorize the Department of Nuclear Safety to develop projects to determine whether and to what extent radon is present in dwellings and other buildings in Illinois. And to determine to what extent such presence constitutes a risk to the public health and to determine the measures that are necessary and effective in reducing and preventing the risk. It's an important piece of legislation. I urge you to consider putting up your 'aye' votes. It's perhaps one of the most important issues that we can address this Session in so far as the health and safety and well-being of our constituents is concerned. I'd be happy to answer questions and then would urge your favorable consideration."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 308...3780 and on that question is there any discussion? The Gentleman from DuPage, Representative Barger."

Barger: "Would the Representative yield for a question?"

Speaker Breslin: "He will."

Barger: "Tom, you slurred a whole group of words together there. What does this Bill do?"

Homer: "I'm sorry your question was slurred. Can you repeat it?"

Barger: "I try to speak relatively distinctly. Is that better?"

Homer: "The Bill creates a...authority within the Department of Nuclear Safety to establish safe...establish a mechanism for testing statewide the extent of the radon gas problem

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that is believed to exist in a number of homes and buildings throughout the state. So it authorizes the Department of Nuclear Safety to establish a testing project and to certify machines that will be used as devices to detect the presence of radon gas."

Barger: "Thank you for that very clear, concise, and distinct explanation."

Homer: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 3780 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 16 voting...116 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 20 of your Calendar appears House Bill 4057, Representative Berrios. Clerk read the Bill."

Clerk O'Brien: "House Bill 4057, a Bill for an Act relating to veterans' homes. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios 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 the Gentleman has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Berrios and Mays."

Speaker Breslin: "Representative Berrios."

Berrios: "This is an Amendment that we agreed in committee that we would sit down and work whatever had to be worked out with the department and I would just move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment 1 to House Bill 4057, is there any discussion?"

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Hearing none the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Berrios now asks leave for immediate consideration of House Bill 4057 as amended. Is there any objection? Hearing none the Gentleman has leave, the Bill is on Third, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4057, a Bill for an Act relating to veterans' homes. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "This Bill simply allows that people staying at the veterans' home, once the doctor diagnoses their problems, can choose a hospital whether it's a Catholic hospital or whatever kind of hospital that they wish to attend as long as the prices are comparable. That's all the Bill does."

Speaker Breslin: "Representative Berrios moves for the passage of House Bill 4057 and on that question is there any discussion? Hearing none the question is, 'Shall House Bill 4057 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all 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. On page 15 appears House Bill 3323, Representative Cullerton. Clerk read the Bill."

Clerk O'Brien: "House Bill 3323, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

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Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Ladies and Gentlemen this...last year I introduced the Bill that got out of committee that dealt with the issue of motorcycle helmets for motorcyclists. And we were all heavily lobbied on that issue. The Bill was on Third Reading and it received 42 votes. Did not receive enough votes for passage. The main reason for that was that many motorcycle groups opposed it and the main argument against the Bill was the theme of, 'let those who ride decide'. In other words they felt that they should have the right if they want to decide to ride a motorcycle without a helmet and that the state should not have anything to say about it. And I recognize the fact that it would be very difficult for some of you to vote for that Bill and that's why it received only 42 votes. This year I've introduced a Bill which does not require adults to wear a motorcycle helmet but rather people who are under 18 and passengers who are under 18 be required to wear a helmet. I think that the main reason against the Bill I introduced last year was the idea of personal choice for adults. That argument does not apply for minors. There are forty-four States have some form of a motorcycle helmet law. About twenty-one of them I believe have a helmet law for everyone and the rest have helmets law...helmet laws for people of varying ages. I think choosing 18 years old is a reasonable compromise. I appreciate the fact that we went to the Transportation Committee, I was able to get the Bill out of committee, by emphasizing these points. Now the motorcycle groups were there and the reason why they stated they were opposed to the Bill was because they thought that this was going to be maybe a foot in the door and that if this passed that maybe there might be an effort to require everyone to wear a helmet. Well let me just say

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that I don't think the attitude of the General Assembly has changed with regard to requiring everyone to wear a helmet. I only got 42 votes last year, I don't think I'm ever going to get those 18 more in the near future. I'm not...I can't sneak a Bill like that through, I wouldn't want to, I wouldn't want to try that. And I don't think I could succeed even if I did. The fact of the matter is that this Bill is a reasonable one because it applies to minors. And I think that the opposition of these groups is not really directed at this Bill but rather what they fear might happen and I don't think that fear is well-founded. The only other issue is whether helmets are safe, there's been some concern about whether helmets are not safe themselves. I think that's almost ludicrous, but I would just simply say that they do not cut down on peripheral vision. They do not cut down on your ability to hear, as a matter of fact they enhance your ability to hear. That's why places like in California where they have a highway patrol, a motorcycle highway patrol they require their people to wear helmets. I would be happy to answer any questions and I would really appreciate on this one that we think about what we're doing. You know we've spent all this time on these special orders, just about every Bill deals with, you know some kind of money issue and this one deals with saving some lives of children. I think it's important enough to say to ourselves, that even if you get some letters from some motorcycle groups within your district, for the people who are under 18 it's a reasonable compromise and let's just...please give me a vote on this. I'd be happy to answer any questions and appreciate your..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3323 and on the question the Gentleman from

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McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, I appreciate your intent and I think you have laudable motives. I guess my question is is it more important to wear a helmet from 18 years of age and under to save one's life than it is to adequately train that person how to ride it in the first place?"

Cullerton: "Okay. Training is very important and as you know I'm in favor of putting more money even diverting money from the road fund, to the training program. But I read a study of motorcycle accidents. In this...common sense would tell you this is the case, a majority of motorcycle accidents occur because of the negligence of a person driving an automobile. They don't see the motorcycle, and that's a majority of cases. So training of the motorcyclist is going to help in a good number of cases, especially young people but a majority of accidents with motorcycles occur when the driver of the automobile which runs into the motorcycle is negligent and all the training in the world of a motorcyclist isn't going to stop that person from...that was driving a car from running into a motorcycle. The only reason why I took that diversion of the road funds out of the Bill was quite frankly, you saw it in the committee, the Department of Transportation opposed the Bill with that diversion. My understanding is that now the Department of Transportation is in favor of the Bill."

Ropp: "You mean in favor of this Bill or in favor of..."

Cullerton: "Yes."

Ropp: "...providing some training for young people."

Cullerton: "Well, no, they're in favor of this Bill because there is no road fund diversion. They would probably not object



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to the motorcyclists themselves increasing their registration fee to build up their education fund but you know what they said, they're against the road fund diversion."

Ropp: "Yeah, I know logic does not always prevail. Do these helmets that you are requiring to be worn, I understand that some of them may have radios in them. Is that true or not and can they wear a helmet in which there is a radio that they can hear?"

Cullerton: "We passed a law a number of years ago, a couple of years ago, that allowed for radios to be in motorcycle helmets."

Ropp: "Well does this then..."

Cullerton: "Maybe it was CB's, maybe it was CB's, not radios but CB's. So this doesn't in any way change that law. The standards for the helmets would be drafted by the Department of Transportation pursuant to the Bill."

Ropp: "Another question. If by chance that particular motorcyclist, that is at the handlebars, has a rider with that person, is the second person also under this particular Bill required to have a helmet, too?"

Cullerton: "If they're under 18. The passenger has to have a helmet if they're under 18."

Ropp: "Well who would get the ticket if that person did not have the helmet? The person that didn't have the helmet or the person doing the driving? Because there would be an...in a violation of the law. If the passenger is caught without having a helmet on, but the rider both of whom would be under 18, one has a helmet the other one doesn't."

Cullerton: "I believe it's the operator would be the one to get the ticket. I think that the operator of the motorcycle is responsible for the passengers to wear a helmet."

Ropp: "Is that clear in the Bill that it says that or is it

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assumed?"

Cullerton: "No it doesn't say that but it would be in another Section of the Vehicle Code that would govern that. And I'm not positive, but the same thing is true with regard to safety belts."

Ropp: "Okay. I think in the Bill that you sponsored dealing with seat belts, I think it was a little more clear as to the implementation or the penalty if one was not wearing it in the seat belt law in relationship to what it states or does not state in this particular Bill. And I think that there ought to be some uniformity. Well anyway to the Bill, Madam Speaker, we've heard a lot about the fact that we need to be concerned about safety and I think this is a start in one way. Tragically enough though I think that training is equally important, in fact I think it is probably the first step that ought to occur that we have adequate training on how to..."

Speaker Breslin: "Representative Ropp, you have used your five minutes. Bring your remarks to a close."

Ropp: "Okay. I think it's important that we have training. In final thing I think it is equally important that in this particular case we have a certain amount of freedom of choice and I would urge that we oppose this Bill and that allow freedom of choice to be prevalent as many times we have supported."

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

Weaver: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, first of all I would like to express my appreciation to the Sponsor of this Bill. The number of times we have met over it, he's been very willing to talk and try and work things out but we have arrived at a point where we have agreed to disagree. Putting aside the basic problems

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and basic disagreements over whether helmets are actually safer than not wearing helmets there seems to be a discrepancy between a couple of studies that were run. One by the U. S. Department of Transportation that seemed to indicate injuries in a number of accidents are actually increased. But let's talk about a couple of major problems with this Bill as it stands right now and I guess the contributing factor here is the age limit. You got one of two problems with the age limit between 16 and 18. Either it becomes a tool for harassment or you have a problem of determining whether that kid riding a motorcycle is actually 16, 17 or 18. I don't know how a policeman can do that. You're going to have a real problem when you see someone riding by at 30 miles an hour on a motorcycle whether that kid's 16, 17 or 18. Do you pick 'em up, do you not pick 'em up? If you do pick them up and they are arrested, it is a moving violation. If they get caught without a helmet three times they lose their license. I don't know if you're prepared to put up with that kind of barrage in your district offices. I don't think it's the way we really need to go. I appreciate the Sponsor's intention, I think he's well-intentioned trying to save some lives and reduce some injuries but we still have some basic problems with the Bill and I think a 'present' or a 'no' vote is in order. Thank you."

Speaker Breslin: "The Gentleman from Perry, Representative Goforth."

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

Speaker Breslin: "He will."

Goforth: "Representative, just one question, what are you...when your child comes to you and says daddy how come you passed a Bill that says I've got to do something for my safety but

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yet you don't have to do exactly the same thing. All I want to know, and I'm serious, I really am, I'm not running your Bill down or nothing just what...how are you going to explain to your children that you're making them do something that you yourself don't have to do?"

Cullerton: "Well to give you the honest answer..."

Goforth: "Please."

Cullerton: "I would tell them that I only got 42 votes on the Bill that would require me to do the same thing that the kid and I couldn't pass it. That's what I would tell them. I told you, I was honest with you, I told you I'd like to have a requirement for everyone to wear a helmet, I think it's inconsistent, but I think that at least we can start with the kids, that's all I can tell you."

Goforth: "Thank you."

Speaker Breslin: "Representative Cullerton to close."

Cullerton: "Thank you, Madam Speaker. Just in...to respond to some of the issues that were raised, with regard to the argument of a freedom of choice I say that it does not apply to people who are minors. If that was the case we'd give them the freedom to drink, the freedom to vote, we don't do that and I think that takes away the main argument that was posed last year in opposition to the Bill. With regard to any arguments that helmets are not safe I just appeal to your sens...your common sense; you must realize that these things obviously will cut down on the number of injuries and in some cases save a life. So I would appreciate an 'aye' vote, I think this is one of the few Bills we have this year that actually will involve something other than money. It will involve saving some lives."

Speaker Breslin: "The question is, 'Shall House Bill 3323 pass?' All those in favor vote 'aye', all those opposed vote 'no'."

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Voting is open. Have all voted who wish? Have all voted who wish? Representative Weaver for what reason do you seek recognition? You have already spoken in debate, Sir."

Weaver: "Madam Speaker, should this reach the required number of votes I request a verification."

Speaker Breslin: "Have all voted who wish? Representative Kubik, for what reason do you rise?"

Kubik: "Madam Speaker, Ladies and Gentlemen of the House, to explain my vote. I've been one of those who has traditionally opposed mandating the wearing of motorcycle helmets. But I think the arguments of the opponents are not very clear on this particular issue. We're talking about minors. We're talking about people under the age of 18 and they are a special category, they are a special class and I think that it is appropriate that we mandate that they wear helmets for their safety. Once they've reached the age of 18 they can make those decisions themselves and it is for that reason that I am voting 'aye'."

Speaker Breslin: "Do you want...have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 63 voting 'aye', 48 voting 'no', 6 voting 'present', the Gentleman from Coles, do you persist in your request for verification, Sir?"

Weaver: "Yes I do, Madam Speaker."

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

Clerk O'Brien: "Poll of the Affirmative. Barnes."

Speaker Breslin: "Excuse me. Representative Satterthwaite asks leave to be verified. Does she have leave? Proceed, Mr. Clerk."

Clerk O'Brien: "Berrios. Bowman. Braun. Brunsvold. Bugielski. Countryman. Cowlshaw."

Speaker Breslin: "Excuse me. Representative Daley asks leave to

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be verified. Does he have leave? Daley. He does."

Clerk O'Brien: "Cullerton. Currie. Daley. Davis. DeJaegher.  
Didrickson. Dunn. Farley. Flinn. Flowers. Frederick."

Speaker Breslin: "Representative Parke. Excuse me,  
Representative Parke."

Parke: "Yes, I'd like to change my vote from 'no' to 'yes'."

Speaker Breslin: "Change Representative Parke from 'no' to 'aye'.  
Proceed Mr. Clerk."

Clerk O'Brien: "Giglio. Hoffman. Homer. Huff. Jones. Keane.  
Kirkland. Krska. Kubik. Kulas. Lang. LeFlore.  
Leverenz. Levin. Martinez. Mautino. McGann. McNamara.  
McPike. Morrow. Novak. O'Connell. Parke. W. Peterson.  
Phelps. Preston. Regan. Rice. Ronan. Saltsman.  
Satterthwaite. Shaw. Stange. Steczo. Stern. Sutker."

Speaker Breslin: "Excuse me, Representative White asks leave to  
be verified, Representative. He has leave. Proceed, Mr.  
Clerk."

Clerk O'Brien: "Turner. Van Duyne. White. Williams.  
Williamson. Wolf. Anthony Young. Wyvetter Young and Mr.  
Speaker."

Speaker Breslin: "Do you have any questions of the affirmative,  
Representative?"

Weaver: "Madam Speaker, Representative Davis?"

Speaker Breslin: "Representative Davis. Monique Davis.  
Representative Monique Davis. The Lady is not in the  
chamber. Remove her from the Roll Call."

Weaver: "Representative Berrios?"

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

Weaver: "Representative Flinn?"

Speaker Breslin: "What was your question?"

Weaver: "Representative Flinn?"

Speaker Breslin: "Representative Flinn. Monroe Flinn. Is the  
Gentleman in the chamber? He is not. Remove him from the

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Roll Call."

Weaver: "Representative Shaw?"

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

Weaver: "Representative Barnes?"

Speaker Breslin: "Representative Barnes. Jane Barnes. The Lady's not in the chamber. Remove her from the Roll Call."

Weaver: "Representative Farley?"

Speaker Breslin: "Representative Farley. Bruce Farley. Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

Weaver: "Representative Leverenz?"

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

Weaver: "Thank you. Representative Richmond?"

Speaker Breslin: "Representative Richmond. Bruce Richmond is voting 'no'."

Weaver: "Representative Huff? Don't verify him off then."

Speaker Breslin: "Who did you request?"

Weaver: "Representative Huff?"

Speaker Breslin: "Representative Huff. Doug Huff. Is the Gentleman in the chamber? Doug Huff. He is not. Remove him from the Roll Call."

Weaver: "Representative Rea?"

Speaker Breslin: "Representative Rea. Jim Rea is voting 'no'. Representative Rice, for what reason do you seek recognition?"

Rice: "Change my vote to 'present'."

Speaker Breslin: "Change Representative Rice from 'aye' to 'present'."

Weaver: "Representative Giglio?"

Speaker Breslin: "Representative Giglio. Frank Giglio. Is the Gentleman in the chamber? Representative Monique Davis has returned to the chamber. Add her to the Roll Call voting 'aye'. Representative Giglio is not in the chamber."

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Remove him from the Roll Call."

Weaver: "Representative Ronan?"

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

Weaver: "Representative Braun?"

Speaker Breslin: "Representative Braun. Representative Carol Braun. The Lady is not in the chamber. Remove her from the Roll Call."

Weaver: "Representative McGann?"

Speaker Breslin: "Representative McGann. Representative McGann. The Gentleman is not in the chamber. Remove him from the Roll Call. Representative Young, Anthony Young asks leave to be verified. Does he have leave? He does. "

Weaver: "Representative Morrow?"

Speaker Breslin: "Representative Morrow is in the nurses' station."

Weaver: "I'm sorry. Representative Preston?"

Speaker Breslin: "Representative Preston. Representative Lee Preston. The Gentleman is not in the chamber. Remove him from the Roll Call."

Weaver: "No further."

Speaker Breslin: "Representative McGann has returned to the chamber. Add him to the Roll Call voting 'aye'. Representative Weaver for what reason do you seek recognition?"

Weaver: "Well I'm ready to take the record. Can we go ahead?"

Speaker Breslin: "I'm sure you are. I'm sure you are. There are Members back in the Speaker's Office. On this question there are 56 voting 'aye', 47 voting 'no' and 7 voting 'present'. Representative Cullerton. The Gentleman requests postpone consideration. It will be put on the Order of Postpone Consideration. The next Bill is House Bill 3003, Representative Martinez. Clerk read the Bill."

Clerk O'Brien: "House Bill 3003, a Bill for an Act in relation to



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the employment of interpreters at State health care facilities. Third Reading of the Bill."

Speaker Breslin: "Representative Martinez."

Martinez: "Thank you, Madam Chairman, Members of the House. House Bill 3003 requires every facility under the jurisdiction of a state agency that provides in-patient, out-patient, physical or mental health care or treatment, to provide a qualified interpreter for any patient who is not capable of understanding the English language or expressing himself in the English language so as to be understood by those providing care and treatment."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 3003 and on that question is there any discussion? Hearing none the question is, 'Shall House Bill 3003 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 102 voting 'aye', 5 voting 'no' and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On page 15 appears House Bill 3184, Representative Stange. Clerk read the Bill."

Clerk O'Brien: "House Bill 3184, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker Breslin: "Representative Stange."

Stange: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3184 amends the Child Air (sic-Care) Act. This Bill is a license to...a license to license sick day centers for hospitals. If you recall several months ago, a young child in DuPage County, Naperville, was attacked, raped and murdered because of the fact her parents could not stay home with her. Licensing day care centers for hospitals would probably, hopefully, prevent

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this in the future. I ask for your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3184, on the question the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It sounds like a good Bill but I'm rising in opposition to it because I had an identical Bill and I dropped it, I tabled it because all of the people that I spoke to and I had an intern devoted specifically to this task for several weeks, really panned the idea. There are a number of reasons why sick children shouldn't be dropped at day care centers and why day care centers shouldn't turn into hospitals. I think this Bill just has too much baggage and should be defeated."

Speaker Breslin: "The Gentleman from...the Lady from DuPage, Representative Cowlshaw."

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

Speaker Breslin: "He will."

Cowlshaw: "Thank you. Was a fiscal note requested on this Bill?"

Stange: "Yes it was, but it was taken away."

Cowlshaw: "I beg your pardon?"

Stange: "There was a fiscal note but it was withdrawn."

Cowlshaw: "There was a fiscal note filed?"

Stange: "But it was withdrawn."

Cowlshaw: "Could you tell us what the fiscal note says?"

Speaker Breslin: "Representative Stange."

Stange: "There was one...there was one filed and one withdrawn. So we did not get one, we did not have one."

Speaker Breslin: "Oh the request was withdrawn, Representative Cowlshaw."

Cowlshaw: "Oh, I'm sorry."

Stange: "Representative White withdrew it."

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Cowlshaw: "I thought he said he filed a fiscal note and then withdrew it, which seems a little curious. Do you have any way of estimating on your own what this might cost?"

Stange: "At this time, no."

Cowlshaw: "Okay, thank you very much."

Speaker Breslin: "Representative Stange to close."

Stange: "What Representative Bowman said before about a lot of baggage on this Bill, we're talking probably anywhere from twenty-five to fifty sick day center hospitals hopefully in Illinois. We're not talking a lot of money whatsoever. Hospitals today are looking for this legislation, presently there are five States throughout the United States that the sick day centers are licensed by the State. With single parents and parents both working there's certainly a need for this in the State of Illinois. I ask you for your 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 3184 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 102 voting 'aye', 5 voting 'no' and 9 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Special Order of Business of Public Utilities, Bills on Second Reading. The first Bill appears to be on page 5 of the Calendar, House Bill 2204, Representative Anthony Young. Clerk read the Bill."

Clerk O'Brien: "House Bill 2204, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

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Speaker Breslin: "Representative...who filed the Amendment?"

Clerk O'Brien: "Anthony Young."

Speaker Breslin: "Representative Young on the Amendment.  
Representative Young the clock is ticking. Do you wish..."

Young: "Sorry, Madam Speaker. I can't find this Amendment, I  
think...is there an Amendment #3 on this Bill?"

Clerk O'Brien: "2 and 3."

Young: "Has 2 been printed and distributed? Thank you, Madam  
Speaker. I think the main thrust of Amendment #2...as the  
Bill was written...it stated that the court shall make  
certain orders in regard to public utility refunds.  
Amendment #2 changes that to make it so the court may order  
certain refunds. It also orders that the refunds shall be  
calculated from the date of the order. I move for its  
adoption."

Speaker Breslin: "The Gentleman moves for the adoption of  
Amendment 2 to House Bill 2204. On the question the  
Gentleman from Cook, Representative Piel."

Piel: "Question of the Chair, Madam Speaker. Has Amendment #2  
been printed and distributed?"

Speaker Breslin: "Yes it has."

Piel: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment 2 be  
pass...adopted?' All those in favor say 'aye', all those  
opposed 'nay'. In the opinion of the Chair the 'ayes' have  
it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3 offered by Matijevich."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Yes, Madam Speaker and Members of the House.  
Amendment #3 goes to the issue of wheeling of electricity  
and what the Amendment does is it protects those who are  
left when that does occur. In other words the other  
ratepayers which are ordinarily the residential or small

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business ratepayers so that the commission doesn't allow a rate increase to those who are the other customers to pick up any shortfall which may occur because of wheeling. This Amendment is an Amendment sponsored by both the Citizens Utility Board and the Illinois Public Action Council and I would urge your support on the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the pass...the adoption of Amendment 3 to House Bill 2204. On the question the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I rise in opposition to the Amendment. This is a complimentary piece of legislation to an Amendment the Gentleman has on another Bill. The term wheeling refers to that other Amendment. In wheeling arguments typically opponents have contended that in fact because of the restrictions of wheeling the inevitable result is to charge other users more. The wheeling Amendment in particular, I think, or at least its proponents contend, that the ICC will prohibit that from occurring. So that theoretically this proposal brings the best of both worlds. You get to keep down the utility rate for the large industrial user and the corresponding rates for the residential and small business user can not be increased. But it is only a legislative fiat in an area where legislative fiats do not work. Don't believe that if you pass this Amendment it makes the Wheeling Amendment any more palatable. It doesn't because it defies economic reality, it defies the market place and no matter what the Gentlemen's intentions or the power of this Body or the Illinois Commerce Commission it is an illusory provision. Don't support this and do not support the Wheeling Amendment."

Speaker Breslin: "The Gentleman from Macoupin, Representative

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Hannig."

Hannig: "Thank you, Madam Speaker. Will the Sponsor yield? John, does this provide for a mechanism to allow wheeling in the State of Illinois?"

Matijevich: "What this allows is a protection when this occurs that the Commerce Commission would be prohibited from allowing a rate increase on the other customers that are left when that does occur."

Hannig: "Does present law allow wheeling in the State of Illinois?"

Matijevich: "Well, what is happening right now for example in the City of Geneva, I believe, has gone to Wisconsin Electric for their power. This type of...this Amendment would disallow the other users of a...a rate increase being imposed on them to make up for that shortfall because of what's happened in Geneva, for example."

Hannig: "John, I think I...I support what we're trying to do in this Amendment. I certainly support the idea that we wouldn't put this burden on the other consumers. My concern is that are we in any way, shape, or form encouraging or allowing wheeling by this Amendment or this Bill?"

Matijevich: "No, it doesn't at all. But, wheeling is occurring right now. So that...it doesn't change anything, as to that."

Hannig: "Okay, okay. Thank you."

Speaker Breslin: "Any further discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you. Will the Sponsor yield to a question? Representative Matijevich, who then takes the hit in your proposal?"

Matijevich: "Well, we...we are concerned that the...the public utilities like Commonwealth Edison, for example, will

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when...when the types of wheeling as I just indicated do occur, that they are going to use that as an excuse to go before the Commerce Commission and summarily get rate increases based on that. The history of the Commerce Commission has been that they have approved rate increases very often without, I think, evidence of the need. So we are concerned that this may be, as I said, an excuse for rate increases, and we want some protection for the residential and small business ratepayers."

Hoffman: "If...if wheeling takes place and...for whatever, if...if it is allowed, there is nowhere else for the utility to maintain the permissible rate of return than to go to the...to the ratepayers they have or they are going to go to the people who own the shares of stock of the various utilities. Many of those stocks are held by people who've invested in them for their retirement purposes. They're held by...also held by...by many retirement funds, particularly, private funds. In my judgement, with all due respect to the people who are interested in this legislation and yourself, I suggest that this is a...really a disservice to the consumers in the...in the long run. It may look in the short run like there's some advantage to somebody, but in my judgement, that is not the case and I would encourage a 'no' vote on this particular Amendment."

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

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment, on its face, looks...looks very good. I'd like to bring a couple of things to point. One, if a utility starts up in your local area, that utility has to build facilities to accommodate the customers in that area. If this Amendment were to go on, now the utility has got these facilities up and running and it's got to be able to pay for them. His says that they don't have to be able

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to pay for them that they can just go anywhere they want to. Well, you've got to have the income coming in. What could possibly result? This is not a partisan issue, Ladies and Gentlemen. What could possibly result is the layoff of literally hundreds and thousands of IBEW people, the people who endorse you, who support you. Plus, it's something that could be catastrophic for the ratepayers in the State of Illinois. I would ask you to think very seriously before you cast a 'yes' vote on Amendment #3."

Speaker Breslin: "Representative Matijeich to close."

Matijeich: "Yes, Madam Speaker and Ladies and Gentlemen of the House. The fact that communities like Geneva and even the city of Chicago have been turning and shop...shopping around for lower cost power is indication enough to me that we who are ratepayers of Commonwealth Edison are ones who are not receiving the most efficient cost of energy. What I want to protect is the fact that Commonwealth Edison, because some may turn to wheeling, are not...Commonwealth Edison is not going to operate as efficiently as it should. That's what they ought to be doing, rather than taking advantage of the fact that they may have lost a little business because they weren't efficient, then go to the Commerce Commission and say, 'Hey! We lost some customers, give us more money.' That's what they do. They do it automatically. They don't operate efficiently. That's what we want to do and that's why I want to protect the captive ratepayers like the rest of us. I would urge a 'aye' vote on this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Cook, Representative Morrow, one minute to explain your vote."

Morrow: "Thank you, Madam Speaker. On this Special Order of



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Business, I would like to announce that, even though I may have a possible conflict of interest, I will vote my conscience as the third...Representative of the 32nd district. I would just like that placed in the record. Thank you."

Speaker Breslin: "On this question...the Gentleman from Morgan, Representative Ryder...No. On this question, there...Mr. Clerk, take the record. On this question there are 77 voting 'aye', 35 voting 'no', and 1 voting 'present' and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Ryder is recognized for an introduction."

Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We have with us today on the gallery on the Democratic side, Future Farmers of America from Pike and Scott Counties and I'd ask you to join with me to recognize them today."

Speaker Breslin: "Ladies and Gentlemen, I think we have all been thinking that we need to move faster since we are...approaching our deadline...more quickly. So because we only have a day and a half to get through many Bills, for instance, on this order, all of these Bills are still on Second Reading. It is the Chair's suggestion that the proponent of an Amendment or the proponent of a Bill be allowed to speak and present the Bill and that someone rise in opposition to the Bill and then proceed to a Roll Call. Then, of course, allow explanation of votes for further debate. Representative McCracken?"

McCracken: "I under...I understand the purpose is to move them off and we have a lot of debate and we end up voting a hundred to ten, but I...I think it's unwise of us to agree

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up front that that's how we'll be handling the measures. Why don't we just leave it to each Legislator's discretion to use his judgement in deciding when and where to make his stand."

Speaker Breslin: "And that is the Chair's suggestion. I would just ask you to be considerate of...of the time shortage for your Bills and other people's Bills and let's try to move according to that order. The next Bill appears on page 5, it's House Bill 2395, Representative Levin. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2395, a Bill for an Act to amend the Public Utilities Act, Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. On page 6...Representative Parcells, for what reason do you seek recognition? On page...6 appears House Bill 2905, Representative Leverenz. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2905, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Committee Amendments. Floor Amendment #1, offered by Representative Ryder."

Speaker Breslin: "Has the Amendment been printed and distributed? The Amendment has not been printed and distributed. Representative Ryder? Is the Gentleman in the chamber? Representative Leverenz, for what reason do you rise?"

Leverenz: "Well then, I'd move to table the Amendment."

Speaker Breslin: "Representative Leverenz moves to table Representative Ryder's Amendment which has not been printed and distributed. On that question, is there any discussion? Hearing none, the question is, 'Shall the

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Amendment be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. On page 6 appears House Bill 2907, Representative Leverenz. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2907, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 6 appears House Bill 2920, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2920, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. On page 7 appears House Bill 3258, Representative Johnson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3258, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. On page 7 appears House Bill 3308, Representative Saltsman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3308, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

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Representative Saltsman."

Speaker Breslin: "Representative Saltsman and Representative  
McPike in the Chair."

Saltsman: "Yes. That Amendment, all that does is make this Bill  
relate to the municipalities that have their own power  
system and it doesn't take the other 1,200 municipalities,  
it takes them completely out of the Bill. I did file a  
Motion, yesterday, to extend a deadline on that Bill. Has  
it not come back yet?"

Speaker McPike: "Would you state the Motion again, please?"

Saltsman: "I filed a Motion yesterday to extend the deadline on  
this Bill and I just..."

Speaker McPike: "Would you state your Motion? The Motion is to  
extend the deadline until when?"

Saltsman: "The Fall Session."

Speaker McPike: "Until the end of the Fall Veto Session?"

Saltsman: "Yes."

Speaker McPike: "The Gentleman has moved to extend the deadline  
on House Bill 3308 until the end of the Fall Veto Session  
and on that Motion, the Chair recognizes the Gentleman from  
Dupage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. A Parliamentary Inquiry,  
would that require more than 60 votes, that Motion, or what  
would that require?"

Speaker McPike: "It would require 60 votes."

McCracken: "Now, if it goes and gets considered in the Fall,  
would it require 71 votes if it had an immediate effective  
date?"

Speaker McPike: "Yes."

McCracken: "Does it have an immediate effective date, Mr.  
Saltsman?"

Saltsman: "It doesn't, no."

McCracken: "Well, let's see. Parliamentary inquiry. If it were

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passed in the Fall with 71 votes and didn't have an immediate effective date specified, when would it become law?"

Speaker McPike: "July 1, 1989."

McCracken: "July 1, 1989. Well, why don't we extend it to July, 1989. Why don't we give them a chance to work this out and...why don't we say June 30, 1989? I'll tell you, in all candor, the...I am told the Gentleman has worked very hard on this Bill trying to satisfy its critics and I know he's just trying to get his job done, but...you know, if we do this on an ad hoc basis, the whole place is going to go to hell. So let's everybody stand up and say, 'What's good enough for your Bill is good enough for my Bill. We all have deadlines.' I'll...I'll vote for the Bill if you want to call it now because I know you've worked hard on it and I know that it's at the request of some people in your area and it's an important issue. But I don't want to extend the deadline. I think it would be unwise for this Body to extend the deadline, especially on an ad hoc basis. Let them find the Amendment and run with the Amendment and run with the Bill."

Speaker McPike: "Mr. McCracken, the Gentleman's going to withdraw the Motion at this time. Take the Bill out of the record. The Motion's out of the record. Mr. Saltsman, do you want the Bill out of the record? Take the Bill out of the record. House Bill 3437, Representative Young. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3437, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3475, Representative

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Johnson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3475, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Johnson."

Johnson: "This Bill permits economic development advertising and mandated advertising to be included in the rate base. It liberalizes the Bill slightly. I move for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. Is there any discussion? Being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3437, Representative Young. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3437..."

Speaker McPike: "House Bill 3437 has been moved to Third Reading. House Bill 3665, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3665, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #1...or Floor Amendment #2, offered by Representative Mautino."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 becomes the Bill. This is the...agreed compromise between the utilities and the small

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business advocate of the Commerce Commission and the National Federation of Independent Business. It sets out the provisions of the application to reorganize a holding company, does not affect those that have already been...applications have been authorized. It provides that no public utility can provide any nonutility product or service in a manner or price that is...unfairly discriminates against any competing provider. Everyone is signed off on this Bill. It is the compromise to the original proposal and I ask for its adoption."

Speaker McPike: "Is there any discussion? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3660...3685, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3685, a Bill for an Act to amend Sections of the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments?"

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

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is simply a technical Amendment that was worked out with the Illinois Commerce Commission. It's within the scope of the Bill as passed out of the committee."

Speaker McPike: "The Gentleman moves the adoption of Amendment #2. Is there any discussion? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted."

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Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3728, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3728, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments filed?"

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

Speaker McPike: "Third Reading. House Bill 3733, Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3733, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Floor Amendment #1, Representative Mulcahey came to me and said that he had made a commitment in...in committee not to have any Amendments and we all know Representative Mulcahey is a man of his word. I honored his word and put the Amendment on another Bill which we just did, so I withdraw that Amendment."

Speaker McPike: "The Gentleman withdraws the Amendment. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3807, Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3807, a Bill for an Act to amend Sections of the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"



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

Speaker McPike: "Representative Mulcahey. Representative Mulcahey? You're on. Would you...speak up, Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. Amendment #1 simply states that...regarding insurance and insurance premium payments that...that no insurance producer...will...shall accept checks, money orders, or similar financial instruments of payment of any premium unless such an instrument is payable solely to the insurer. No insurer...no insurance producer shall endorse or cash any such statement and I would move for the adoption of Amendment #1."

Speaker McPike: "The Gentleman moves for the adoption of the Amendment and on that, Representative Peterson."

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

Speaker McPike: "Yes."

Pedersen: "Now, Representative, before we get into the part you talked about, according to my analysis here, you are...this Amendment also deletes the provision that allows an insurance producer to add a maximum late charge of 1 1/2 percent per month to an unpaid balance to induce payment of premium. Are you...are you eliminating that...that charge completely, or just eliminating the limit, the 1 1/2? The way we read it...what you're saying is that there's no limit."

Mulcahey: "That's correct. That's my intent."

Pedersen: "So, if you're...if you're in...if an agent is invoicing, then he could charge as much as he wanted on the unpaid Bill."

Speaker McPike: "Turn on Representative Leverenz, please."

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Mulcahey: "The entire intent of this, Representative, is to simply provide a situation whereby no insurance salesman shall accept cash, any checks made out to him personally...whereby he will be in a position to cash those checks himself, put them in his own...put that in his own account, and/or it provides a situation whereby no insurance salesman or collector shall be allowed to cash any other check that is made out to a company and do whatever they do with it at that time. That is...the entire intent of the...of the whole thing."

Pedersen: "So what...so what you're really saying is that since he can't...he can't invoice for an insurance policy that's issued in his agency...you're just saying that this maximum charge isn't necessary. Is that right?"

Mulcahey: "Yes. As a matter of fact, the...the idea of course is to...is to get away from the situation whereby the insurance...the insurance...the insurance agent, as I know it, in the simplest terms I can...the insurance agent is in a position to cash any one of those checks any time he wants to, whether it's made out to him, of course this prevents it being made out to him, or if it's...even if it's made out to the company. The problem we're having, let me explain, Mr. Speaker, the problem that...that created this situation, is that because of the tremendously aborted insurance laws we have in Illinois, and they are a total abortion, we find that there are insurance agents around the state, and it happened in my district where a number of senior citizens were sold a...a policy, and, because of the lack of effective laws in this state, because nothing said anything about it, the insurance salesman went back to the people and said, 'Look, if you buy this insurance and give me a year's premium on it, we'll reduce the rates a certain percent.' Well, they did

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it and what happened, of course, is this insurance salesman went back and he deposited those funds into his own personal account and made those payments to this...to these people on a monthly basis. And he's been doing that all around this state. He goes in and out of the other states. He works for a number of insurance companies. This simply is to protect that situation. I don't see why...anybody should oppose it, why they would be against it. It simply says that...that when you pay your premiums, when an insurance salesman comes knocking at your door to collect a premium, or when you write that check out, you make it out to the company and nobody will be allowed to cash that except the company itself, the parent office."

Pedersen: "Well, Mr. Speaker, I still have some more questions. You...Representative, you are aware that the law in Illinois provides that when an insurance agent invoices a premium that that money is supposed to be deposited in a trust fund."

Mulcahey: "Again, please."

Pedersen: "You are aware that the laws provid in this state that if an insurance agent collects a premium, that he has to deposit that money in a trust account."

Mulcahey: "What trust account is that?"

Pedersen: "The trust account for premiums collected from customers."

Mulcahey: "But where...where does that go? What trust account are you talking about? His own personal trust account?"

Pedersen: "It's a trust account in the name of his agency. That's correct."

Mulcahey: "In the name of his agency, so therefore, he...he deposit that in that trust which could be his own trust. Correct?"

Pedersen: "The purpose of the trust..."

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Mulcahey: "He could use it for his own personal use, is that...am I right or wrong?"

Pedersen: "Well, no. That's the wrong...that's the purpose of having a trust account. You're...are you aware that that's part of the law?"

Mulcahey: "No."

Pedersen: "You're not aware of that?"

Mulcahey: "No."

Pedersen: "Also...well, you are now. We're informing you. Now, the next question that...you know, that many...agents, when they...when they talk to clients, they say, 'Well now, if you...if you'd make a deposit on this, we can bind the coverage.' And you know..."

Speaker McPike: "You have used your five minutes. Would you please bring your remarks to a close. I understand, Representative McCr...I understand, Representative McCracken. You have used your five minutes. I'm just asking if you will bring your remarks to a close. I've got four other people that would also like to address this Bill.

Pedersen: "Alright, thank you...thank you, Mr Sp..."

Speaker McPike: "Representative McCracken."

McCracken: "I'd like...I will yield to the Gentleman my five minutes."

Speaker McPike: "Representative Matijeich."

Matijeich: "Mr. Speaker, as long as there's this short lull, I would like to make an announcement that the Rule...Rules Committee originally scheduled for 1:00 p.m. will now be delayed until about 2:15. We'll make the announcement. The staff is still working on the Bill, so, the Rules Committee will meet in the Conference Room, probably around 2:15."

Speaker McPike: "Representative Peterson, Representative

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McCracken has yielded his five minutes to you. Proceed, Sir."

Pedersen: "Thank you, Mr. Speaker. The question that I was asking, Representative was that...are you aware that...that most insurance agencies have the power to bind coverages? And that means that, if you're talking to a client at 4:30 on a Saturday and you say to him, 'Now, if we have a deposit on this policy, we can bind the coverage so it's effective right now.' If you had to send a check into an insurance company, there will be no binder until such time as they've received the check. So, you know, you could be talking two, three, four days, depending on the post...post office before this person could have coverage. That could be a very serious gap in coverage. And you're...we're talking all kinds of insurance, now, aren't we. We're talking life. A man might be killed in accident over a weekend. Could be talking automobile insurance where he has no coverage because the agent can't bind and he can't get a hold of the insurance company at that time of day. So that what you're really...what you're really doing here is, is eliminating that...that service to literally hundreds of thousands of citizens in this state. Are you aware of that?"

Mulcahey: "If you say so. Mr. Speaker, I...I think maybe...it might be wise for me to withdraw this Amendment and move the Bill on to Third Reading and...maybe we can do something with it later on."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Representative Lang."

Lang: "Withdraw Amendment #2, please."

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Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

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

Speaker McPike: "Representative O'Connell. Withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Representative O'Connell."

O'Connell: "Withdraw."

Speaker McPike: "Withdraws Amendment 4. Further Amendments?"

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

Speaker McPike: "Representative O'Connell."

O'Connell: "#5."

Speaker McPike: "Yes."

O'Connell: "Withdraw #5, Mr. Speaker."

Speaker McPike: "Withdraws Amendment #5. Further Amendments?"

Clerk O'Brien: "Amendment #6, O'Connell."

Speaker McPike: "Representative O'Connell."

O'Connell: "Withdraw #6."

Speaker McPike: "Withdraws #6. Further Amendments?"

Clerk O'Brien: "Amendment #7, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Members of the House. Amendment #7 to House Bill 3807 would require prio...prior approval by the director of insurance of all insurance policy forms. This would include policy forms issued by property and casualty insurers. Currently, property and casualty insurers are not required to get prior approval of the department or director of insurance, but the director can disapprove them at a later time. The purpose of this part of the Amendment is to have a uniform system that would allow the director of insurance to review all the policies.

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The second part of this Amendment deals with the simplification of insurance policies and adds a new policy simplifi...policy simplification paragraph to the insurance code. The purpose is to require that insurance policies be readable by the average citizen. I have many people come to me and...lawyer friends of mine come to me, read insurance policies, don't understand them. The purpose is to create a test which would be created by the director of insurance...for readability of insurance policies which would determine whether they were using simple sentences, whether they were using commonly understood words, whether there were caption headings that people could understand, whether they were organized, whether they had a table of contents and this type of thing. This Amendment would...mandate the director to develop a quantitative measurement for evaluating whether policies are too complex for the average citizen to understand. This would also apply to any riders that are added to an insurance policy at a later date. I would urge an 'aye' vote on this."

Speaker McPike: "The Gentleman has moved for the adoption of the Amendment and on that, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Will the...will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Pedersen: "Representative, is this...is this Amendment a part of the IPAC package?"

Lang: "Yes, it is part...yes it is Representative."

Pedersen: "We've had...we had...something like nine Bills that were submitted in committee that were being promoted by IPAC and...this...what happened to this Bill in committee?"

Lang: "Well, this is not the same Bill that...I brought this, the Insurance Simplification Bill, to the committee. It got seven votes in committee and needed eight and the reason it

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didn't pass through the committee, as I understand it, is that the Bill was not understandable. The Bill had in it something called the 'Flesh' test which is a whole long procedure including...mathematical formulas and multiplication by certain decimal points and that type of thing. That has been removed from this Amendment, and we merely have asked the director of insurance to promulgate some sort of quantitative analysis. It could be the 'Flesh' test or some other. But the...the part of the original Bill that had specific numbers and specific details in it has been removed."

Pedersen: "Thank you, Representative. The...the question of readability did come up in committee and I have this portion of...of the Bill about simplification and understandability and all that and I...I just wonder if this wording is still in the Bill. 'The director shall develop a quantitative measurement for evaluating the average complexity of words and sentences contained in a policy. Such quantitative measurements shall take into account the average number of letters and syllables per word and the average number of words per sentence. The director's regulations shall provide that policies which quantitatively exceed a specified level of complexity shall be presumed to fail to comply with minimum readability standards.' I just wonder, Representative, is this Bill...does that meet the standards that you're talking about for insurance policies?"

Lang: "That language is still in the Bill, Representative."

Pedersen: "Would this be a good...requirement so that the students in Chicago schools could, if they could understand it, they could graduate?"

Lang: "Well, the purpose of this Section of the Bill is to create a situation where the director of insurance can



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prepare...or can approve policy forms so that the average person on the street can understand the policy. The...the test was taken from a readability test which was developed and is being used in model insurance form Bills that have been popping up in various states which have been adopted by various states."

Pedersen: "Now, on this...the...you're...you're going to eliminate this file and used deal that we're using currently where the insurance company just filed the...the new policy or the change or whatever with the...with the director. That'll be changed so that now that the bureaucracy's going to have to read all of these things over and then spend six weeks or six months or a year deciding whether it's okay and then finally give an approval. Is that...is that what the new arrangement's going to be?"

Lang: "The director of insurance is already doing this for life and health policies, Representative, and we're merely adding this for the rest of the personal lines. As it is now, on the other personal lines, the...the policies are immediately accepted by the director of insurance and then he can disapprove them at a later date. It doesn't seem to me to make much sense to have some policies which are disapproved at a later date or some policies that should be disapproved up front. Seems to me, the policies should be uniform."

Pedersen: "So, what you're saying is that now, if the ins...if the director really disapproves of the particular form, why they can...they can let the people know, otherwise, they don't have to go through all the procedure. What you're saying is they're going to have to go through all the procedure up front. Is that correct?"

Lang: "Well, I think these two Sections of the Amendment have to

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be read together. We want to create simplified policies that the director should approve in advance."

Pedersen: "Do you have a fiscal note filed on this Amendment?"

Lang: "We do not."

Pedersen: "Do you have any idea what it's going to cost the State of Illinois to go through this...little charade?"

Lang: "No, I do not."

Pedersen: "Alright, to the...to the Amendment, Mr. Speaker."

Speaker McPike: "Proceed. You have nine seconds of your five minutes left."

Pedersen: "Ladies and Gentlemen of the..."

Speaker McPike: "Sir, you've used up your five minutes. Would you like to bring your remarks to a close? Representative Tate is going to give you his five minutes, Sir. Representative Pedersen for another five minutes."

Pedersen: "Thank you, Mr. Speaker and thank you, Mr. Tate. Ladies and Gentlemen of the House, what we're talking about is the typical IPAC approach to insurance. In fact, the typical IPAC approach to our lives in general. They would prefer that there not be any private companies at all and they're doing their best to restrict and mess around with the..with the insurance industry to the point where it might as well be socialized. It might as well be a government...a government insurance in this state. We're talking about simplifying policies which the insurance industry is going through all the time. They are constantly trying to improve the readability and understandability of policies. But what happens when you do this, is that you write a provision in a policy describing what the coverages are and then you have a claim and then what happens is that the parties involved have a disagreement and you have to go to court to interpret what they mean. And then when the judge or the jury decides

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what it means, you finally have an understanding of it and they'll use that language. Sometimes it gets kind of complicated. You know, they...you've got lawyers involved and it tends to be...you know, in defining these things, they tend to get kind of complex. So, if there's a problem with the language and the insurance company says, 'Hey! We never planned to cover those kind of things. We got to change the language again so that the policy covers what we intended to cover.' And so, you go around and around. But the truth is, what...what you come down to, it's not always that easy to describe what you want in a contract. That's why we have lawyers, right, to help us understand that. It's not always that easy to use the wording that is easily understood. All I'm saying is that this is something that is going on all the time. We...we have all kinds of brochures and simplifications of...and simplifications of the language so the people can have some understanding of what they're buying. And the...it's really, as far as the industry...as far as the industry is concerned, it's to their advantage to make it understandable. Insurance agents spend most of their time explaining what these things mean and...and describing the coverage. And it isn't that simple. As far as the filing part of it's concerned, what we're really talking about is more bureaucracy, more taxation, and more messing up an industry that's very competitive and it...it is working very well. So I urge a 'no' vote on this frivolous Amendment."

Speaker McPike: "Representative Parke."

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

Speaker McPike: "Yes."

Parke: "Thank you. Representative Lang, are you an attorney?"

Lang: "Yes."

Parke: "In the process of your legal experience, have you ever

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gone into contracts that did not have enough information or did not explain enough to your client so that you went to court saying that there were things that were left out that were not there that should have been there, in the process of doing business?"

Lang: "There are certainly many contracts that are ambiguous."

Parke: "Thank you. To the Bill. As is admitted, there are many times that lawyers must be called in because they did not have enough...their clients did not have enough information in the contract. I must remind everybody here, that these insurance contracts are legal documents. They are legal documents. They need to be legal documents. When someone signs them and pays money, we want them to be specific in addressing certain issues and certain...lines of coverage. You cannot simplify these down to a point to make it so that everybody's readable. People need to have the right to understand what they're purchasing when they sign a contract, we all agree. But currently, the Department of Insurance reviews these contracts. They have legal staff. They work on it. These contracts have been reviewed time and time again. Now, I ask the Sponsor, if you have specific instances where there are contracts that you're ambiguous or you have problems with, you can take it to the Department of Insurance and they will review those and they will take care of them. We do not need additional laws on the books, more bureaucracy, because if we find that because there's a group of people that review this or study it or we want a better contract here or there, then they make recommendations. It's going to cost the insurance companies more money if...and it might affect the whole industry. That extra money has got to be passed on to consumers. This is an anti-consumer Bill, it's not a pro-consumer. This is an IPAC Bill. They don't care.

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They're addressing their problems with a sledge hammer. I ask that you don't sponsor...support this Amendment. It's frivolous. It's just going to create more problems, more bureaucracy. I ask you to vote 'no' on this Amendment."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield for a question, please?"

Speaker McPike: "Yes."

Regan: "Representative, I'm sure that you understand, considering the fact that you're an attorney, that this is a legal contract between two parties. The terminology of 'policy' is just a...a vernacular that has fallen into play. This is a legal contract. When was the last time that you drew a legal contract and that anybody in the street could read what you wrote?"

Lang: "Well, Representative...I try very hard to write contracts that my clients understand. In fact, I rewrite contracts all the time that my clients don't understand and try to write them so they do."

Regan: "If that was the case, we wouldn't need lawyers."

Lang: "Well, I'm trying to take away some work from the lawyers in this one."

Regan: "Alright! That's...that's great."

Lang: "I knew that would make you happy."

Regan: "To the Bill, there is also a situation of trust involved with an agent and a client. If there is an agent out there in the field misrepresenting what the contract says, this agent sh...has laws. He can lose his license. He can also be sued. That's the reason we have errors and omissions insurance. And he can also go out of business pretty quick because the word gets around town that this...this man misrepresents what that legal document said. Legal document, a legal contract, is drawn between an insurance

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company and a person or another company. It has to be done in legal language to close loopholes and it protects the company as well as protecting the client. This is just a little mischief. I'd advise a 'no' vote."

Speaker McPike: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. I think the opponents of this Amendment miss the point. The point is not who's presented it, not whether it's an IPAC Bill or whose Bill it is or whose Amendment it is. The issue is, can we do something for consumers to help them in their every day life and I think, since all consumers have insurance policies...and since many of them come to me as an attorney and as a State Representative, to say to me, 'What does this...what does this mean? What is this saying? No one can explain it to me? I asked the person who sold it to me what it means and they can't tell me what it means.' I think it's time we did something to help them. The Amendment is here to help them. Let's take away some of the work from the lawyers, that'll make some of you happy...and let's...let's do something for consumers to help them. I urge an 'aye' vote on this."

Speaker McPike: "The question is, 'Shall Amendment #7 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 69 voting 'aye', 44 voting 'no' and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative O'Connell."

Speaker McPike: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. Amendment #8 was also in the form of a Bill that was presented to the Consumer Protection Committee. It was also a part of the IPAC

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package and it was also defeated in the committee. So, with that information...which will precede my remarks, I want everybody to know where it came from and you can address your remarks accordingly. This...this Amendment will provide for a comparison pamphlet or booklet, which will be prepared by the Department of Insurance which will provide a comparison of rates between the Medicare supplement insurance, home owners and tenants insurance, automobile insurance. Originally, the Bill had life insurance, but we deleted that. It is understood that rates are fluctuating and rates do change in the insurance industry. However, what this...what this would provide is at least an overall comparison in terms of the differences between insurers. Even though the rate itself may change, the comparison or the differences in the rates should be stable enough for the consumer to have a pretty good idea as to what insurer is offering competitive rates and what insurer is not. Also, this is not unprecedented. The State of New York currently provides such comparisons. They were presented at committee. In addition, our own Department of Insurance presently has comparison prices which are kept internally and are available upon request. So this is...this Bill basically provides for an extension of what is al...currently in practice. I'd be happy to answer any questions."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #8 and on that, Representative Piel."

Piel: "Parliamentary inquiry, Mr. Speaker. With the adoption of Amendment #7, is #8 in order? I don't believe it is."

Speaker McPike: "While we're checking that out, we'll recognize Representative Parke. Representative Piel, was that your only question? Did you want to address the Bill or was that it?"

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Piel: "No, I just thought we could probably do away with a lot of...you know, people speaking on this..."

Speaker McPike: "Alright. I agree. I agree. We'll check it out. Representative Parke, proceed."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There are literally hundreds of insurance companies, if not thousands of insurance companies selling insurance in the State of Illinois. You're asking one of our departments, now, to be a gatherer of all information. So it says...it says it establishes penalties for noncompliance, so obviously, we're planning on penalizing somebody in the Department of Insurance if they don't do a good enough job. Are we going to...by the way, the Sponsor, can you tell me who we're going to penalize? Is it the director or some subordinate is going to get in trouble for this if we don't do it right? Can the Sponsor tell me? Does anybody know?"

Speaker McPike: "Representative O'Connell."

O'Connell: "I'm sorry. I'm sorry, I didn't hear the question."

Parke: "It says in my synopsis here that...of the Bill, or the Amendment...that it establishes penalties for noncompliance. Does that mean that we're going to penalize the Director of Insurance and put him in jail or are we going to have some subordinate who doesn't comply with whatever your Amendment wants it to do?"

O'Connell: "No, I...I think the penalties that they're referring to is the submission of the information that the department would put on. The penalties...you're correct, would not be appropriate for a state agency, but rather would be a mandamus or a direction, would be appropriate remedy if a state agency refused to abide by a statutory directive."

Speaker McPike: "Representative Piel, the Amendment is in order. Proceed, Representative Parke."



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Parke: "Thank you, Speaker. You know..."

Speaker McPike: "Excuse me, Representative Parke. Representative Piel."

Piel: "Okay. I would like to just call the Parliamentarian's attention to #7, basically...by deleting the title and inserting in lieu of there, Section 143 and adding Section 155. Now, there is a deleted...they've deleted everything in the title initially and adding 155.27. Number eight goes on by deleting the title and...by deleting Section 125.27 (sic - 155.27) and the 207. The 207 is no longer in the title. Am I correct?"

Speaker McPike: "Mr. Piel, you can make your point and we'll take a look at it. If you'll just make your point we'll...we'll review the ruling." Would you make your point?"

Piel: "I just...I just basically, Mr. Speaker, read to the...you know, read into the Parliamentarian the two different Amendments and I think the one is derogatory...the second one is..."

Speaker McPike: "Alright, his ruling...his ruling again is that the Amendment is germane."

Piel: "Thank you."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. You...I'm not sure I'm clear on your answer, Representative O'Connell. Could you please tell me...did you say we're going to penalize the insurance companies for not disclosing the information to the Department of Insurance or if the Department of Insurance refuses to display this that we're going to penalize them?"

O'Connell: "Yes. The...if you refer to the last...'The director shall, by rule or regulation, require submission of the data necessary for the guide from companies issuing policies and may impose a fine of up to 10,000 for failure to comply as well as seek an order from the circuit court

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to compel.' So, as I said, you can't penalize the state agency, the proper remedy is a mandamus or a directive from the...from the courts to follow the dictates of the statutes."

Parke: "Okay. Thank you for the clarification. It says that we have to print an annual guide. Now, most people know that I happen to be a life insurance agent and that segment of this contract has been deleted. But, even in my industry of selling life insurance, I get updates from insurance companies on an average, at least, of once a quarter on even changing their rates for life insurance. And I've seen it where they're changing the rates sometimes every six months or every annu...once a year. Some of the product lines that you're requesting this, now, are going to be changing their rates very often. So the rates that are quartered in this manual, that you ha...that you're requesting the department to put out, could be obsolete within three months, could be obsolete in four months and the consumer who's using this guide is thinking that he's buying because the guide has stated and...thank you, Mr. Speaker...that this guide is going to be his Bible. This is what he's going to be using. You want the consumer to get the best that we can give him and by the time he's made a decision, it could be six months, his...the rates that he has listed in this consumer guide are no longer competitive and there might be another company that has a much more competitive rate. So you're being not fair, quite frankly, to the consumer by requiring the Department of Insurance to use as a guide line. Now, there are many magazines that I have seen out on the market that lists, periodically, what is going on, consumer magazines that are out, that periodically list who has got good buys in insurance. And, we don't get that magazine coming...one magazine coming out

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just one time, we'll find that next month another magazine is coming out and they give a pretty good update of what these rates have to offer. I just don't think that we're in the business of requiring our departments, our agencies, additional bureaucrafy...beraucrafy...oh, I can't even say it...additional staff to comply this..."

Speaker McPike: "Bring your remarks to a close, please."

Parke: "Thank you, I will. I don't think we need to put the Department of Insurance into consumer manual business. They have enough to do. We have trouble funding people with money that we don't have now, so let's not burden our Department and...of Insurance with additional burdens that do not belong there. Let the consumer guides and consumer magazines do this job and let the insurance agents do their job. Thank you."

Speaker McPike: "Representative Regan."

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

Speaker McPike: "Yes."

Regan: "Representative, Do you understand the relationship of a broker and...and a client?"

O'Connell: "I do, but it depends. Are you referring to the broker that represents the insurer or are you talking about the broker who represents the client?"

Regan: "No. A broker, by a definition of the word, represents the client."

O'Connell: "Represents the consumer."

Regan: "That's correct."

O'Connell: "And an agent would represent the insurer."

Regan: "An agent represents the company."

O'Connell: "Okay."

Regan: "I am a broker. It is my job to do exactly what your Bill says to do. That's exactly what we are in the field, is to

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shop the field around and find the best rate, and not just the best rate, but the best company for the client. As in many times state government lets out bids, they have to take into consideration, not just the low bid. Many times the low bid is a company that has a reputation of poor claims payment, has a reputation of cancellations indiscriminately. That's what my job is. And that's what I think we spend most of our time doing is shopping the field for rates, trying to keep our customers down because right around the corner is your brother-in-law and my brother-in-law in the business to sell insurance and they're out there doing it too. And if they find a better deal for this client, you're going to lose the client. It's the free enterprise system and it's been working."

O'Connell: "Are you also an agent?"

Regan: "No I am not. I'm a broker."

O'Connell: "But, it is not uncommon to have brokers be also...also be general agents for insurers."

Regan: "That's also the case, but remember, there's a lot of brokers out there that keep the agents in check because if they're not competitive, the broker's going to take the business away from them. So to the Bill, it's just another little bit of mischief that's going to cost and raise money. I'd advise a 'no' vote."

Speaker McPike: "Representative Pedersen."

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

Speaker McPike: "Yes."

Pedersen: "Representative, is this another IPAC Bill?"

O'Connell: "Well, Representative, if you'd been listening to my remarks, I tried to cut short this needless questioning by announcing everything about the Bill preliminarily to this, and my answer is yes."

Pedersen: "I didn't hear you mention IPAC. I just wanted to be

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sure. It seems to me that since we just passed this...Amendment making policies easier to read that this would be unnecessary. That..."

O'Connell: "We're not talking about terms, we're talking about rates."

Pedersen: "Okay. Thank you. I have seen, over the years, many, many presentations which talked not only cost and...and...like in life insurance, they'll show you the premium, but then they'll show you the cash value, then they'll show you the dividends and how this...the mix all comes out to a better deal so the premium itself doesn't really explain everything because of what you get for it. I have also seen comparisons on the provisions in the policy. In other words, what is in the...what do they give you? And they'll have maybe ten or twelve or fifteen different provisions that they say, 'Well, this policy is not only...is a good price, but it's a good quality and we have all these provisions in it.' And I have all these other top companies who don't do this, so what we're really talking about is...is a comparison that covers everything. And yet, you're just talking...talking cost. Don't you think that's a problem with what you're trying to do?"

O'Connell: "I thought you were making a statement. I wasn't listening. Is that a question?"

Pedersen: "It was, indeed."

O'Connell: "Could you repeat it, please?"

Pedersen: "What I'm saying is that cost is sometimes difficult to define. You've got a premium, but life policy has cash value so you get a certain amount of return on it."

O'Connell: "Life insurance, Representative, is excluded from this Bill."

Pedersen: "Alright. Well, let's...let's just talk about the quality of the policy itself. You've got a contract.

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Insurance companies competing and they want to write the business so they write a policy that has broader provisions in it, that gives you better coverage for your money. And that part of it could be even better...a better deal than the cost things you are talking about. What I'm saying is...how are you going to include that kind of thing in your comparison to company?"

O'Connell: "I think you're absolutely correct. The...the guide will try to be as definitive as possible, but as with many things, you're absolutely correct. There...there is not...there is a difference, sometimes you...you pay more to get more. However, in the case of...of automobile coverage, for example...a coverage that would apply 100, or 300 thousand per accident, the...the policy is simply payment in the event of an accident and there's not much difference in terms of the quality. So what we're trying to do simply is provide a comparison of the prices. Your point's well taken."

Pedersen: "To the Bill...to the Amendment, Mr. Speaker. When this...when testimony was taken on this in committee, the Department of Insurance says they have three like catalogs, big binders with all the different rates. They're already putting out a kind of generic description of the companies and the policies and what have you which is certainly...commendable. But, I...I think what we're talking about here is something that has no real use. If you're talking about trying to analyze coverages, and I disagree with the Representative about the fact that all automobile policies are the same, they're not. And even among the various options on the limits of coverage between companies, they'll vary a lot. What we're really talking about here is something that is very difficult to do, even by the...the magazines like 'Consumers' and others that

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Representative Parke talked about. And even their attempt is only done periodically because it's such a massive job. So what this really comes down to is another burden for the taxpayers of Illinois, not needed. It's another burden for...that will create more bureaucrats and it's something that we don't need and I recommend a 'no' vote."

Speaker McPike: "Representative O'Connell, to close."

O'Connell: "Thank you, Mr. Speaker. Ladies and Gentlemen, 12 percent of the average income of our individual constituents is spent on insurance. It has been proven in the...particularly recent years that the increases and the fluctuation of insurance premiums is something that all should be aware of. What we're asking in this Amendment is not that we provide empirical data on what a particular premium is at a particular date and time. All we're asking for is a comparison, an annual comparison. While the rates may change, the differences that the particular insurer charges for rates may not be so substantial...substantially different from one point in time in the year to another. It is a comparison. It is by no means offered to be an empirical evidence of what a particular policy is at a particular day. It's a tool. It's a tool that's presently available in the Illinois Department of Insurance. What all this is saying is it would make it further available to the consuming public. It's a good Amendment. I'd request an 'aye' vote."

Speaker McPike: "The question is, 'Shall Amendment #8 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk, will take the record. On this Amendment, there are 67 'ayes', 46 'nos', 1 voting 'present' and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative

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O'Connell."

Speaker McPike: "#9 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "This Bill has a request for a fiscal note filed. Mr. Mulcahey, no fiscal note has been filed to the Bill. It stays on Second Reading. House Bill 3850, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3850, a Bill for an Act to amend an Act to prohibit the purchase and transmission of certain electricity. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments filed?"

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

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I want to withdraw Amendment #2."

Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

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

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 actually clarifies and gathers together some of the things we overlooked in Amendment 1 and 2 that we tried. And, actually, Amendment #3 becomes the Bill which prohibits any municipality owning or operating electric public utility or any public utility, preventing them from purchasing any hydroelectric power outside of the United States unless the Illinois Commerce Commission determines that it is necessary for the health and welfare of the citizens. Appreciate your support."

Speaker McPike: "Any discussion? The question is, 'Shall Amendment #3 be adopted?' All in favor...of the Amendment say 'aye', opposed 'no'. The 'ayes' have it and the



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Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. A Special Order of Business — Children, appears House Bill 1844, Representative Preston. Out of the record. House Bill 2862, Representative Daniels. Out of the record. Continuing on Public Utilities. Representative Breslin, House Bill 3872. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3872, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments filed?"

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

Speaker McPike: "Representative Breslin. Representative Piel."

Piel: "Question of the Chair, Mr. Speaker. Has this been printed and distributed?"

Speaker McPike: "Yes, it has. Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #2 is an Agreed Amendment worked out between Commonwealth Edison and the Citizens Utility Board. It is primarily technical. It does not change the basic operation of the Bill. I ask that it be adopted."

Speaker McPike: "Is there any discussion? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3982, Representative Ewing. Representative Ewing here? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3982, a Bill for an Act in relation to enterprise zones and tax exemptions. Second Reading of the

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Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 4284, Representative Turner. Representative Turner here? Representative Turner? Out of the record. Special Order, Labor. House Bill 3027, Representative O'Connell. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3027, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. Floor Amendment #1 deletes the word 'generally' when it refers to body parts of a...of a car. This Amendment was generated by a concern expressed by some people, particularly the automobile wholesale dealers that the effect of the Bill would apply to small body parts of a car, such as mufflers, batteries, filters, things of this nature. The Bill applies to the exterior struc...exterior structure of the car, of the frame, the frame of the car. And so I deleted the word 'generally' to make it explicit and clear that the Bill is aimed at exterior...the exterior part of a car only. I'd be happy to answer any questions."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield for a question?"

Speaker McPike: "Yes, he will."

Regan: "Representative, is your...is your Amendment, do you think

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that there's going to...to raise the cost of these parts or lower the cost of these parts?"

O'Connell: "That's...that's a totally irrelevant question. The Amendment...the Amendment doesn't address whether the cost will go up or not. As I explained, the Amendment further defines the word 'replacement part' and it places the replacement..."

Regan: "I'm sorry. I was outside talking with some mentally ill kids and I missed the first part of the statement. That's okay. We'll get to the Bill later."

O'Connell: "Alright."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No Further Amendments."

Speaker McPike: "Third Reading. House Bill 3101, Representative. Read the...Representative? Out of the record. House Bill 3379, Representative Saltsman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3379, a Bill for an Act to amend an Act to permit employees to review personnel records. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes. Thank you, Mr. Speaker. Floor Amendment #1 is trying to work a program with our employers to where they can have the access to their promotions and...and different problems that they would have to take care of their management skills and so on. And they would be eliminated from this Act. And, so therefore, the union and the management people are working on this now and we're...it'll

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probably be amended in the Senate, we'll probably get this Bill back a little later on."

Speaker McPike: "The Gentleman moves the adoption of Amendment #1 and on that, the Lady from Cook, Representative Didrickson."

Didrickson: "Yes, would the Sponsor yield for a question, please?"

Speaker McPike: "Yes, he will."

Didrickson: "Representative Saltsman, are you going with this Amendment or are we working for agreement over in the Senate, is what you're saying, or..."

Saltsman: "Yes. I'm going with this Amendment and it'll probably be amended again when they come to their agreement. In fact they're, even as much as working on it about an hour ago again."

Didrickson: "Then, to the Bill, Mr. Speaker."

Speaker McPike: "To the Amendment?"

Didrickson: "To the Amendment. I have some problems opposing Representative Saltsman because both sides have been working on an Agreed Amendment because all of us agree that employees should have access to personnel records. It's a matter of how deep and how invasive that access is. So, in that regard, we still have management opposed to this. It's my understanding that Caterpillar is still opposed to it. I don't think it does what he wants it to do. I don't think the Amendment should go on. I think we should wait for the second Amendment."

Speaker McPike: "Further discussion? Being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

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

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Speaker McPike: "Representative Didrickson. Withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #3 puts the Bill in better shape to even go for further consideration in the Senate. It does what we want it to do. As far as we're concerned, management's concerned, it does allow access for employees into the personnel records, but it doesn't go so deeply as management plans and sensitive, competitive information that would exist if we were to go with Amendment #1 which Saltsman just put on. So I move for its endorsement and I would like for a Roll Call vote."

Speaker McPike: "The Lady has moved for the adoption of the Amendment and on that, Representative Saltsman."

Saltsman: "Yes. I oppose this Amendment. I had that Amendment for about the last three weeks around this building and the Amendment that was just passed, Amendment #1, contains about 90 percent of what management wants. Staff planning documents are being taken out of the files to appease the management people. And, like I said, it's getting late for us to pass this Bill out. I'm opposed to this Amendment and Amendment #1 is good enough for the Bill at this time."

Speaker McPike: "Representative Didrickson to close."

Didrickson: "Mr. Speaker, Members of the House, I have to disagree with Representative Saltsman. It does not have 90 percent of what we want on Amendment #1. Actually, Amendment #3 probably has about 90 percent of what Caterpillar wants, what management wants, and still provides...still provides for the employees' rights to the access on their own personnel records. This is the

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Amendment. This is the correct Amendment to move over to the Senate for further negotiation. I ask for a Roll Call vote and I ask for 'aye' votes on this Amendment."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this...Curran, no. On this Amendment, there are 50 'ayes' and 65 'nos'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3381, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3381, a Bill for an Act in relation to plant closings and relocations. Second Reading of the Bill. This Bill has been read a Second time previously. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments filed?"

Clerk O'Brien: "No Motions filed. Amendment 2, 3, and 4 lost, 5 was withdrawn, 6, 7, and 8 lost, 9 was withdrawn. Floor Amendment #10, offered by Representative Didrickson and Mautino."

Speaker McPike: "Representative Didrickson withdraws Amendment #10. Further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative Didrickson and Mautino."

Speaker McPike: "Representative Didrickson withdraws Amendment #11. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Didrickson and Mautino."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. Floor Amendment #12 puts, as far as we're concerned, plant closing legislation in the form that it needs to be put in.

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There's nobody here that denies that employees ought to have the right to a 60 day notice with a certain exit provision with regards to mass layoffs or with regards to plant closing. This Amendment provides that 60 day written notice with the exit proviso where with regards to seasonal work or another business circumstances, it provides that they cannot make that 60 day notice without harming their particular situation. It also removes the unlimited liability and it also removes from the original Bill the fact that sensitive information, competitive information, trade secret information would not be included in this Bill. This is a good Amendment. It does just exactly what we want to do. It provides and protects the small business, 'the little guy', which is what we always say we're for down here. Actually without this Amendment it's going to hurt the little guy. I move for it's endorsement and for...I would like a Roll Call vote."

Speaker McPike: "Is there any discussion? Representative LeFlore."

LeFlore: "Thank you, Mr...thank you Mr. Speaker. I feel that the Amendment is detrimental to the Bill. And therefore I oppose the Amendment."

Speaker McPike: "Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker McPike: "Yes, yes she will."

Leverenz: "In your Amendment, for notice, who does the notice go to?"

Didrickson: "The same people that the notice goes to in the current Bill."

Leverenz: "The same? Thank you."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much. I stand in support of this Amendment because it provides an additional avenue where a

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circumstance occurred that was unbeknownst originally by the employer. The current provision in the law establishes that the director may make adjustments in that 60 day period, if in fact something happens that is uncontrolled by the employer. Example; after the notice has been filed a financial institution may confiscate, I guess the term is, the liquid assets of that company. As has happened in a few cases in our area. And the employer then paid the employees and the checks came back NSF. This provision within this Amendment provides that that fact does not make that employer liable because of the nonnotice in the 60 day provision. I happen to think that's a pretty important provision and knowing full well how bureaucracy's operate in Springfield in many cases I'm sure the director would hold a hearing and evaluation and probably not respond to that outside exterior event until two or three weeks later. I think it's a good Amendment. It addresses the concerns of those with more than a hundred or more employees, both on a fulltime and a parttime basis. It addresses almost everything else that was in the original Bill. I think it's a good Amendment."

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes, the previous speaker was right. Just about everything is in this Amendment that was in the previous Bill. But the Director will have those powers and if you don't like the Director's decision you can take it to court. So this is why we got to oppose this Amendment. This is not a good Amendment."

Speaker McPike: "Representative Didrickson to close."

Didrickson: "Thank you, Mr. Speaker, Members of the House. Representative Saltsman said that that...there is a provision in there that they can go to court if the...with an appeal process. That's not true. And I think you ought



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to understand that there is no such provision in there. This is a proposal that is fair to employees. You don't have to hammer away at management or hurt the employer, but you can be fair to employees. And that's exactly what this Amendment does. It's a good Amendment. Representative Mautino and ourselves have worked very hard on it. It's fair. And the 'aye' vote is a good vote. I ask for a Roll Call vote."

Speaker McPike: "The question is, 'Shall Amendment #12 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment there are 49 'ayes', 67 'nos' and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Speaker Madigan in the Chair."

Speaker Madigan: "On page 3 of the calendar there appears a Special Order of Business, State Income Tax and on that Order of Business there appears House Bill 3327. Mr. Clerk, read the Bill."

Clerk Leone: "On page 15 of the calendar, House Bill 3327, a Bill for an Act to amend an Act relating to State revenues. Third Reading of the Bill."

Speaker Madigan: "Mr. Curran."

Curran: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House I move to suspend the provisions of House Rule 37(g) as they pertain to House Bill 3327. So the consideration of such Bill may be continued through June 2, 1988."

Speaker Madigan: "Mr. Saltsman."

Saltsman: "I object."

Speaker Madigan: "Mr. Curran moves that the Third Reading deadline for this Bill be extended to June 2, 1988, Mr. Saltsman objects to that Motion. The Chair recognizes Mr.

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Matijevich."

Matijevich: "Representative Curran that's my Anniversary Date. I object to having that Bill heard on my Anniversary."

Speaker Madigan: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, it seems to me that the issue of the Income Tax is the most serious subject before us this Session. And it is clear that we have not discussed it nearly enough, we have not heard from all of the leaders, we have not heard enough from the Governor. I don't think we want to leave this in the hands of the Senate, do we? Let's extend the term that we can discuss this in and proceed to behave like a responsible Legislature."

Speaker Madigan: "Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion to extend the deadline. I too agree that we have not heard from the Governor. We need to hear what his provisions would be and to keep something alive so that if he does come up with some parameters that we can act on that. And I would again stand in support of the Gentleman's Motion."

Speaker Madigan: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I too stand in support of this. I think that even though a lot of people have opinions on revenue, we have not come to a consensus. This does allow for a little more time. I'm not necessarily one that wants to put it off any longer, but I do think that it's time that those of us in the Legislature get down to business. Tragically enough I don't think this Bill exactly responds to that. But I want to compliment the Representative for at least offering it. And I think in the wisdom of the House at this point in time it is best to extend and to support his Motion for

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extension. And urge that all Members of this Chamber begin to seriously consider the needs of the state and what is in the best interest of good business management and in preparing for young people the education that they deserve in this state. And the caring of people who are mentally ill, to those who are in nursing homes. These are serious questions that we need to address and I certainly think that tragically enough we are not ready to do that at this point. And urge the support of the Motion."

Speaker Madigan: "The Chair recognizes Mr. Tuerk."

Tuerk: "Mr. Speaker we request a Republican Conference, please."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Speaker, I'm going to speak more seriously on the issue of whether we should extend this. I was..."

Speaker Madigan: "Well Mr. Matijevich there is a request for a Republican Conference."

Matijevich: "Oh, I'm sorry."

Speaker Madigan: "And the Republicans can meet in Room 114 immediately. I'm told it will last about a half an hour. So we can expect it will be about an hour. Just advise us when you're ready to return. So the House will stand at ease for the purpose of a Republican Conference. Thank you. Mr. Tuerk."

Tuerk: "I think I heard you say 114, did you mean that? Or 118?"

Speaker Madigan: "I stand corrected, 118."

Tuerk: "Thank you."

Speaker Madigan: "The House shall come to order. Members shall be in their chairs. Mr. Clerk you have anything? Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bill's of the following title and the passage of which I am instructed to

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ask concurrence of the House of Representatives to wit;  
Senate Bill's #1167, 1558, 1581, 1624, 1672, 1673, 1676,  
1723, 1761, 1795, 1869, 1893, 1902, 1903, 1914, 1915, 1954,  
1956, 1994, 1995, 2096, 2116, 2122, 2124, 2193, 2197, 2199,  
2218, 2235, and 2256 passed by the Senate May 19, 1988.  
Linda Hawker, Secretary of the Senate.'"

Speaker Madigan: "Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 1529, Shaw, a Bill for an Act to amend the Drug Paraphernalia Control Act. First Reading of the Bill. Senate Bill 1609, Myron Olson, a Bill for an Act to amend an Act to revise the law in relation to Clerks of Courts. First Reading of the Bill. Senate Bill 1657, Leverenz, a Bill for an Act to provide for the ordinary and contingent expense of the State Comptroller. First Reading of the Bill. Senate Bill 1668, Parke, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1689, Keane and Hoffman, a Bill for an Act making certain appropriations for higher education. First Reading of the Bill. Senate Bill 1737, Mays, a Bill for an Act making appropriations for the ordinary and contingent expense of the Illinois Educational Labor Relations Board. First Reading of the Bill. Senate Bill 1759, Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Veterans' Affairs. First Reading of the Bill. Senate Bill 1786, Barnes, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1789, Braun, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 1794, Ewing, a Bill for an Act in relation to waste water treatment. First Reading of the Bill. Senate Bill 1826, Mautino, a Bill for an Act to amend an Act regarding credit and interest. First Reading of the Bill. Senate Bill 1834, Myron Olson, a Bill for an

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Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 1835, Leverenz, a Bill for an Act making appropriations to the Attorney General. First Reading of the Bill. Senate Bill 1836, Leverenz, a Bill for an Act making appropriations to the Attorney General. First Reading of the Bill. Senate Bill 1842, Terzich, a Bill for an Act in relation to certain units of local government. First Reading of the Bill. Senate Bill 1856, Williams, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1870, Wennlund, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1871, Slater, a Bill for an Act concerning liens on personal property. First Reading of the Bill. Senate Bill 1897, Johnson, a Bill for an Act making appropriations for the ordinary and contingent expense of the State Universities Civil Service System. First Reading of the Bill. Senate Bill 1967, McCracken, a Bill for an Act to amend an Act to provide for the representation and indemnification in certain civil law suits. First Reading of the Bill. Senate Bill 2027, Satterthwaite, a Bill for an Act to amend the School Code. First Reading of the bill. Senate Bill 2049, O'Connell, a Bill for an Act to amend the Life Care Facilities Act. First Reading of the Bill. Senate Bill 2098, Stange, a Bill for an Act to amend an Act in relation to professions, occupations and not for profit corporations. First Reading of the Bill. Senate Bill 2102, Black, a Bill for an Act to amend an Act in relation to vehicle warranties. First Reading of the Bill. Senate Bill 2110, Parke, a Bill for an Act to amend an Act relating to motor vehicles and the insurance. First Reading of the Bill. Senate Bill 2136, Countryman, a Bill for an Act in relation to registration of federal liens. First Reading of the Bill. Senate Bill

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2147, Granberg, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 2151, Bowman, a Bill for an Act making appropriations to the Illinois Asbestos Abatement Authority. First Reading of the Bill. Senate Bill 1581, Novak, a Bill for an Act to provide for the creation of Kankakee River Valley Area Airport Authority. First Reading of the Bill. Senate Bill 1672, Currie, a Bill for an Act to amend the Freedom of Information Act. First Reading of the Bill. Senate Bill 1676, Philips (sic - Phelps), a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 1761, Brunsvold, a Bill for an Act providing for consolidation of municipalities in counties. First Reading of the Bill. Senate Bill 1869, Laurino, a Bill for an Act concerning Alien Insurer's. First Reading of the Bill. Senate Bill 1903, Wait, a Bill for an Act in relation to fire protection districts. First Reading of the Bill. Senate Bill 1912, Dunn, a Bill for an Act to amend the Public Utilities Act. First Reading of the Bill. Senate Bill 1915, Novak, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 1956, McAuliffe, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1994, Ronan, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 1995, Ronan, a Bill for an Act to amend the Illinois Controlled Substance Act. First Reading of the Bill. Senate Bill 2235, W. Peterson, a Bill for an Act in relation to Natural Resources and Environmental Protection. First Reading of the Bill. Senate Bill 2256, Kubik, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill."

Speaker Madigan: "The Order of Business shall be House Bill 3327.

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On that Order there is a Motion by the Sponsor of the Bill, Mr. Curran, to extend the Third Reading deadline. The Chair recognizes Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. A point of order before we move to the business. I've been looking at the Rules in the interim since the Bill was called and it appears that the deadline for substantive Bills in the evennumbered year of this year, is May 27, 1988 not tomorrow May 20, 1988. And I direct the Chair's attention to Rule 37(g) which specifies the fourth Friday in May for House Substantive Bills in the evennumbered year. And to the inside cover of the Rules adopted as the permanent Rules of the 85th General Assembly which specifies May 27, 1988 as the deadline for House Bills of the substantive nature in the evennumbered year. Therefore, I think the Gentleman's Motion is premature."

Speaker Madigan: "Mr. McCracken to summarize what you said, the Third Reading deadline would be one week later than tomorrow?"

McCracken: "May 27."

Speaker Madigan: "Mr. McCracken, I'm advised by the Clerk that there is a document coming from his office that may provide an answer to your inquiry. And if I may, we're debating this momentous question of extending this deadline for this shell Bill and might there be someone else who wishes to contribute to this historic debate? There are yes, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, we're speaking now to the main Motion?"

Speaker Madigan: "Yes please."

Satterthwaite: "Thank you. Mr. Speaker and Members of the House, I believe that we should postpone a deadline for consideration of the Bill regardless of the parameter's of

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that decision. Because, we are aware that we're only partway through the appropriations process, and already we are finding that the small amounts of money that we can change within the available revenue really are not meeting the needs of our educational systems, of our mental health system, of the programs for the aging and the various other kinds of social services that we feel are necessary for the citizens of the state. And until we are able to learn what the Governor's proposal is for an increase in tax revenue for the state it is difficult for us to try to allocate additional funds to provide those services. And so I would hope that within the very near future we would be able to hear from Governor Thompson what he feels the necessary tax program ought to be for the State of Illinois, to try to meet those needs of the constituents. So lacking any kind of a message from the second floor as to what the revenue needs are I think it is appropriate that we reserve this Bill as the possible vehicle for any kind of a tax increase that we might agree upon once his message is known to us."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I rise to oppose extending the deadline. And I made the analogy the other day, at least I started to before I got shouted down, that you've often heard the expression on the floor of the House when a Bill has been defeated they just didn't have the horses. And I started to say that the whole issue reminds me of the fact that, let's face it, who is the lead horse in what is supposed to be the income tax issue. The guy that's supposed to be riding the lead horse is Governor Thompson. And it reminds me of the fact that some of you have seen where sometimes there's a race and the horse trips, falls, the rider falls off the horse, and away the horse goes in a different direction. Now I'm not



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sure if the horse in this case just didn't like the way the rider was riding him or what. But let me tell you that we're all the way in May now, and Governor Thompson promised all of the reporters that in May he would give us an indication of what tax he wanted, how much he wanted, and where the monies were going to be allocated. Here we are May 19th and we haven't heard anything from him yet. Here we are May 19th and we're on the floor of the House considering whether a Bill sponsored by a Democrat ought to be extended so that we can have an income tax. Evidently Governor Thompson cannot trust his own political leaders like Governor Ogilvie did, to advance his own income tax plan. You know, last year he really bungled it up and this year he is adding to the confusion. Just this week he vetoed a supplemental Bill for medicaid reimbursement. And I think most of you heard him say that we need 200 million dollars surplus. Because we have to...we have to have a triple A credit rating. Well you know, let's face it, let's compare that to a family. If you had a million dollars in the bank...a million dollars in the bank, but you weren't paying your bills, would you have a good credit rating? No you wouldn't. Yet Thompson believes that he cannot pay bills even though he has funds and have a good credit rating. It's no wonder that I'm confused, you're confused and everybody is confused as to the fiscal condition. Until Governor Thompson straightens out his act, until he gets on a horse that he can ride in a clear direction, and ride it...and it ought to be a elephant that he's riding, let's face it...until he get's that horse I think we ought to forget about it for a while and we surely should vote not to extend this Bill."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Mr. Morphew brought over a

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document regarding an Amendment to the Rules, so I'll address the merits. And I think this vote is in itself, or should not be very momentous. You're right Mr. Speaker it's just to extend a deadline but I think the last speaker epitomizes the reason why it should be given very serious consideration by this side of the aisle. Because it's used as a forum for bashing on a political basis. You know, you stand up and rap the Governor, he doesn't have a program. You hope we'll stand up and say 'Oh, yes, he does have a program and we're going to tell you what it is and it's for tax increases'. So either way your side of the aisle does not lose. Well I'm here to tell you that it is you who is perpetrating the hoax on this State of Illinois. It's Representative Cullerton, the Floor Leader on your side of the aisle, who stands up and makes a ten minute speech and then withdraws an Amendment on the issue. It's you who has not come up or offered for consideration or a vote any Amendments to this momentous Bill. So what do you need two more weeks for? Why didn't you do something last week? Why didn't you stand up and offer the Amendment? No you stood up to make a speech thinking you're going to fool everybody, thinking the press isn't going to catch on. And then you hope we stand up and say 'Oh yeah the Governor is for a tax increase'. So that we can be painted as the ones leading the horse to the water. Well you guys own the Legislature. You guys have the majority in each House of the Legislature. The Bill has to come from a Member of the General Assembly. And you've done nothing. And this Motion to extend it is not fooling anybody. We all know there are a million vehicles out there and we can find them at the last minute. You're not kidding anybody. This is just a day for the press, a day to fool the public."

Speaker Madigan: "Mr. McCracken the Chair would like to thank you

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for reading the rules, and encourage you to continue that practice, Sir. Mr. McCracken."

McCracken: "I propose that we publish Amendments in a pamphlet form and attach them to the permanent rules."

Speaker Madigan: "That would be fine...that would be fine. Thank you again. Is there anyone else? Mr. Curran to close."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I've made this Motion to extend the deadline because I believe we need a little more time to come to a conclusion about how our constituents would like us to spend any new revenues. And what...how much revenues those expenditures might require. Frankly I think the Governor would also like a couple more weeks. Thank you Mark. I think the Governor would also like a couple more weeks to make his determination about the amount of revenue he would like to see raised. And about his spending priorities for using that income. In addition to this lack, this current lack of consensus about spending in revenue, we're also awaiting the results of the work being done on the Chicago School Reform Package. When that work is completed it will take some reasonable amount of time for the rest of us to deliberate on it. Aside from these considerations which alone, I believe, would indicate the wisdom of a brief delay in making a final House determination on this Bill, I think we ought to realize what position we would be in, if we in the House didn't have some vehicle for our concerns regarding increased revenue and spending. If it turns out to be that that is our choice. You know, too often it's happened in the past that the concerns of this Chamber will take a back seat to the combined intentions of the Governor's Office and the Senate. Frankly, I don't think their assertiveness and their success shines a bad light on them, but I think we ought to be in the game as

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well. If it happens to us this year that we have no vehicle, then the wishes and the hopes of our constituents, the people we have come here to represent, will not be brought to the bargaining table. Our responsibility to present our concerns I believe, are another good reason to defer final judgement on this Bill. And finally there's a practical question, whether we're perf...whether we are prepared today to vote 'yes' or 'no' on this Bill. In my opinion a 'yes' or 'no' vote would be premature for some. Instead a vote in favor of an extension on this Bill is not a vote for a tax increase, nor is a vote against the extension, a vote against the tax increase. Rather a 'yes' vote for the extension is a vote for continued dialogue, continued debate, continued negotiation. In our best moments here that's what we're about. We're about deliberation, working out differences, reaching conclusions on difficult issues. And that's why I'm asking for your vote on extending this Bill. Thank you."

Speaker Madigan: "The question is, 'Shall the Third Reading deadline be extended to I believe it is June 2, Mr. Curran? June 2, 1988?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Mr. Huff to explain his vote."

Huff: "Thank you, Mr. Speaker. I think the time has come said the walrus to the mussel that we should talk of sailing ships and sealing wax and cabbages and kings and income tax. And the mussel said yes and the walrus thereupon ate the mussel. You can draw you're own references as to characters."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Record Mr. McPike as 'aye'. Mr. Clerk are you ready? Okay, on this question there are 61 'ayes', 41 'nays'...49 'nays', the Motion

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carries. On the Labor Special Order of Business there appears House Bill 3597. Mr. Clerk has the Bill been read a Second time?"

Clerk O'Brien: "House Bill 3597, the Bill has not been read a Second time."

Speaker Madigan: "Mr. Clerk read the Bill a Second time."

Clerk O'Brien: "House Bill 3597, a Bill for an Act to prohibit lie detection tests as a condition of employment. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. McCracken withdraws the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Chair recognizes Mr. McPike. Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think I can save everybody a little bit of time. As you probably read in the newspaper, one of the most conservative Senators in the United States Oren Hatch, and one of the most liberal Senators Kennedy, have combined in Washington D.C. to pass a Bill that will prohibit probably 85 to 90 percent of all the lie detector tests in this country, have now worked out a Conference Committee report with the House and the President has evidently indicated he will sign the Bill. So based on that I'm going to move to table this Bill."

Speaker Madigan: "Is there leave? Leave is granted, the Bill shall be tabled. On the same Order of Business there appears House Bill 3619. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "House Bill 3619, this Bill has not been read a

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Second time yet."

Speaker Madigan: "Mr. Clerk read the Bill."

Clerk O'Brien: "House Bill 3619, a Bill for an Act to amend an Act creating the Board of Higher Education. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. McPike."

McPike: "Withdraw Amendment #1."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 lays out how appropriations will be handled in the future in regards to our state colleges and universities. As everyone on this House Floor knows we line item every agency under the Executive Branch of Government. We have not done so in the past for institutions of higher education. So Amendment #2 provides that for the Board of Trustees of Southern Illinois University, Governor State, the College and University's Board of Regents; for those particular budgets in the future they will be line itemed, if not identical at least very, very similar to the way we line item all the Governor's agencies. I move for the adoption of the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Ropp."

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

Speaker Madigan: "The Sponsor yields."

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Ropp: "Representative McPike, why are you attempting to do this? It looks like you're separating a couple of these educational governing bodies apart rather than to somewhat allow uniformity in presentation of their Bills."

McPike: "Well, we've done it...I think I just explained that, Representative Ropp. We've done this for the Governor for a number of years and I see no reason why we should treat the institutions named in this Amendment differently."

Ropp: "Why don't...I guess I don't understand, because it doesn't... according to my analysis you are excluding the University of Illinois, and I thought they were already doing this."

McPike: "To my knowledge they are not."

Ropp: "According to our Appropriations Committee that they do. They break it down...is that...is there a misunderstanding maybe they are..."

McPike: "Well if they do already break it down in our Appropriations Bills, I think you could turn around and look at Representative Mays and Representative Tate and they would indicate that they do not break it down by line items. They simply are lump sums."

Speaker Madigan: "Mr. Ropp are you finished?"

Ropp: "Yes, we're through, thank you."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. I rise in opposition to the Amendment. Because as I read it it would set a separate class for the University of Illinois and the community colleges as opposed to the other Boards of Regents and so on. It would seem to me that what's good for the goose is good for the gander, and when you got as much of the higher-ed budget going particularly to the University of Illinois, it would seem to me that we should probably focus there first and then the others second and

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third. So it would be my opinion that line iteming further is the way we ought to be going and excluding given institutions of higher education from those efforts is not productive. And so I would rise in opposition to the Gentleman's Amendment."

Speaker Madigan: "Mr. Countryman."

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

Speaker Madigan: "The Sponsor yields."

Countryman: "Representative, why would the University of Illinois...why should that be treated any different than Southern Illinois University or any other university?"

McPike: "Well if you offered an Amendment that would include other groups in this Bill I would not rise in opposition to that Amendment."

Countryman: "But my understanding is that this will...correct me if I'm wrong, this will say the University of Illinois doesn't have to line item and neither do the community colleges. But the Board of Regents, and Southern Illinois and the Board of Governors do. Is that correct?"

McPike: "That's correct."

Countryman: "So we're really...we're really setting up two systems and all these go through, do they not, the Board of Higher Education makes the approval of these budgets before they're submitted to us every year?"

McPike: "That's correct."

Countryman: "So...I mean is there...is there some reason you want to exclude the University of Illinois?"

McPike: "Well, the University of Illinois did convince us that they were not the same as SIU for example that does indeed operate two or more than two or...let's just talk about the two main campuses. The campus at Edwardsville and the campus at Carbondale are really recognized as two separate campuses, two presidents. They really do have their own



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individual budget. They were able to convince us, the University of Illinois was, that that's not quite the same for the University of Illinois, although they have a campus in Chicago and a campus in Champaign. It's really treated as one University system, and is not really as two individual, separate locations with their own identity and their own separate programs, et cetera."

Countryman: "But as we presently appropriate to those institutions we appropriate it by campus, don't we?"

McPike: "No we do not."

Countryman: "Well in the Board of Regents budget which I..."

McPike: "But we don't at SIU."

Countryman: "...well in the Board of Regents budget which I handle, along with Representative Ropp, we do. We break it up by the universities..."

McPike: "That's correct. And I want to do the same thing for SIU."

Countryman: "I guess maybe the Bill should have...to the Bill Mr. Speaker. I think the Amendment should have been directed to SIU if that's where the problem is. And I frankly think that this creates a dichotomy in the process, and I think that it...it really clogs up the ointment so to speak and I frankly think if we're going to change something I may...I may consider supporting it. But I think we ought to be uniform to universities across the state. I don't think we ought to say the University of Illinois ought to be treated one way in terms of budget process, and the rest of the universities treated another way. And if there's a problem with a particular university we ought to deal with that. But I think this Amendment unfairly discriminates against certain universities and one which I definitely represent. But I really just don't think it's fair and I'd ask for a Roll Call vote and ask you to vote 'no' on this Amendment."

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Speaker Madigan: "Mr. Johnson."

Johnson: "If Representative Countryman were asking for a delay or for some time to prepare his own Amendment with respect to his own university then perhaps the Sponsor, certainly I would think listen to those considerations. But the fact is we're here with this Amendment, for this specific university for a reason that I haven't heard refuted yet. The fact that other people do other things with other universities isn't the issue. The issue is whether the University of Illinois should be exempted from the scope of this Bill. And that's what Representative McPike's Bill does, the Amendment does and it makes a lot of sense. We have two and possibly three campuses according to how you look at it. And if we were forced to do at the University of Illinois what the general purport of this Bill would do, really would put us in a position of causing unnatural divisions within the university structure that in the long run, and the short run for that matter, would work against everybody at the university; the nonacademics, the academics and the students. There is reason, although I don't think this is the appropriate Bill to discuss it, to treat the University of Illinois different than other universities, with all due respect to those other universities and their excellent representation. There are some differences but that's not why we're here. We're here to discuss this Amendment. It makes good educational sense, it makes good policy sense and it lets an institution continue to operate in a way that will not cause artificial divisions that in the long run work against the interest of the students of that school and for that matter the students all around the state."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker, Members of the House. I rise

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in support of House Amendment #2. I believe it will contribute to legislative oversight of the spending process. I understand the concern that it treats some universities in the State of Illinois differently than others. However, I would say now that while I support this Bill because I think it contributes to legislative oversight in the spending process, I would support similar measures that would include other universities with the same kind of itemization of their expenditures. I would urge an 'aye' vote on Floor Amendment #2."

Speaker Madigan: "Mr. McPike to...excuse me Mr. Klemm."

Klemm: "I stand..."

Speaker Madigan: "Mr. Klemm."

Klemm: "Thank you, Mr. Speaker, I stand in support of the Amendment. I don't think it goes far enough Representative McPike. I think you should include everybody and then have accountability of the taxpayers dollars. You know, I sometimes think some Legislators think these universities belong to them. It really belongs to all of us, and I think your accountability of all the dollars is commendable, and I stand in support of your Amendment."

Speaker Madigan: "Mr. McPike to close."

McPike: "Thank you, Madam...Mr. Speaker and Ladies and Gentlemen of the House. As many of you know we do not line item for K through 12, we do that by formula. We do not line item for the junior colleges because we also do that by formula. I think that we should line item for those universities that I've mentioned in here. And I mentioned SIU, the Board of Governors and the Board of Regents. Now perhaps you think that those particular universities in the state should be treated differently than the way we treat the Governor. Perhaps you think that we should not line item them. We would simply have a difference of opinion on

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that. We go through the Governor's budget with a fine tooth comb. Unless we line item for the various universities in the state then we do not treat them the same way. Now if you think the University of Illinois should be included in this, then offer an Amendment to that effect, and I would not stand in opposition to it. Perhaps that will be included next year. But I think as a start at least, we should begin to treat these universitites the same way we treat every agency under the Executive Branch of Government. I move for the adoption of the Amendment."

Speaker Madigan: "The question is, 'Shall the House adopt Amendment #2?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? 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 92 'ayes', 23 'nos', the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On the Subject Matter called Children there appears House Bill 2862. Mr. Clerk what is the status of that Bill?"

Clerk O'Brien: "House Bill 2862 is on Second Reading."

Speaker Madigan: "Has the Bill been read a Second time?"

Clerk O'Brien: "No it has not."

Speaker Madigan: "Mr. Clerk read the Bill."

Clerk O'Brien: "House Bill 2862, a Bill for an Act to amend an Act in relation to various aspects of the Welfare System in Illinois. Second Reading of the Bill. Amendments 1,2,3,5 and 8 have been adopted."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative

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Daniels, Ryder and McCracken."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #9 makes clarifications in the provisions authorizing the Department of Public Aid to conduct a demonstration program in which mothers of children between ages three and six would be required to participate in project chance. This is an Amendment that the committee had asked that we put on the Bill. And it's consistent with the request of the committee."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment, is there any discussion? The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Johnson."

Speaker Madigan: "Mr. Johnson."

Johnson: "Thank you, Mr. Speaker, Members of the House. This Amendment makes at least an attempt to bring some rationality into an absolutely terrible, horrible, outrageous Bill. The Bill does...or the Amendment does substantively two things. Let me just explain so that if in case you have any doubt about what the Bill in full does is that for the first time in the history in the State of Illinois says that for parents who are up to date on their child support, or who are ordered to pay child support after the effective date of this Bill, even if you're up to date, even if you pay your child support on time, that you have your wages garnished or in effect withholding from your wages, without any requirement of a showing that you're delinquent. So what this Bill does is two things to address that general problem. The first is that it allows

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a 20 day grace period so that if a parent who's ordered to pay child support presents evidence that for 20 days he's up to date on their support then this provision, this onerous provision that we can talk about on Third Reading that works so adversely to the interests of justice and fairness doesn't have to apply. So you have a 20 day grace period. The second thing that it does is that it limits the application of these new rules to people, to situations where the children are public aid recipients, so that the State of Illinois has a legitimate interest in involving itself where it has absolutely no business at all and that is with normally up to date parties. So that the application of this Amendment would say number one, if you present evidence that for the first month or so of your child support you're up to date, then...unless...as long as you continue to be up to date you can be considered appropriately. And then secondly that it only covers or would cover after this Amendment, Public Aid cases where the state has money on the line. That's the basis for the Amendments and I think the Amendments make all the sense in the world and I think we'd have pretty wide bipartisan support. Let me tell you one thing and we'll talk about this on Third Reading if it gets that far, if you ever think you've had a Bill that you're going to have some letters and calls on in a large, large number, wait until you have a Bill that passes, that you voted for, that says and you're...the thousand people that call your office in the first two years who are up to date on their child support, who have their employers having to garnish their wages and in effect take that money and pay them...pay...make a direct payment and every small business in the State of Illinois will have to hire an additional accountant to handle the program. And you don't think

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you've had any constituent complaints before, wait until you get this one in force. So this Bill at least makes a little more sense of it and I would urge the adoption of Amendment #10."

Speaker Madigan: "Representative Currie."

Currie: "Thank you, Mr. Speaker, and Members of the House. I rise in opposition to the Gentleman's Amendment. We already have a program in the State of Illinois for income withholding when an obligor is delinquent. His proposal that we apply this program only to people who are on Public Aid misses the point. The point of this whole Bill is to see to it that we have fewer people going onto the Public Aid rolls. If we apply income withholding early then we can avoid women and children finding their ways to the Illinois Welfare Rolls. This Amendment were it adopted, would put us out of compliance with Federal Regulations, would take the state three steps backward rather than three steps forward in the area of child support enforcement, and I urge it's defeat."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House I stand in opposition to Amendment #10. I think all the things that the previous speaker, Representative Currie, said are accurate. Most importantly however, is that this Amendment if adopted would put the Department of Aged, Child Enforc...Support Enforcement Law out of compliance with the Federal Law. It would have a potential of costing the State of Illinois over a loss of Federal funds of over twenty million dollars annually if these provisions were put into effect. For that reason and several others I oppose Amendment #10."

Speaker Madigan: "Mr. Dunn."

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

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I rise in support of this Amendment. One thing that we have overlooked here is a group that has not been heard of to date with regard to this Amendment and this Bill are the employers of this State of Illinois. As one of the previous speakers so accurately indicated, you haven't seen anything yet if this Bill becomes Law. Because every employer in this state is going to be required to withhold income for child support purposes for everyone of that employers employees who are making child support payments. It has nothing to do with arrearage, nothing to do with delinquency, nothing to do with payments unmade, owed with failure to provide support. This Legislation will provide for withholding of every employee's child support payments. And if you think that won't be a burden on employers, wait until the mail begins coming in. We talk about the business climate in this state, the previous speaker mentioned twenty million dollars that may be the cost to the employers withholding all these wages for all these people across the State of Illinois. The Amendment that we have before us now, Amendment #10, is a good Amendment. It takes some of the sting out of this Bill. I would urge adoption of this Amendment and I also would urge the defeat of this Bill if we ever get to Third Reading on it."

Speaker Madigan: "Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If George Orwell in 1984 were to come into existence this is...in this Bill this is it. This Amendment takes it away. And in right of privacy for somebody not to have disclosed to everybody that they work with how much they're paying in child support and to whom it's being paid, what maybe their past indiscretions might have been; this Amendment will at least help this Bill in that respect. I think what the previous speakers have said



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is in fact if you think that we're at the point now of just letting government control our lives, so that any wife in a divorce case can use this as a spite element or even a husband can use it as a spite element; they won't agree to the opt out provision, so doggone it just...just have them withhold that money automatically. It's embarrassing, it's humiliating, and besides that there's a right of privacy. I think this is a good Amendment and I'd ask for an 'aye' vote."

Speaker Madigan: "Mr. Olson. Myron Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. Having been in the courts, having been aware of the many issues involved with this matter of child support collection, looking at my own constituent inquiry files, I'm not getting complaints from the fathers I'm getting complaints from the people who aren't being paid. This Amendment should be defeated summarily."

Speaker Madigan: "Mr. Johnson to close."

Johnson: "With all due respect to some of the previous speakers who are all good friends of mine, the comments are about as silly as the Bill. This Bill...this Amendment at least makes a Bill that's absolutely punitive, absolutely unfair, absolutely penalizes people who are honest, up to date paying child support people. At least it alleviates some of the ridiculousness of that Bill. All this Amendment says is that you're up to date, you prove you're up to date, you prove you're a good father or mother paying your child support, then there's no business that the Government has withholding from your wages to make a payment to a private payee. The second thing that it does, which makes equal good sense, is that it limits the application of the Bill solely to cases where Public Aid is involved, where

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the taxpayers money is involved and where the taxpayers have a legitimate interest in having at least a shortened or circumvented method of paying child support. It still, even if this Amendment gets on, isn't a very good Bill. But it makes a ridiculous, out of sense Bill at least have some application to reality, and at least it comports with a basic notion that those people who don't pay their child support ought to have a withholding order in there, ought to be able to be subject to all the rules of the law and the various checkoff procedures now. But those people who do pay it, good parents, ought to not have a punitive sword of Damocles hanging over their head. And I would accordingly urge a 'yes' vote on this Amendment."

Speaker Madigan: "Those in favor of the Amendment vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Regan to explain his vote."

Regan: "Thank you, Mr. Speaker. Members of the House, we didn't have to wait until this became law until my neighbor jumped up and ran across the street when he read it in the newspapers. He pays his bills, every month he pays his child support bills. I think it's totally unfair for him to go in and have the embarrassment of dealing with his employer, to have a wage garnishee put on him. I don't believe this is the right thing to do. I think this Amendment is good and it will clean up the Bill. I'd like to see some green votes."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 52 'ayes', 59 'nos', the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative Johnson and Countryman."

Speaker Madigan: "Mr. Johnson."

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Johnson: "Well the only problem with this Amendment is it...the only problem with this Amendment is it makes too much sense. So, I'll try it anyway. This Amendment would provide that these immediate income withholding provisions don't apply if there's an outstanding arrest warrant on the obligee for child abduction. In other words if the person that you are checking off for the benefit of has an arrest warrant executed or issued against them they ought...you ought not to have to send it to a felon. That's the substance of the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Is there any discussion? Mr. Daniels."

Daniels: "This Amendment provides an exception for immediate income withholding. Under this proposal the exception would apply in cases where the custodial parent has had an outstanding warrant for arrest against him/her for child abduction under the Criminal Code. The Bill already allows exceptions in cases where a written agreements are reached between both parties providing for alternative arrangements. There is no basis for the exception created by this Amendment, as it would be absurd to think that a custodial parent wanted under an arrest warrant would go into court to obtain immediate income withholding order. This is an Amendment which I think is one that's harassment in nature and should be defeated and I oppose the same."

Speaker Madigan: "Mr. Johnson to close. Those in favor of the Amendment vote 'aye', those opposed 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 17 'ayes', 89 'nos', the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Johnson and Countryman."

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Speaker Madigan: "Mr. Johnson."

Johnson: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #13, Johnson."

Speaker Madigan: "Mr. Johnson."

Johnson: "Likewise."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #14, Johnson."

Speaker Madigan: "Mr. Johnson."

Johnson: "This Amendment is real simple. I can even read the...our staff analyst's capital summary of the Amendment. The Amendment says it applies inco...immediate income withholding only to obligors or payors who are delinquent in paying for child support. That's what it does. If you're delinquent then you don't have a...then you're subject to withholding. If you're not delinquent then you're not subject to it. That's the substance of the Amendment."

Speaker Madigan: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. I would rise in support of the Gentleman's Amendment. You know, it makes no sense whatsoever to try to take out or withhold from somebody's pay, child support when they're not delinquent. I mean simply when everybody's trying to pay their bills, you pay your bills on time and then now suddenly somebody's going to come along and say that their going to take it out of your paycheck every week. That's not right. That's not fair in the society we live in. I stand in support of the Gentleman's Amendment."

Speaker Madigan: "Mr. Daniels."

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

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course the Amendment is one to try to gut an important provision in the Bill that deals with mandatory income withholding. Let me just make sure that everyone understands that child support delinquency is the largest cause of poverty for single mothers and their children in the United States. In 1985 the United States Census Bureau estimated that under half of the families awarded child support actually received their payments for the entire year. As we look at this, since the current law already allows enforcement of child support orders under or granted only after a delinquency occurs, that's in essence what Amendment #14 does. In other words Amendment #14 is cutely drafted in order just to restate the current law as it exists today. During this entire debate we should not lose fact of the sight (sic - sight of the fact ) that this is not meant to be a punitive action. On the contrary it's meant to protect our children. To make sure that legitimate support payments are made and legitimate cases of protecting the children, our children, are kept off the welfare rolls. And we have a provision in this Bill that allows for an opt out. The parents appear in court, they can opt out of the mandatory withholding provisions before a judge. Immediate income withholding will benefit children and the state. It will lower welfare caseloads, it will reduce the number of court cases required to support welfare payments, and it's right. All of the Amendments contained in this Bill go to the fact that it is necessary to address an increasing Public Aid Welfare roll. We will save the state an estimated fourteen million dollars by this action. I ask you to defeat this Amendment. It's a bad Amendment. It's meant to only return this to the state of the law as it is today, and I think we should vote against it."

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Speaker Madigan: "Mr. Dunn."

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

I rise in support of the Gentleman's Motion. The Gentleman focuses exactly upon what is a critical part of the issue before us here today and that is whether you take child support payments out when there is delinquency in a arrearage or whether you do it all the time whether the payments are current or not. Even if the payments are current. The Gentleman's Amendment would say that there are to be child support withholding payments only when there is delinquency. There are a lot of people in this state who keep their payments current. They don't need to have any protection for anybody in the statute books. They make their payments on time, it doesn't provide...it doesn't put an obligation upon their employer. It doesn't put any more friction between the former spouses. There's talk about the possibility of an opt out provision where the spouses agree. Where there's child support friction there's probably not agreement on much of anything. There won't be agreement in very many cases. This will be a major burden upon the payor. It will be a major burden upon the payor's boss, the employer. Someone said 'Well, we take withholding out of checks for income tax purposes, why can't we do this?' Well why don't you go back home and ask your employers how happy they are that they have to fill out the 941 forms every quarter and how happy they are that they might be triggered by the monthly requirement to do those reports. And how happy they are about the three day rule, when they go over \$3,000 per withholding period. I don't know any employer who likes those form 941's that they have to do for income tax purposes. And wait until you add to that burden with this mess right...this is the most cockeyed cockamamie scheme to down the pike in the 14

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years I've been in the General Assembly. Absolutely ridiculous, total waste of bureaucratic time, and employers valuable time. It goes right to the bottom line of everyone you represent. And wait until you see the cards and letters in the mail, and the post cards coming in on this one. And let's send...let's send all those people to the Sponsors of this Legislation and see how they like it, because they're going to have to deliver the mail by the hand truck full to them. Defeat this Bill, adopt this Amendment."

Speaker Madigan: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. Mr. Speaker could we please have some order? This is a very important matter that we're discussing."

Speaker Madigan: "Would the Members please give their attention to Representative Hasara?"

Hasara: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to this Amendment which indeed guts the Bill. The provision that applies in this Amendment is already current law. So it is obvious that passing this Amendment would totally strip the Bill of its effectiveness. As most of you know I've probably been more involved in the direct collection of child support than any other Member of this Body. And I can tell you that I do not receive phone calls from people upset about having to pay their child support by income withholding. I would receive hundreds, in fact literally thousands of calls from mothers saying 'Is my check there today? And if it is not how am I going to feed my children?' This is a very serious problem in the State of Illinois. Employers, instead of filling out the forms, are having to give up employees' times to send these employees to court to answer rule to show cause letters as to why they have not paid

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their child support. So in fact many employers in other states that have already enacted this law, have found that indeed it has made things work more smoothly in their businesses. And I say that this probably will also be the case in Illinois. I would also like to say I've heard it mentioned several times, that it is humiliating to an employee to have child support automatically withheld. I say that's a bunch of baloney. What is humiliating about supporting your own children? Once this is enacted and everyone sees how effective it has been in other states and how it has helped keep people off the welfare rolls, instead of being humiliating, people will come to realize that it's much, much easier to have the support automatically withheld from your check, than having to worry about it yourself every month. Please vote 'no' on this Amendment."

Speaker Madigan: "Mr. Novak."

Novak: "Thank you, Mr. Speaker, Members of the House. I want to commend Representative Johnson and all the supporters of this Amendment. I'd like to address just a few things. I commend the Sponsor of the Bill because I know child support is a very important thing, because we have to keep child support payments current and in the non-arrears so we can keep mothers and children off the welfare rolls. That's the purpose of this Bill. We know divorce is a sad reality in our society. There are hundreds of thousands of people in this state that divorce every year. There's even Members of this Legislature themselves that are divorced that probably pay child support, such as myself. This Bill is a good Bill. This Amendment I think we should vote for. I think any father or any mother who's paying child support as the case may be, if they haven't missed any payments, why should there be a presumed guilt right from the start



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that they're check has to be withheld? It goes against the creed of fundamental principles of fairness and I urge an 'aye' vote."

Speaker Madigan: "Representative Johnson."

Johnson: "Just to close, I don't want to cut anybody of though.

Mr. Speaker, if there are other lights I don't want to...I just was ready to close whenever it's appropriate."

Speaker Madigan: "I'm sorry, Mr. Myron Olson. Mr. Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the discussion of this Amendment we are confusing discussion of the Amendment quite often with discussion of the Bill. The Bill is in a mode where it has an opt out provision. So that people who are sensitive to people knowing of their particular situations at the time of the stipulation at the dissolution of marriage can opt out and settle for some other arrangement. This takes care of those people who will not, can not and do not pay. I oppose the Amendment."

Speaker Madigan: "Mr. Johnson to close."

Johnson: "Well, Mr. Speaker, Members of the House, I really resent all the debate on this Bill. In an attempt to characterize my Amendment as somehow being against children. Talk about delinquency, you talk about people who are behind in support and so forth. That's what this Amendment does Mr. Speaker and Members of the House. It just says if you're delinquent you ought to be subject to automatic withholding. But as Representative Novak says if you're a person who pays your support on time then you ought not to be subject to these punitive measures. That's all that it says. What's more American? What's more fundamental to our concept of due process and fairness? Then that's simple idea that there's not a presumption of guilt from honest, up to date paying fathers or mothers.

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That's all that it says. There's a lot of other points I guess we can make on Third Reading if it gets that far. But the bottom line is anybody who tries to characterize my opposition to this Bill as somehow being in favor of delinquency, can't read the English language. Look at the Amendment, see what it says, and cast your vote accordingly."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting '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 37 'ayes', 73 'nos' and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #15 offered by Representative Daniels."

Speaker Madigan: "Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House Amendment #15 was requested to clarify the issue of what happens if there's a modification of a support order after the effective date of this Bill January 1, '89. This Amendment makes it clear that those who had support orders entered prior to the effective date of the immediate income withholding are exempt of such withholding as long as they are current in their support obligations. The court does have the discretion to enter an order of so be it. I think you'll find that this Amendment has support."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Hicks."

Hicks: "Yes, a question for the Sponsor please."

Speaker Madigan: "The Sponsor yields."

Hicks: "Representative Daniels why is on Amendment #15, you're allowing for anyone who falls in errors after that

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beginning date to have their...not correct? Okay, anyone prior to the effective date?"

Daniels: "It's...it's anyone who falls in error that's already had a decree entered prior to January 1, '89 could subject to a court...immediate income withholding at the court's orders. That's the current law today. This law takes effect on January 1, '89. The issue was what happens if you had a divorce decree prior to January 1, '89, the spouse came in for an increase in support, would a judge be obligated to immediately start withholding? The answer is no, this clarifies that."

Hicks: "Okay but then if they do fall in error after that time then the Judge has the discretion in which to go in and withhold the wages. Is that correct?"

Daniels: "On those decrees issued before January 1, '89, that is correct."

Hicks: "Okay, why then is that acceptable to you if it's not acceptable for after that date?"

Daniels: "Because the Bill is meant to apply to decrees entered after January 1, '89. That's what the representation has been. It's prospective not retroactive."

Hicks: "But that's my question why is this acceptable to you for prior to the beginning date of January 1, 1989 and not after that date? Why would that not be acceptable to you?"

Daniels: "Because this deals with modification orders. Not the original decree."

Hicks: "Thank you."

Speaker Madigan: "Is there any further discussion? The question is, 'Shall the Amendment be adopted?' Those in favor say 'aye', those opposed say 'no'. The 'ayes'...the question is, 'Shall the Amendment be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? The Clerk shall take the record. On this question there are 97 'ayes', 13 'nos'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #16 offered by Representative Daniels."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. The Chair recognizes Mr. Daniels."

Daniels: "This is Third Reading, Sir?"

Speaker Madigan: "The Bill is on the Order of Third Reading, Mr. Daniels."

Daniels: "Did the Clerk read the Bill?"

Speaker Madigan: "There was an objection, the Chair recognizes Mr. Dunn. Mr. Dunn."

Dunn: "Does the Gentleman need leave to proceed with Third Reading at this point?"

Speaker Madigan: "Mr. Parliamentarian? The Bill is on the Order of Third Reading, the Gentleman wishes to call the Bill on the Order of Third Reading at this time."

Dunn: "Does he have...does he need leave to do that?"

Speaker Madigan: "The Bill had been on the Order of Second Reading. At the completion of the Amendment stage it was advanced to the Order of Third Reading. Mr. Clerk has this Bill been read a third time? Mr. Daniels the Parliamentarian informs me that since the Bill was read for a second time today that it cannot be called on the Order of Third Reading today, but would be called tomorrow. Mr. Daniels."

Daniels: "I guess I'm under a misimpression. I thought you had read all Bills on the calendar previously for a second time on other days?"

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Speaker Madigan: "We had planned to do that tonight. Stick around. Alright take this matter out of the record. On the Special Call of County Government Financing there appears House Bill 3918. Mr. Clerk, what is the status of that Bill? 3918."

Clerk O'Brien: "House Bill 3918 is on Second Reading."

Speaker Madigan: "Mr. Clerk read the Bill a second time."

Clerk O'Brien: "House Bill 3918, a Bill for an Act to amend an Act in relation to various county officers. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Cullerton."

Cullerton: "I wish to withdraw Amendment #2, please. And Amendment number..."

Speaker Madigan: "Withdraw Amendment #2. Mr. Cullerton."

Cullerton: "I wish to withdraw Amendment #2."

Speaker Madigan: "Amendment #2 has been withdrawn. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Giorgi."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker withdraw Amendment #3, please."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, Cullerton."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment provides that the County Treasurer's may assess a fee on purchasers of tax delinquent real property for automation services at a rate not to exceed

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five dollars per parcel of land. I would move for its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Parke. Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #6 offered by Representative Parke."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #7, Parke."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #8, Parke."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #9, Parke...Parke and McCracken."

Speaker Madigan: "Amendment #9 sponsored by Mr. Parke and Mr. McCracken. Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #10 offered by Representative Parke and McCracken."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Amendment #11 offered by Representative Giorgi."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "Mr. Speaker, Amendment #11 is by the request of the County Clerks' Association. Amendment #11 was passed last year as part of Senate Bill 385, but the Governor vetoed Senate Bill 385 because the heart of Senate Bill 385 was

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very costly to the state. Amendment #11 today allows an additional two dollar charge for certified copies of vital records to defray the cost to converting County Clerks' Offices documents storage system for vital records. And I've spoken with Members of the other side of the aisle and they seem to be in agreement that this is requested by the counties of the State of Illinois. This applies to 101 counties, does not apply to Cook."

Speaker Madigan: "On the Amendment the Chair recognizes Mr. Klemm. Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. Have the counties had a problem with the additional monies we've given them before? It seems like we're adding now two dollars more for their fees for their autom...autom...autom oh, you know what I'm saying."

Giorgi: "Automation fee."

Klemm: "Automation...and I thought, and I know in my county they're pretty well caught up and everything is automated. And so I was wondering why do we have to increase more fees now for that?"

Giorgi: "Well a number of the counties were having trouble with finances as you know. We passed a quarter cent sales tax a couple years ago..."

Klemm: "Yeah, but it's limited..."

Giorgi: "And in some instances the cost of buying supplies for computers and micrographics in the automation systems is just a little costly. They thought that the user fee ought to be the way to go. A two dollar cost is not that exorbitant. And they are trying to upgrade their system because of demands by the Vital Statistics Department of the State of Illinois so that..."

Klemm: "Well because they're short of money in other areas, this is limiting it supposedly to a specific area and they seem

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to have enough money in that area. Haven't they?"

Giorgi: "Well you've done this for the recorder of deeds, you've done it for a couple other offices and the County Clerks' Association feel they just desperately need..."

Klemm: "Well regardless of need we want to do it so that...because we've done it for others?"

Giorgi: "They desperately need this money. It's permissive. The County Boards by ordinance must force this action. The treasurers will keep a special account for this, and the auditor will have an audit trail, It's a necessary need downstate."

Klemm: "Well okay...so the County Boards could impose this additional tax if you will, or ordinance or fee is that what you're saying?"

Giorgi: "Or it could not. By ordinance, or it could not."

Klemm: "Thank you."

Speaker Madigan: "Mr. Olson. Mr. Olson."

Olson, M.: "Thank you, Mr. Speaker, would the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Olson, M.: "Representative Giorgi, this would be applicable in your county of Winnebago as well as the original intended sight?"

Giorgi: "101 counties would qualify Mr. Olson, other than Cook."

Olson, M.: "Alright thank you very much. And you're County Officials have indicated a need to do these things so that they may offer a better service to their constituents."

Giorgi: "This is by the request of the County Clerks' Association."

Olson, M.: "Alright. I stand in support of this measure because it is the best and fairest way with which to offer the services that the people request. I would support passing of this Amendment."

Speaker Madigan: "Mr. Countryman. Mr. Countryman."



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Countryman: "Thank you, Mr. Speaker. Will the Gentleman yield?  
Can we have some order?"

Speaker Madigan: "Yes. Mr. Countryman raises a good point.  
Would the Members please give their attention to Mr.  
Countryman, please. The Sponsor yields for a question from  
Mr. Countryman."

Countryman: "Thank you, Mr. Speaker. Representative Giorgi, does  
this apply only to certified copies?"

Giorgi: "It applies to the counties of the first and second  
class, certified counties...certified copies, rather..."

Countryman: "No, certified copies."

Giorgi: "Certified copies..."

Countryman: "But, how about a document for recording, a deed, or  
whatever. Is it another \$2 on the deed then?"

Giorgi: "No, not a deed."

Countryman: "Just when you go in and want a certified copy of the  
deed."

Giorgi: "Of a vital record...of a vital record."

Countryman: "Alright. Thank you."

Speaker Madigan: "Any further questions? The question is, 'Shall  
the Amendment be adopted?' Those in favor say 'aye', those  
opposed say 'no'. The 'ayes' have it. The Amendment is  
adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative  
Cullerton and Giorgi."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of  
the House. This Amendment would allow for a \$10 fee be  
charged on motions to vacate or amend final orders for  
criminal and quasicriminal cases. I would move for its  
adoption. This would apply in counties other than Cook."

Speaker Madigan: "Those in favor of the Amendment say 'aye',  
those opposed say 'no'. The 'ayes' have it. The Amendment

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is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On the Labor Special Order of Call, there appears House Bill 3694. Mr. Clerk, what is the status of that Bill? 3694."

Clerk O'Brien: "House Bill 3694 is on Second Reading."

Speaker Madigan: "Has the Bill been read a Second time?"

Clerk O'Brien: "No, it has not."

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3694, a Bill for an Act to amend the Minimum Wage Law, Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On the same order there appears House Bill 4074, Mr. Wolf. Mr. Clerk, has this Bill been read a Second time?"

Clerk O'Brien: "The Bill has not been read a Second time."

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4074, a Bill for an Act to amend an Act to create State University Civil Service Systems, Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, on the same order,

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House Bill 4059. What is the status of that Bill?"

Clerk O'Brien: "House Bill 4059..."

Speaker Madigan: "4059."

Clerk O'Brien: "House Bill 4059 appears on page 20 on Third Reading."

Speaker Madigan: "Mr. Clerk, has the Bill been read a Third time?"

Clerk O'Brien: "The Bill has not been read a Third time."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 4059, a Bill for an Act to amend the Continued Compensation for Disabled Law Officers Act."

Speaker Madigan: "The Chair recognizes Mr. Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. All that this Bill does is give the police officers and firefighters in home rule cities the same benefit that they have in non-home rule cities and I ask for its passage."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is Third Reading. Have all voted who wish? The Clerk shall take the record. On this question there are 110 'ayes', 2 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On the order of Local Initiatives on the Order of Second Reading there appears House Bill 3436. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3436, a Bill for an Act to amend the Liquor Control Act, Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Cullerton on Amendment #1. Mr. Cullerton."

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Mr. Cullerton, your microphone is on, Sir. The Members are waiting patiently for your pearls of wisdom."

Cullerton: "And I'd like to take the Bill out of the Record."

Speaker Madigan: "Another pearl of wisdom. Did Mr. McCracken hear that? Take this mi...take this matter out of the record. On the same order, Second Reading, there appears House Bill 3819. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3819, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Representative Davis."

Davis: "We'd like to table Amendment #1."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Representative Davis."

Davis: "Yes. Floor Amendment #2 simply defines the term 'unit of study', a unit, instead of being one year is defined as nine weeks and we urge you to just accept that Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed...the Chair recognizes Representative Cowlshaw. Representative Cowlshaw."

Cowlshaw: "Will the Sponsor of this Amendment yield?"

Speaker Madigan: "The Sponsor yields."

Cowlshaw: "Representative Davis, why is it that you want to change the word 'unit' to the word 'nine weeks'. What is your understanding of the word 'unit'? What does that mean to you?"

Davis: "Well, a unit can be whatever a school district has defined it to be and I asked the State Board of Education

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to give me their definition for this Bill and that's exactly what they did."

Cowlshaw: "So that if we did not adopt this Amendment, local schools throughout this state, having all these financial problems these days, could determine for themselves how much money they want to invest in changing their curriculum and providing something new in their curriculum. But if we adopt this Amendment, they are obliged by law to devote nine weeks to this subject. Is that correct?"

Davis: "Well, if that's the way your school district chooses to look...you know, upon nine weeks of study. Certainly, they have a prerogative of making the study for one year or six months if they choose. We're merely asking that, for this particular course, it be a minimum of nine weeks."

Cowlshaw: "Mr. Speaker, no further questions."

Speaker Madigan: "No further questions. Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. On the...Mr. Clerk, just to clarify the record, was House Bill 3436 read a Second time? 3436, was that read a Second time?"

Clerk O'Brien: "House Bill 3436 was read and was taken out of the record."

Speaker Madigan: "So the matter...has been read a Second time?"

Clerk O'Brien: "It has been read a Second time."

Speaker Madigan: "And it will be held on the order of Second Reading. On the Order of Local Initiatives, there appears House Bill 3132. Mr. Cullerton. We are now on the Order of Third Reading, Mr. Cullerton."

Clerk O'Brien: "House Bill 3132, a Bill for an Act to amend the Liquor Control Act, Third Reading of the Bill."

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Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker. Mr. Speaker, to accommodate Representative McGann, I would ask leave to bring the Bill back to Second Reading for the purposes of an Amendment."

Speaker Madigan: "Is there leave? Leave is granted. The Bill shall be placed on the order of Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #6, offered by Representative McGann."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Amendment #6 to House Bill 3132 is a result of negotiations with the Liquor Control Board and the Department of Revenue. If you recall, last year we brought before this Assembly, legislation that would tighten up the nonpayers of sales tax in the State of Illinois where our hearings that were held in this matter of the delinquent sales taxes brought out very vividly that a lot of people do not pay their sales taxes in these liquor stores, taverns, and restaurants. So we worked it out and the Governor vetoed the measure. We came back and we've come to an agreement here that the Department of Revenue will supply a list under their rules to the Liquor Control Board in order for them, when they're reviewing license applications or renewals, that they will not issue the license until the sales tax problem has been taken care of at the department. That'll be done under rules, but then, they wanted to have in the statute that the reasons for the suspension or the revocation of a license and for any tax administered by the department, there's a list of six reasons, why they could have the license suspended or revoked, failure to make a tax return the filing of a fraudulent return, failure to pay at all, so forth and so on, and then comes down to item five, failure to secure or display a certificate or

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subcertificate of registration if required. This is a good Amendment. I've worked it with Representative Mautino and the department and I would ask for adoption of Amendment #6 to House Bill 3132."

Speaker Madigan: "On the...on the Amendment, the Chair recognizes Mr. Klemm."

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

Speaker Madigan: "The Sponsor yields."

Klemm: "Representative McGann, the Department of Revenue administers the State Income Tax, is that correct?"

McGann: "The Department of Revenue administers the State Income Tax, is your question? To my knowledge, yes."

Klemm: "In...in the language you have in your Amendment, it states that 'The department shall refuse the issuance of a renewal.' This is the State Board now...Commission. If any person for any of the following violations fails to file a income tax or a tax return, now what happens if a local saloon or tavern or place that has a liquor license..."

McGann: "Pardon me. I...I'm not hearing you."

Klemm: "What would happen if a local business who has a liquor license didn't make any money, didn't file any income tax, under this provision, it seems like the reading of it sounds like his license could be revoked because he failed to make a tax return. And it wasn't really necessary for him to do it."

McGann: "I don't think that...that is a far-fetched situation, I would say, Representative. The reason for...the reason we're zeroing in on these areas is because there's hundreds of millions of dollars out there in sales tax alone that is not being paid by liquor stores and so forth. Yet they're able to get their..."

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Klemm: "I know it'd be far-fetched, that's why...But that's not my question. I'm not quarrelling that at all with you..."

McGann: "No, No, I understand, I'm leading up to it. So, if the department supplies the list...there has to be a reason for the revocation, this will be a rea...one of the reasons. And then if they find out, I'm sure, that a tax return had not been filed, they would also address that individual situation at that time."

Klemm: "Well, I'm only reading what you've got here and it has me...of some concern. I have no problem with what you're attempting to do. But if it says, 'They shall refuse the issuance or renewal of a license or suspend or revoke the license of any person for any of the following violations of any tax act administered by the department,' which is the Department of Revenue, it says 'failure...'"

McGann: "For any tax..."

Klemm: "And it says, '#1, failure to make a tax return...'"

McGann: "But that's reinforcing..."

Klemm: "Well maybe if they had...maybe if they had failure to make a tax return if required, would at least solved it, but you don't have that in there."

McGann: "Representative...Representative...The failure, if you'll notice here, already in the statute, we already addressed the failure to make a tax return. This is for any tax administered by the department, whatever it would be. But it's really zeroed in for the sales tax."

Speaker Madigan: "Mr. Mautino. Mr. Mautino."

Mautino: "Thank you. Thank you, Mr. Speaker. I stand in support of the Amendment and in my remarks, I may response to the questions of Representative Klemm to clear up any misunderstandings if I may."

Speaker Madigan: "Mr. Klemm. Mr. Klemm, Mr. Mautino is speaking directly to you. Proceed, Mr. Mautino."



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Mautino: "What occurs in this situation is the commission has no information to not issue the license if they don't contact the Department of Revenue. The process is a computer printout comes out every month on who is in arrears. That will be provided to the Liquor Control Commission so that when that individual applies for their renewal, then two things will occur. Either that individual will pay the sales tax outstanding or work out some payment plan with the department or they won't get their license. It is a way to obtain for the state what is due them, paid for by the customers through the facility. It's a good Amendment and I stand in support."

Speaker Madigan: "The question is, 'Shall the Amendment be adopted?' Those in favor signify by saying 'aye', those opposed say 'no'. The 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave for immediate consideration of the Bill? Leave is granted using the Attendance Roll Call. Mr. Clerk, has this Bill been read a Third time?"

Clerk O'Brien: "House Bill 3132, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me explain the provisions, now, of this Bill as it's been amended. First of all, it authorizes the issuance of temporary licenses for special events which are events conducted by educational, fraternal, political, civic, religious, or nonprofit organizations. Such licenses are valid for a specific time period not to exceed ten days in any twelve month period. And they entitle the licensee to purchase beer and wine from an Illinois

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licensed distributor and to sell such beer and wine at the location and time specified on the special event license. It also prohibits a manufacturer, distributor, or importing distributor from providing retail licensees with coasters or trays used for advertising purposes. The Bill also...amends...Liquor Control Act so as to allow liquor sales at the Illinois State Museum and Dixon Mounds Museum. I believe, Representative Hasara explained that Amendment in greater detail yesterday on Second Reading. We also have Representative Mautino's Amendment #5 which...amends the Liquor Control Act defining the local liquor control commissioner and his area of control, providing that the president or chairman of the county board shall also have authority over those areas owned by the county and are within the corporate limits of the city, village, or town. And finally, we just adopted Amendment #6 which is Representative McGann's Amendment, requiring rather than allowing the department to refuse to issue or renew the license of any person for listed violations as...just debated by Representative Mautino, Klemm, and McGann. So, that's what the Bill is. I'd appreciate your support."

Speaker Madigan: "The question is, 'Shall this Bill pass?' On that question, the Chair recognizes Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #5, does that authorize the liquor on the premises, but the control of that decision is given to the chairman of the county board?"

Speaker Madigan: "The Chair recognizes Mr. Mautino to respond."

Mautino: "It was brought to my attention that, for example, forest preserves may be within the city limits of two cities even though it's...and a part of it in the county. Rather than getting a license from each of the cities and the county to put it under the jurisdiction of one license

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by the county only."

McCracken: "And this applies state-wide?"

Mautino: "Yes, it does and I think it only affects one area of the state."

McCracken: "Where would that be?"

Mautino: "Probably suburban areas that have forest preserves."

McCracken: "In Cook County? In Cook County?"

Mautino: "Yes, I would think so."

McCracken: "Another Cook County Bill. Oh My! Did George Dunne ask for this? Why can't DuPage County be a part of this Bill, Representative Cullerton? How come you always leave us out of these things?"

Mautino: "Have you got forest preserves in DuPage County?"

McCracken: "We sure do and they lie in different towns. Jack Knipper wanted this Bill. Why did you cut us out?"

Mautino: "This...you're in it. This is state-wide. You're in it. Who's your county board..."

McCracken: "Nothing further."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there 97 'ayes', 10 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. On the Local Initiatives, Special Order of Call, there appears House Bill 3260, Mr. DeLeo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3260, a Bill for an Act in relation to guaranteed home equity. Third Reading of the Bill."

Speaker Madigan: "Mr. DeLeo."

DeLeo: "Thank you, Mr. Speaker, Members of the House. House Bill 3260 creates the Home Equity Assurance Program. It has an effective immediate date. I ask for its...adoption."

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Speaker Madigan: "I'm sorry, Mr. DeLeo."

DeLeo: "Thank you, Mr. Speaker. House Bill 3260 creates the Home Equity Assurance Program. It has an immediate effective date. I'd ask for its affirmative vote."

Speaker Madigan: "The Chair recognizes Mr. Williams."

Williams: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Williams: "Is the Bill that's passing out now, is this the final form of this piece of legislation?"

DeLeo: "In this House."

Williams: "In this House. And if in fact it leaves this House in this form, will this Bill allow for the commission in this form to buy property?"

DeLeo: "Representative Williams, I don't know at this time. This is a com...if you look at 3260, it has approximately eight words on it. This is going over...what I'm doing...proposing to do at this time...eighty...3260 is an absolute shell Bill. I'm sending it over to the Senate, keeping this Bill alive, hoping that the City of Chicago will act in its wisdom next Wednesday, the City Council will pass the Home Equity Program. If, in fact, the Home Equity Program does not pass the Chicago City Council, we will be amending this Bill and bringing this back for further argument and further Amendments."

Williams: "Thank you. I don't think its possible to really sit up here and argue against a shell Bill, but I would like to say in all honesty that this is a very important issue. I think it's one that affects not only minority community, but the entire General Assembly, the entire State of Illinois and one that affects anyone who's concerned about the free exchange of property in this country without undue interference from government. And I know that as we're about to pass this out of here and run it over to the other

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House, I just hope that the Body would at least, at the proper time, give this particular issue, maybe not this particular Bill, but this particular issue, the due concern that it does deserve and I would just hope that we know that what we're about to get into is more than assuring property. It's setting up a new government standard that says 'We, as a government, should begin guaranteeing private investments against fears of other individuals' and this Bill should...or this issue should be given most due consideration. Thank you."

Speaker Madigan: "Representative Davis."

Davis: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Davis: "Representative, can you explain to me why this comes to the State House and not remain in the City Council of Chicago?"

DeLeo: "I'm sorry, Monique. Would you repeat your question?"

Davis: "Yes, Representative. Why is this being decided by State Government when it's a problem that only exists in the City of Chicago? Why is the state being asked to determine home equity when it's...it's really a city issue, isn't it? I mean, why are we being asked to do something that the City of Chicago, the City Council should do. I think that they are just going to have to take the responsibility and make decisions even when they become hard decisions and not bring them down here to the state."

DeLeo: "Well, Representative Davis, the Home Equity Bill has been around...you and I are as new members of this General Assembly...I...know for a fact that the Home Equity has been around almost as long as Representative Laurino's Mandatory Insurance Bill. Home Equity has been introduced for about 18 years in this General Assembly and, as I see in many parts of legislation in this House, we do that on

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many...many, many pieces of legislation and sometime there is differences in the City Council that cannot be resolved and we have to do it on a state-wide issue."

Davis: "I'll have to agree with Representative Williams. It's one of those issues that certainly bears watching. Thank you."

Speaker Madigan: "Mr. Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. I rise in support of this fine piece of legislation. I think this is an important issue for...for not only the folks who live on the northwest side and the southwest side of the City of Chicago, but this is a piece of legislation that can impact the entire city. We've got a situation that's developed where people are concerned about where the future of the city's going. This legislation absolutely has no racial overtones. There's a myth that's developed that this legislation deals with racial issues. This legislation deals with protecting every home owner in the City of Chicago. There's a situation where we've got a...a city that is moving in the direction where I think we've all wanted it to be heading, where we can bring jobs back into the city and we can protect the investment that generations have made in the City of Chicago. If we're really concerned about where the city's been and where it's going, we have to move forward with legislation that tells the home owner, tells the property taxpayer that the City of Chicago is there for them, there for their kids, and there for their future. That's why home equity is such an important concept that we've got to get on the books. I hope the city council does act. But there's no reason the Illinois General Assembly doesn't show leadership first and then show the city council where they should be going. That's why I support this legislation."

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Speaker Madigan: "Those in favor of the passage of the Bill...the Chair recognizes Mr. McCracken...those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Turner to explain his vote."

Turner: "Thank you Mr. Speaker, Ladies and Gentlemen of the Assembly. I just wanted to share a thought with the Sponsor of this Bill, you know I'm one of those that's looking for money to build housing in the State of Illinois and I would think that the equity collected off of this fund, if in fact it does come back over, would be a nice pool of money to use to rebuild houses in the area that is being considered. And I would hope that the Sponsor would think about that because it's going to require that for my 'green' vote. Thank you."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question, there are 62 'ayes', 47 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. On the same order of call, there appears House Bill 3367. Mr. Clerk, has this Bill been read a Third time?"

Clerk O'Brien: "House Bill 3367 has not been read a Third time."

Speaker Madigan: "Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3367, a Bill for an Act to amend an Act concerning education, Third Reading of the Bill."

Speaker Madigan: "The Chair recognizes Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3367 is the Bill that we see every year on the House Floor in regards to the Board of Education and it only allows the board to levy tax at the same rate. It's not an Income Tax Increase Bill and I would urge for your 'aye' vote on House Bill 3367."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those

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in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Excuse me, Mr. Clerk hold that. The Chair recognizes Representative Flowers."

Flowers: "Mr. Speaker, can we take this Bill out of the record again, please?"

Speaker Madigan: "Not after you start the roll call."

Flowers: "Pardon me?"

Speaker Madigan: "Not after we start the roll call. So once we start the roll call, why...we cannot take it from the record. Representative Flowers."

Flowers: "That's okay, Mr. Speaker."

Speaker Madigan: "Mr. Clerk, open the switches. Have all voted who wish? Mr. Clerk, dump the roll call. Roll call has been dumped. We'll do it again. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Record Mr. Morrow as 'aye'. Record Mr. Turner as 'aye'. The Clerk shall...Mr. McCracken."

McCracken: "Why don't we dump this one and try again?"

Speaker Madigan: "Have all voted who wish? The Clerk shall the take record. On this question, there are 24 'aye', 75 'nos'. The Bill fails. House Bill 3368, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3368, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Madigan: "Take this Bill out of the record. House Bill 3584, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3584, a Bill for an Act to amend an Act to revise the law in relation to clerks of courts. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."



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Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This amends the law with regards to clerks of court. It changes a reference from 'clerks' to 'clerks of the various courts'. I would move for adoption of the Bill."

Speaker Madigan: "Mr. McCracken."

McCracken: "What's the plan for this Bill? What if 3918 passes and the fees go up for everybody? What are you going to do with this Bill?"

Cullerton: "Well, it would be over in the Senate. I wouldn't have control over it."

McCracken: "And when it comes back with the Amendments, do you have any plans for that?"

Cullerton: "Well, then, we'd either concur or nonconcur."

Speaker Madigan: "Isn't this the Bill that would dissolve DuPage County? Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 3917, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3917, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Madigan: "Mr. McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I've given up trying to keep track of how much our Math and Science Academy is costing the state. I don't know if it's up to fifty million and growing or what. I have a...a Bill here that creates an ag-science school in the City of Chicago. The people that proposed it to us said that we can do it and the only difference between this and the math and science school is that we don't want any

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state money. A group of individuals from the Chicago Board of Trade have raised five million dollars in donations. They believe that they have five million dollars of private investment money and they intend to borrow ten million dollars and build a new school building at the present location and lease this to the Chicago Board of Education with a ten year balloon note. The...the science school started in Chicago three years ago. They have 67 percent black, 22 percent Hispanic, 11 percent white. Attendance is 93 percent. To date, there's a zero drop...a zero drop out rate. They provide jobs for the students during the summer. The curriculum is college prep. The University of Illinois is heavily involved in the school. It currently enrolls 360 students in the grades 9, 10, and 11 and the grade 12 will open this coming fall. So here's a chance to help educate some very bright young kids without dumping in a lot of money from the state. One of my colleagues from the Republican side of the aisle asked me 'if...if you lived downstate, could you go to the school?' I said, 'No, unfortunately it's just going to be supported by the City of Chicago.' He said, 'That's too bad because if you could go to it from downstate, we could do away with the math and science academy.' At any rate, I think this is a good Bill and I think it should have a 118 votes. I move for the passage."

Speaker Madigan: "Mr. Ropp."

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

Speaker Madigan: "The Sponsor yields."

Ropp: "Representative, I've been to this school. It's an excellent school. It's one that we have been attempting to use as a model throughout the State of Illinois and other areas allowing young people to become involved in applying

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the basics that they learned with particular career opportunities as well as allowing them to move on to higher education in the other universities. My question, I guess, is...is there a limit as to the size that this particular school will grow into or is it attempting, by this legislation to allow expansion somewhat unlimited since the results and the product of this school has been one that we use as a real model throughout, really, this country?"

McPike: "It's not set by statute. The principal of the school and the gentlemen from the Board of Trade thought that given the size of the building that was going to be constructed that probably 1,000 to 1,200 students would be the maximum amount it could handle."

Ropp: "And right now they have what?"

McPike: "Right now they have 360, but it...it should grow by 120 or...or more this coming fall when they add the fourth year to the high school."

Ropp: "For the sake of the Body, would you also explain that...there is no transportation provided for these kids. Isn't that correct? That they come from all over the city at their own pleasure, so to speak?"

McPike: "Yeah, they come from all over the city at their own expense. You're correct."

Ropp: "This is a good Bill and I urge everyone to support it."

Speaker Madigan: "Mr. McGann."

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

Speaker Madigan: "The Sponsor yields."

McGann: "Yes. Representative MCPike, is this a tax levy without a referendum?"

McPike: "Yes."

McGann: "Without a referendum?"

McPike: "That's correct."

McGann: "It is. Thank you."

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McPike: "Yes."

McGann: "A tax without a referendum?"

McPike: "Yes."

McGann: "...thank you."

McPike: "It's limited to two cents, Representative McGann."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield for just a quick question?"

Speaker Madigan: "The Sponsor yields."

Black: "Thank you. Representative, on that tax issue that you just addressed, I assume that's only limited to the City of Chicago, correct?"

McPike: "Yes, that's correct. It was...I thought at first, when I read the Bill, it was Danville and Chicago, but I looked it up and it's just Chicago."

Black: "I understand that. I wanted to make that very clear. To the Bill, Mr. Speaker, I...I'm just...I want to rise to commend the Sponsor of this for...for finally recognizing the importance of agriculture and the farmer and I think you're to be commended for finally coming to that realization, Sir."

Speaker Madigan: "Representative Parcels."

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

Speaker Madigan: "The Sponsor yields."

Parcels: "Representative, this is a nonreferendum tax and did I understand Representative Black correctly that it's just the City of Chicago?"

McPike: "That's correct."

Parcels: "Okay. Well, I like the idea. I think it's a wonderful idea and I think we should also have a language academy for those who are outstanding in foreign languages. I think we should probably have a fine arts academy for

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those who are artists and music and dance, et cetera, and painting. But, I'm afraid that our...the state just can't afford all this. And I think that a nonreferendum tax is onerous and however commendable the idea is, I'm afraid at this time, particularly with Chicago so strapped, that this would be a bad idea. And although I like the idea, I would encourage a 'no' vote."

Speaker Madigan: "Representative Cowlshaw."

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

Speaker Madigan: "I don't think there's any need for that because there's only one more person seeking recognition, Mr. Matijeovich."

Matijeovich: "I was going to say, I've polled every farmer in my district and by a two-thirds vote, two are for it and one are against it so I'm going to vote for it."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? 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 66 'ayes', 39 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 3988. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3988, a Bill for an Act to amend an Act in relation to the creation and management of forest preserve districts. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton. Mr. Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This would allow for the forest preserve district in Cook County to increase its bond authorization for botanical gardens. In the past, we've talked about the...what the botanical garden is. It's a public garden in the northern part of Cook County outside the City of

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Chicago. They have experienced increased growth and they've indicated that they need to make some improvements on the premises of the Chicago Botanical Gardens. This would allow them to do so. Appreciate an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' The Chair recognizes Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Here is...here is another Cook County initiative. Anybody downstate who wants to do something locally, even if they want to tax themselves locally, gets his Bill held up because Cook County is either not involved or is involved or for some reason the collar county in question is not approved by the majority and here we're talking about another tax Bill. Cook County wants to tax itself again. Why should we give Cook County the right to tax itself? Shouldn't that right belong to the entire state? Representative Cullerton, why do you keep writing the rest of the state out of these Bills? We want the right to tax ourselves without referendum just like Cook County wants to tax itself without referendum. Why can we not do it? Why can't our tax rate go up by fiat, by legislative fiat? Why do we have to go to the voters for a referendum? Why can you guys tax without a referendum and we can't? Now if that sounds ironic, the point of my speech is that that's the position the other side of the aisle takes all of the time on this type of issue. You've got an internal issue and you want to bring it to the Legislature because you need statutory authorization and all of a sudden it has state-wide implications. It's the same for this Bill. This Bill had been the subject of much negotiation at one time and the trade off at one time was thought to be a right to tax oneself to prevent from flood destruction, something much more worthy than fixing the toilets at the Botanical

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Gardens. So that's what we're talking about. We resent when you tell us that you have a place in our business and then you come to us with something like this and say, 'We have no interest in this issue because it affects only Cook County.'

Speaker Madigan: "Mr. Cullerton to close."

Cullerton: "Yes, I'd like to respond to what the Gentleman, previous speaker indicated. This is not a property tax increase. This is an increase in the bond authorization and the corporate authorities of such district provides for the levy of property tax annually sufficient to pay and discharge the principal of bonds when they mature. It's been determined that there will not be a need for a property tax increase. This is a bond increase authorization only. And, secondly, I would point out to the previous speaker that I have championed the right of Dupage County to tax itself and was thwarted by the members of the delegation from that county. So, my attitude is any time you want to tax yourself, I'll be happy to help. But this Bill is not a tax Bill and for that reason, I'd appreciate an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Stern to explain her vote."

Stern: "Mr. Speaker and Members of the House, it isn't just a Cook County project. As a Lake County...and let me say that the Cook County Botanic Gardens are the jewel in the crown for the state. It is a magnificent project and something that really the whole state ought to support. And we're not asking you for money. We're just asking you to give them the ability to make their own improvements. I urge an 'aye' vote on this."

Speaker Madigan: "Mr. Mautino to explain his vote."

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Mautino: "Thank you, Mr. Speaker. To my downstate colleagues, you have a situation where individuals want to provide their own funding and their bonding authorization from Cook County. They'd like to do that and I think it behooves us to provide them with the necessary vote to do it because they aren't going to come down looking for state funds on a GR to do the same thing. That was DuPage County. Yeah, that was the difference. It's a good vote."

Speaker Madigan: "Representative Frederick."

Frederick: "Yes. Mr. Speaker...Mr. Speaker, Ladies and Gentlemen of the House, I, too, rise in support of 3988. This...the Botanic Gardens are truly an institution of which everybody in Illinois can be proud. In fact, I invite you all to visit the Botanic Gardens. The money that's in this Bill for them is terribly important to the consideration of keeping tourists coming into these gardens every year. So I ask you to vote 'yes' on this Bill."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Mr. Speaker, Virginia Frederick and I live right near the Wisconsin border and I guess we tire of seeing Illinois residents just rushing to get out of Illinois. It's a wonder that they rush to get out of Illinois because we don't do like other states do what they should to help themselves with tourism. And not only that, there's a lot of 'red' votes up there that it's not going to affect at all. So here we don't give them the authority to help themselves. I can't understand that. I can't understand that when we...you know, we've been arguing about in past Sessions, about corridors of opportunity, economic development, tourism. And...and here we sit and don't provide enough votes for a...a tourism project that is one of the best anywhere. I'm sure those of you who are voting 'no' have never seen the Gardens. You've never realized



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what a tourism project it is. I would hope that you give us an 'aye' vote just on the basis of those of us who are close to it, know what it is and know the benefit that it provides for us."

Speaker Madigan: "Mr. Preston to explain his vote. Mr. Giorgi in the Chair."

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I, too, rise in support of this Bill that will enable one of the show places in this state to not only continue to operate, but to make their...the beauty of a little slice of ground even more beautiful. If you haven't had an opportunity to visit the Chicago Botanical Gardens, you...you really should because it's one of the most heaven-like places that I've seen on the face of the earth. The flowers, the shrubbery, the trees...it's truly magnificent. And all this Bill is doing is authorizing them to sell bonds. This is not a tax increase. This is not a grant of any money. This really does nothing to any area outside of the Botanical Gardens itself except to make the state a prettier place to see and a prettier place to visit. So I...I hope some of you will come to your senses and vote for this Bill. There are people all over the state who are members of the Chicago Botanical Gardens because it is such a unique and beautiful place to visit. The flowers, especially at this time of the year and later in the summer...it's truly magnificent. And I...if you...and I'm told they have a beautiful Japanese garden there. And...but they have nothing but gardens and shrubbery and trees of...of every nature and description and it's a show place. If you haven't been there, visit it. Maybe you'll even become members and help support it. But this 'aye' vote is necessary to make life a little bit better for all of us."

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Speaker Giorgi: "Representative Sutker."

Sutker: "Mr. Speaker, and Ladies and Gentlemen of the House, I'm astonished at this vote and I'm particularly astonished at many on the other side of the aisle whom I know appreciate beauty in life and appreciate nature. I talked to a gentleman who came from London, England to see the Botanic Gardens and he considers this the garden spot of Cook County, the garden spot of Illinois, and yes of the United States. He made a special trip to do so and then when he did so, he went to the forest preserve district of Cook County and viewed the 70,000 acres of open space that we have in this state which adds to not only the City of Chicago, not only to the County of Cook, but to the State of Illinois. I would ask some of our friends who recognize that this is not a partisan issue, this doesn't relate to Cook County against DuPage County. I would urge that DuPage County join us and have a sufficient spot such as this somewhere in their beautiful county. I would urge some of you to make the sixty votes necessary, to think back how many times those of us on this side of the aisle, recognizing your needs and knowing what you knew most intimately which we couldn't know because we're too far from your particular county, but taking your word for that which you saw in front of you changed our vote to support an interest that you had. This is absolutely astounding to me that we can't reach sixty votes on a matter of such importance to this state."

Speaker Giorgi: "Representative Mays."

Mays: "...the previous question."

Speaker Giorgi: "They're explaining votes. Representative Cullerton to explain his vote."

Cullerton: "Yes, maybe there's still some confusion with regard to the Bill. The Bill simply increases the bonding

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authorization. Now, the law provides that the corporate authorities of this district shall provide for the levy of an annual tax to...on all taxable property in a district, sufficient to pay and discharge the principal of such bonds at maturity and to pay the interest thereon as it falls due. This is a property tax that...reduces the principal of all the bonds. It has been determined that by this increase, because of the increase in assessed valuation, that there will not be a need for the tax rate to increase. That's why I explained it earlier that there will not be a property tax increase as a result of this Bill. So, for that reason, all those of you who are worried about voting for a tax increase, you're not going to have to worry about it on this Bill. For people...even if there was a tax increase, why people can allow a county that asks for it...and let me...let me just say that this is not a partisan issue, the person that came down to lobby for this Bill in committee was a Cook County Board Member by the name of Joe...I think his name is 'Matheson'...who was a candidate for the...Republican candidate for the county board presidency last time. He was the strongest proponent of this. So it clearly is not a partisan issue. It's...it's been requested by the county and it's not a tax increase, so what is the problem?"

Speaker Giorgi: "Representative Kubik."

Kubik: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I don't think it matters how...how you feel about the issue. That...that you should make up in your own mind. But, I think it all should be pointed out that Mr. Cullerton is correct. You are raising the bond authorization. The only way that you can pay for those bonds are to increase the levy to pay for those bonds. So, if you increase the levy, you increase property taxes. So,

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if you want to support the Bill, you ought to support the Bill, but you understand that you are increasing the levy which increases property taxes. Let's make sure we get that straight. Thank you."

Speaker Giorgi: "Has everyone...has everyone voted who wished? Take the record, Mr. Clerk. On this question, there are 54 'ayes', 52 'nays', 6 voting 'present' and the Bill...Mr. Cullerton, do you want to postpone consideration? Mr. Cullerton."

Cullerton: "Yes, I think that since we know it's going to pass eventually, we might as well put it on postpone for now."

Speaker Giorgi: "Thank you. Postpone consideration. On the same calendar on page 20 appears House Bill 4068, Representative McPike. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4068..."

Speaker Giorgi: "Representative McPike. Representative McPike."

Clerk O'Brien: "...a Bill for an Act to amend an Act authorizing appointments of commissioners. Third Reading of the Bill."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In...the greater St. Louis area, on the St. Louis, Missouri side of the river and on our side of the river, Madison and St. Clair county, we composed a...bi-state development agency and basically, it's a bus transportation agency, although they do get involved in other things. The Governor of Illinois appoints five members to the bi-state commissioners and the Governor of Missouri appoints five members. This Bill would say that the Governor of Illinois can appoint no more than three members of any political party. So, the five members...in all likelihood, under Governor Thompson, of the five members, three would be Republicans and two would be Democrats. I simply believe that in an...and Representative Cullerton is nudging me, of course, and if there was a Democratic Governor, I would

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presume there would probably be three Democrats and two Republicans. I think that in an agency the size of bi-state which has a budget well over a hundred million dollars a year, I think it's good to have both political parties involved. I think it adds a little bit more to the checks and balances of the system. I'd move for the passage of the Bill."

Speaker Giorgi: "There being no request for debate, the question is, 'Shall House Bill 4068 pass?' All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Thank you, John. Take the record, Mr. Clerk. On this question, there are 66 'ayes', 47 'nays', 2 voting 'present' and House Bill 4080...4068, receiving the Constitutional Majority is hereby declared passed. On the same order of call appears...on page 21 appears House Bill 4251, Mr. Flinn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4251, a Bill for an Act to amend the Mobile Home Local Sales Tax Act. Third Reading of the Bill."

Speaker Giorgi: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 4251 combines two other Bills and they...only...they only apply to St. Clair County. What they basically do is the owner of each mobile home shall file a...his or her mobile home registration with the County Assessor and the mobile home park owner...operator must forward a copy of the registration form to the County Assessor and the County Assessor is responsible for computing the tax on the owners of the mobile homes and the County Assessor should also be the officer notified by the operator of the mobile home park. It's basically transfers from the County Clerk's Office to

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the County Assessor to give us a better paper trail on mobile home owners who don't pay their tax. I would...I don't have any opposition that I know of and I would move for the adoption of the Bill."

Speaker Giorgi: "There being no request for debate, the question is, 'Shall House Bill 4251 pass?' All those in favor will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 100 'ayes', 6 'nays', 6 voting 'present' and House Bill 4251 receiving a Constitutional Majority is hereby declared pass. On the same order of call, page 21, House Bill 4254, Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4254, a Bill for an Act to amend the Animal Control Tax. Third Reading of the Bill."

Speaker Giorgi: "Representative Flinn."

Flinn: "Again, Mr. Speaker, Ladies and Gentlemen of the House, this Bill applies only to Madison and St. Clair County and Madi...St. Clair County has a particular problem of having their animal fund raided by people with claims over and over each year. One person has claimed in the last five years...animal being killed by a stray dog. This simply transfers the animal registration fees to be deposited not in a special fund, but in a general fund and the county becomes the responsibility for operating the animal fund. Representative Giorgi, the present Speaker, had a problem with this thing so we relegated it to apply only to those two counties by population. It doesn't affect any other part of the state. I know of no opposition at this time and I move for the adoption."

Speaker Giorgi: "There's no request for debate, so the question is, 'Shall House Bill 4254 pass?' All those in favor will signify by voting 'aye', those opposed by voting 'nay'."

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The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Those voting... 'aye' are 100 votes, 5 voting 'nay', and 7 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the same order of call, page 21, is House Bill 4255, Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4255, a Bill for an Act to amend an Act in relation to the powers and duties of county boards. Third Reading of the Bill."

Speaker Giorgi: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. This Bill amends a Downstate County Work...Working Cash Fund Act to eliminate the provisions of fund balance that may not exceed the statutory (sic - statutory) maximum of the working cash fund which was established by Section 3 of the Act. We have two Amendments on here if there are any question about those Amendments. One by Churchill and one by Representative Peterson, and I don't know of any opposition here, unless there's any questions, I move for it's adoption."

Speaker Giorgi: "You've heard the Gentleman's Motion. All those in favor signify by voting 'aye' and those opposed by voting 'no'. This is final passage. Have all voted who wish? Have all voted who wish? On this question there are 100...Clerk, take the record. On this question there 106 'ayes', no 'nays', 6 voting 'present' and House Bill 4255 receiving the Constitutional Majority is hereby declared passed. On the same order of call, page 21, House Bill 4256, Representative Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4256, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Keane."

Keane: "Thank you, Mr. Speaker. House Bill 4256 provides the

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requirement that municipalities forward building permits to counties and township assessors shall apply to counties of at least 2,000 rather than the existing law of 500,000. The Bill passed the...was recommended 'do pass' by the Revenue Committee with a 16 to nothing vote. I'd be happy to answer any questions and ask for a favorable roll call."

Speaker Giorgi: "There being no request for debate, the question is, 'Shall House Bill 4256 pass?' All those in favor will signify by voting 'aye', those opposed by voting 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 107 'ayes', no 'nays', 6 voting 'present'. House Bill 4256, receiving the Constitutional Majority is hereby declared passed. On the same order of call, page 21, House Bill 4257, Representative Flinn. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4257, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Giorgi: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. This Bill amends the Illinois Vehicle Code and prohibits the Secretary of State from processing any applications to transfer interest of a vehicle if any fees or taxes are due under the Act from the transferor or the transferee have not been paid upon reasonable notice of such a demand. This, again, is a problem we have with mobile home people who are, just like the...vehicle says, they're mobile and they escape without paying taxes. It does provide that the Secretary of State may decline to process any application for transfer of interest of the vehicle if any fees or taxes are due from either. I would move for the adoption of the Bill."

Speaker Giorgi: "Representative Churchill on House Bill 4257."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield?"



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Speaker Giorgi: "He will."

Churchill: "Does the Secretary of State have a position on this Bill?"

Flinn: "The last time I talked to them, they were opposed to it. I don't know if they've changed their mind or not. I voted for a lot of their Bills since that time, though."

Churchill: "I see. Did...do you know is a fiscal note been filed on the Bill?"

Flinn: "I can't hear you."

Churchill: "Has a fiscal note been filed on the Bill?"

Flinn: "I...yes."

Churchill: "And what does it show the cost to the state to be?"

Flinn: "It didn't show any cost, I don't believe."

Churchill: "Alright. I have a copy of what appears to be a fiscal note. It shows a cost of one and a quarter million dollars for this Bill."

Flinn: "Oh, I'm sorry. I...I was thinking about a different Bill. You're right. I have the wrong Bill. I thought I'd get by with it, but I didn't."

Churchill: "Nice try."

Speaker Giorgi: "Representative Ropp on House Bill 4257."

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

Speaker Giorgi: "He indicates he will."

Ropp: "Representative, does this just deal with automobiles or does it deal with mobile homes, too?"

Speaker Giorgi: "Mr. Flinn, Representative Flinn."

Flinn: "This deals with mobile homes."

Ropp: "Okay. This is a...this is a Bill that we had a couple of years ago that was a good idea because a lot of those mobile homes hit the road sometimes and had a sizable amount of real estate tax unpaid and...I hope the Secretary of State's Office has changed in their thinking because they did oppose it last time but I...I think maybe this is

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a good idea."

Flinn: "Thank you."

Speaker Giorgi: "Representative Mays on House Bill 4257."

Mays: "Yeah...in reviewing the Bill, it seems to me that this is a way to get people that are deadbeats to pay their taxes. Isn't that right?"

Speaker Giorgi: "Representative Flinn."

Flinn: "That's absolutely right. That's what it's intended to do."

Mays: "What about people that may have defaulted on student loans and things like that. Will this also hold up title transfer for them, too?"

Flinn: "I've got a bit of noise in back of me here. Would you repeat the question?"

Mays: "Well, what about people that have defaulted on student loans or other debts to the state other than taxes. Does that..."

Flinn: "Well that would be a good idea, but we need a different Bill for that. This deals with mobile home people dodging taxes, is exactly what it deals with."

Mays: "Okay. Well, I...I think the concept's great. I would hope it would generate more dollars than it would cost the Secretary of State and maybe we want to look at putting a sunset thing on a...on this to see how it actually works when it got over to the Senate, but I rise in support of the Bill at this point."

Flinn: "Thank you."

Speaker Giorgi: "Okay. The Gentleman moves his Motion. The question is, 'Shall House Bill 4257 pass?' All those in favor will signify by voting 'aye' and those opposed by voting 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 86

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'ayes', 27 'nays', 1 voting 'present' and House Bill 4257 having received the Constitutional Majority is hereby declared passed. The Majority Leader in the Chair."

Speaker McPike: "...to the Order of Business Regulations. House Bill...we'll call Second Reading Bills first and then we'll go to Third Reading. 3790, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3790..."

Speaker McPike: "Out of the record. House Bill 4016, Representative Ronan. Mr. Ronan here? Representative Cullerton, cosponsor to handle the Bill. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4016, a Bill for an Act to regulate motor vehicle repair shops. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions or Amendments filed?"

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

Speaker McPike: "Representative Cullerton on the Amendment."

Cullerton: "Leave to withdraw #2."

Speaker McPike: "Withdraw Amendment #2. Further Amendments."

Clerk Leone: "Floor Amendment #3 offered by Representative Ronan."

Speaker McPike: "Representative Cullerton."

Cullerton: "The Amendment adds the provision for a minimum amount of \$100,000 for bodily injury to or death of all persons or damage to property as a result of one accident, effective with the 1990 registration year. The...the Bill itself amends the Insurance Code and the Vehicle Code establishing various requirements concerning the licensing and regulation of automobile repair shops. This Amendment, as I stated, adds...the current law requires insurance policies to provide the operator for rented motor vehicle

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against liability upon such insured to a minimum amount of \$50,000 for bodily injury to or death of any person or damage to property. This Amendment just adds that...that makes that minimum amount \$100,000. I would move for the adoption of the Amendment."

Speaker McPike: "Any discussion. The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #4, offered by Representative Ronan."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. Amendment #4 is a...an Amendment that's been given to me by the Attorney General's Office. It basically deals with getting written estimates on all auto repairs. There's been a number of complaints around the state that when automobiles are repaired, verbal commitments are given and then the consumer ends up with a problem. This just mandates written estimates so that the consumer is protected on any auto repair work that they want done. I'll be glad to answer any questions concerning the Amendment."

Speaker McPike: "Any discussion? The question is, 'Shall Amendment 4 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #5, offered by Representative Ronan."

Speaker McPike: "Representative Ronan."

Ronan: "I'd like to withdraw Amendment #5. It's no longer needed."

Speaker McPike: "The Gentleman withdraws Amendment #5. Further Amendments."

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Clerk Leone: "Floor Amendment #6, offered by Representative Ronan."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. Amendment 6 now has to be adopted because that was...that does what Amendment 3 did, but now we have to put in a little different wording because of adopting Amendment #4. So that...I would like to move for the Adoption of Amendment #6 which is the now correct technical wordage for Amendment #3."

Speaker McPike: "Any discussion? The question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #7, offered by Representative Ronan."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. Amendment #7 is a clarifying Amendment. We repealed some Vehicle Code legislation last year, however, we didn't clear up another part of the statute and that's what this Amendment does. I'll be glad to answer any question. It concerns certificates in...trailer parks."

Speaker McPike: "The Gentleman moves...is there any discussion? The question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "Floor Amendment #8, offered by Representative Mays."

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Amendment #8 simply allows the Secretary of State to review the recyclers license and possibly revoke, but it gives it discretion. It was suggested by the automotive truck

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and...truck...automotive and truck recyclers of Illinois and is agreed to by the Secretary of State's office. I would move it's adoption."

Speaker McPike: "The Gentleman moves...is there any discussion? The question is, 'Shall Amendment #8 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. On a Special Order of Business Regulations, those Bills on Third Reading appears House Bill 3537, Representative Leverenz. Representative Ronan, excuse me. Representative Ronan?"

Ronan: "Mr. Speaker, since 4016 appears to have no opposition, could we waive the proper rule and have it heard today?"

Speaker McPike: "Representative Ronan...Representative Ronan, we cannot because it was not read a previous...a previous time...a Second time previously so we can't waive that requirement. Representative Leverenz on House Bill 3537. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3537, a Bill for an Act to amend the Illinois Insurance Act. Third Reading of the Bill."

Speaker McPike: "Representative Leverenz."

Leverenz: "Mr. Speaker, I'd ask at this time leave to take it back to the Order of Second Reading for an Amendment."

Speaker McPike: "The Gentleman asks leave...return the Bill to Second Reading for purposes of an Amendment. No objection, leave is granted. The Bill's on Second Reading."

Clerk Leone: "Amendment #1 is offered by Representative Leverenz."

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Amendment #1 would provide that the Bill would be operative for a period of two years and at that time, it would then sunset. I ask for adoption

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of the Amendment #1."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. Is there any discussion? Representative Parcels."

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

Leverenz: "Sure."

Speaker McPike: "Yes."

Parcels: "Thank you. There's been a lot of debate before we got here about this Bill and I would like a clarification from you. When you say there's a thirty day period for a small..."

Speaker McPike: "Representative Parcels...Representative Parcels."

Leverenz: "Could we...could we take that on the Bill? This is the Amendment."

Speaker McPike: "This is on the Amendment."

Parcels: "Oh, I'm sorry."

Leverenz: "It's okay."

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker McPike: "Yes, he will."

Churchill: "What's the purpose of putting a sunset date in?"

Leverenz: "Well, for two reasons. One, it gives a two year trial to make sure that it does what we designed it to do. Secondly, if it doesn't, it stops all by itself. We don't have to come back and repeal it."

Churchill: "I see. So are the proponents of the Bill, the parties who had lobbied for it, they are in favor of the sunset?"

Leverenz: "Yes."

Churchill: "Okay. Fine. Thanks."

Speaker McPike: "Further discussion? Being none, the question is, 'Shall Amendment #1 be adopted?' All in favor say

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'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

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

Clerk Leone: "House Bill 3537, a Bill for an Act to amend the Illinois Insurance Act. Third Reading of the Bill."

Speaker McPike: "The Gentleman asks leave to hear the Bill on Third Reading at this time. Are there any objections? Hearing none, leave is granted, the Attendance Roll Call is used. Representative Leverenz."

Leverenz: "Mr. Speaker, thank you and Ladies and Gentlemen of the House. House Bill 3537 would provide that any third party paid prescription program could be accessed by an independent pharmacy if they elected to participate in that program. There's been a number of questions about it and people lobbying...you know, one side or the other for it. I'd like to entertain any questions you might have and then ask for your 'aye' vote to provide Illinois with the same Bill, the same law that now exists in the State of Wisconsin."

Speaker McPike: "Any discussion? Representative Parcels, on the Bill."

Parcels: "Thank you, Mr. Speaker. Sorry I jumped the gun, there a minute ago. Representative Leverenz, how's it working in Wisconsin?"

Leverenz: "I think...Representative Mulcahey says the fishing is good. It's too early to tell, first of all because they have just passed it and they now have extended the date of implementation, but the same Bill does exist in Wisconsin."

Parcels: "What I would like the answer to is there's been, as I say, a lot of chatter about this..."

Leverenz: "Just ask the questions and I'll..."

Parcels: "During this thirty day period, if I am a small



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pharmacy and I choose to opt in, do I have to meet a particular price?"

Leverenz: "That is correct. Let me explain on how that works. The drug store where I go said, 'I have lost ten customers because they are in an HMO, they now, instead of walking to the drug store, have to get in the car, drive to the chain store pharmacy, get their prescription filled.' This would provide that the independent pharmacy that you've probably been going to for years would be able to opt in to that program and they are paid in the following manner. A contract is established by the third party payer or the HMO based on the average cost, wholesale cost of the drugs plus, for example, a three dollar fee, professional fee to prepare the prescription. What we are saying is, my local drug store then would accept that same payment to prepare that prescription. So there would be no increase in cost, they would just be allowed, as the independent drug store, to access that contract."

Parcells: "Therefore, if I want to buy XYZ drug at my local drug store, I would still pay my minimum. That drug store would then collect from the HMO the same amount that they would...that a larger pharmacy who has a contract with them would collect. They're not trying to collect any more money than the larger pharmacy?"

Leverenz: "No, and they cannot...they cannot. Right."

Parcells: "I think it sounds like a good Bill for the little guy. Let's keep the little guy in business. I think it's a good Bill. I ask for an 'aye' vote."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, may I ask the Sponsor a question?"

Speaker McPike: "Yes, proceed."

Stern: "I, too, have had a lot of reaction to this Bill

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and...mostly, it took the form of 'I want freedom of choice.' Am I correct that your Bill is the freedom of choice position?"

Leverenz: "That is correct."

Stern: "Can you explain to me why my infallible book tells me that the AFL-CIO and the Chamber of Commerce are united against this Bill?"

Leverenz: "Sure. Did you want that now?"

Stern: "Yeah. I...I...because I don't understand. They sound like..."

Leverenz: "Here is the purpose...the main purpose for the opposition to the Bill. Unions contract, for example, it may be...the UAW, they contract for a third party paid prescription in their health care program and they bargain for that. They feel that they get the lowest rate and they fear, maybe it's an unfounded fear, that this may interrupt contracting or bargaining for the lowest possible price. My position is just the opposite in that it would then allow more competition and what is happening in the State of Wisconsin is that the independents are developing networks, they are buying also wholesale drugs at even less cost and being a secondary possibility that the union can bargain with to get, in fact, get the lowest price. So that is why we put the two year sunset on it that we could put it into law, try it, if it doesn't work that way, it would then die on its own."

Stern: "Why is the Chamber of Commerce opposed?"

Leverenz: "I talked with the Chamber of Commerce two or three days ago. It's kind of a generalized stance of business, if you will. I will further tell you that the flyer that was handed out today, the Illinois Coal Association's name is on there. They do not wish to have their name in opposition to the Bill now. I understand that the

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association name of the Illinois Manufacturers' Association was not asked prior to their name being on any literature passed out against the Bill, but that's a different situation."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question, please?"

Speaker McPike: "Yes."

Leverenz: "Sure."

Satterthwaite: "Representative, I...as I understand it, some of the HMO's do not reimburse the pharmacy directly for the cost of the prescription drug, but reimburse them on a capitation rate instead. How would you anticipate this working if a patient was able to go to one drug store for some pharmaceuticals and to another for other pharmaceuticals, how would the reimbursement process work?"

Leverenz: "The independent pharmacy would have to agree to all parts of the contract or they could not access the system during that thirty day window period."

Satterthwaite: "Well, I...I guess what I'm asking is, how...how could you do this if the reimbursement is on a participant rate?"

Leverenz: "If it's under a co-payment? The HMO or third party would pay their share and the co-payment would be given..."

Satterthwaite: "I'm not talking about co-payment, I'm talking..."

Leverenz: "...payed for by the person that wanted the prescription."

Satterthwaite: "I'm talking about a capitation rate where the contract would be given to a provider on the basis of the number of clients being served by the HMO and they would get a specific rate per client rather than on the basis of reimbursement for particular drugs that would be purchased."

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Leverenz: "I would think that they would get the same capitation rate that...that's involved with the whole contract."

Satterthwaite: "But wouldn't...I'm just trying to think what kind of mechanism...a...local pharmacist could use to even try to participate in that."

Leverenz: "I don't know that I have an answer to your question. I will tell you, though, that there are pharmacies that will not want to participate because they would be actually, probably, doing the job for less than it actually costs them so they may not want to participate at all. It's really eliminated involvement with those that want to participate. And it's mainly in the metropolitan areas, because where these contracts exist with an HMO or third party pay outside of the metropolitan areas where there isn't a chain operation they do in fact contract with the local drugstores. So it don't make any difference."

Speaker McPike: "Representative Goforth. Representative Goforth."

Goforth: "I move the previous question."

Speaker McPike: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All those in favor say 'aye', opposed 'no', the 'ayes' have it. Previous question is put. Representative Leverenz to close."

Leverenz: "Thank you. And I thank the questions from the Members that we had earlier. This would provide a number of things and it has been talked about, you've seen advertisements in the paper about freedom of choice, and I'm interested in it for the following reasons. I'm doing it for the senior citizens that can go to the local pharmacist where they have established a working relationship and the pharmacist will explain to them what the reaction might be to a drug or be able to advise them or counsel them on what they are

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taking. You don't get that in a mass chain store high volume operation. And secondly it's a consumer issue that I think is good for all of us to vote for. Thirdly, it is definitely an issue that will make or break a small business and that is another reason why I am for it. It is in operation in law in Wisconsin, I think it will work very well here in Illinois and I'd ask for your 'aye' vote so that we might pass the Bill."

Speaker McPike: "The question is, 'Shall House Bill 3537 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Terzich one minute to explain his vote."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen. Basically what this Bill does it's another mandate and it's mandating the free enterprise which is your HMO or other preferred provider that they have to understand that the HMO's is a specific plan the same as a preferred provider and that this is still putting another restriction. All of those people that are going into the HMO have also made a freedom of choice of going into the HMO program and those that are involved in other third party providers do not have this here problem. So you're just going to bring havoc on to those health programs that do involve the HMO and I don't think you're doing anybody a favor by voting for this Bill."

Speaker McPike: "Representative Bowman, one minute to explain your vote."

Bowman: "Thank you, Mr. Speaker. Just for the record let me say my campaign chairman works for an HMO but on this issue this is a very clear supply and demand issue. The reason the HMO's can offer medical care for the lowest possible price is because of volume and the reason that they can offer drugs through contracting pharmacies at the lowest possible price is because they can have exclusive

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contracts. It's a straight supply and demand issue, if you want the lowest possible price for drugs for your senior citizens or for anyone else who happens to be a member of an HMO then you want a 'no' vote on this."

Speaker McPike: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker. I think that the idea of bidding out for these services is going to keep the cost down. An analogy would be if we're going to buy two hundred state police cars and we buy it from one dealer and he gives us a cost and then you let other dealers come it at that cost, he...he's giving you that bid on selling to you, the state two hundred cars. If he has to share that and he sells a hundred cars at a price, he's going to raise the price. And that's what is going to happen, everybody will be included but the price will go up, hospitalization will go up, and we're trying to hold those costs down for medicine and I think this is a bad Bill. It should be defeated."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. It was good to see some clarification because what this Bill does is it bites right at the base of an HMO PPO plan. The reason that they can get those premiums...those cost down is because of the fact they have a solid commitment that they're going to get two hundred and fifty, five hundred customers to come into the store. If it's opened up to everyone the cost of health insurance and the cost of medical is going to go up."

Speaker McPike: "Representative O'Connell."

O'Connell: "Thank you, Mr. Speaker. Basically it's been said what I had planned to say. The basic tenet of affording low cost to consumers is the expectation of volume. Individual contractors negotiate agreements with HMO's with

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the understanding that they will get a set level of volume. And on the basis of that they are able to make a low cost pharmaceutical product available to the consumer. If they can't do that there won't be more...anymore low cost negotiated agreements. So that is why the AFL-CIO is against this Bill and that is why the Chamber of Commerce is against this Bill."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker. I would like to change my vote from 'nay' to 'aye'."

Speaker McPike: "Representative Morrow changes his vote from 'no' to 'aye'. Have all voted? Have all voted who wish? Representative DeLeo did you want to explain your vote? Clerk will take the record. On this Bill there are 75 'ayes', 36 'nos', 3 voting 'present'. House Bill 3537 having received the Constitutional Majority is hereby declared passed. House Bill 3789, Representative Martinez. Representative Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentleman of the House. The 1:00 meeting of the Rules Committee will now meet immediately in the Speaker's Conference Room."

Speaker McPike: "Representative Ropp or Representative Johnson were you looking for the attention of the Chair? I'm sorry. Representative Ropp."

Ropp: "Yes, Sir, Mr. Speaker. I have a point of personal privilege, please."

Speaker McPike: "Could we have a little attention, please. Representative Ropp has been insulted I believe."

Ropp: "Mr. Speaker, we've had a lot of discussion lately about sporting activities and whether or not they were good ones in the State of Illinois, particularly in Chicago, but there is another team not too far from Chi...from Illinois that I am proudly announcing the fact that the St. Louis

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Cardinals have completed a complete sweep of 5 to 1 over the Chicago Cubs and I am...it was a complete game by this rookie pitcher and I am going to present this broom to Representative Cullerton in appreciation for the concern that he has for sporting events and I'll carry this over to him and present it to him at this point."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes. First of all, Mr. Speaker, I think you're abusing the Chair. I have thought about this for some time and I really don't know why I continue to be a Cub fan. And I think for the next two weeks anyway I'm going to be...declare myself a White Sox fan."

Speaker McPike: "Representative Countryman."

Countryman: "Well Mr. Speaker I raised a point of order. I really think that this is...is this a special subject matter of baseball or something, I can't find it on my program but the one thing I do want to point out to the Members is that broom was fitting for the size of the person who was carrying it."

Speaker McPike: "Representative Ropp, you were not insulted. Representative Ropp."

Ropp: "Mr. Speaker, my name wasn't used in vain but it was a personal reference used in vain. And it was tall and slim and that was the good part about it. Slimming."

Speaker McPike: "With a large end. Representative Martinez on House Bill 3789. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3789, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker McPike: "Representative Martinez."

Martinez: "Thank you, Mr. Chairman, Members of the House. House Bill 3789 amends the Medical Practice Act of 1987 to remove the provision that applies the educational requirements for licensure after January 1, 1988, only to those who have



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graduated after December 31, 1984."

Speaker McPike: "The Gentleman moves for the passage of House Bill 3789. Is there any discussion? There being none the question is, 'Shall House Bill 3789 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Take the record. Representative Martinez, did you wish to explain your vote?"

Martinez: "Mr. Chairman, are we voting on Amendment #1 or #2? Can we bring this Bill back to number a...Second Reading please?"

Speaker McPike: "The Chair would ask leave to dump the Roll Call. Are there any objections? Are there any objections? Hearing none...the Chair would ask one more time for leave to dump the Roll Call. Are there any objections? Hearing none leave is granted, Attendance Roll Call will be used to dump this Roll Call. Representative Martinez has asked leave to return the Bill to Second Reading for purposes of an Amendment. Gentleman has leave. Return the Bill to Second Reading. Are there any Amendments filed?"

Clerk Leone: "Floor Amendment #2 is offered by Representative Martinez."

Speaker McPike: "Representative Martinez on Amendment #2."

Martinez: "The Amendment #2 amends the Medical Practice Act of 1987, to remove the provision that applies the educational requirements for licensure after January 1, 1988 only to those who have graduated after December 31, 1984."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' Is there any discussion? Representative Barger."

Barger: "Mr...Mr. Speaker, I would like very much to be able to understand that. Would somebody please repeat it more clearly?"

Speaker McPike: "Do you wish to ask the Gentleman a question,

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Sir?"

Barger: "I would ask the Gentleman to please repeat himself more distinctly so I can understand what he is saying."

Speaker McPike: "Representative Martinez, could you repeat the explanation again?"

Martinez: "Amendment #2 amends the Medical Practice Act of 1987, to remove the provisions that applies the educational requirements for licensure after January 1, 1988, only to those who have graduated after December 31, 1984."

Speaker McPike: "Representative Hensel."

Barger: "Thank you very..."

Hensel: "Thank you, Mr. Speaker, Members of the House. In answer to Representative Barger's question, actually the Amendment permits the foreign educated doctors who do not currently qualify for medical license to have their applications reviewed by the medical disciplinary board. They would have to be approved and if they are not qualified they wouldn't get their license. I think it's a good Amendment."

Speaker McPike: "Further discussion? Being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendment."

Speaker McPike: "Third Reading. Gentleman askd leave to have the Bill heard on Third Reading to this time. If there are no objections, Attendance Roll Call will be used, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3789, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker McPike: "Representative Martinez."

Martinez: "At this point all I ask is that the...I receive a favorable vote on this...we're trying to help all of these

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foreign doctors which come from many countries and they're being denied license and all I'm trying to do is help them to get licensed."

Speaker McPike: "Is there any discussion? The question is, 'Shall House Bill 3789 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 109 'ayes' and no 'nays'. House Bill 3789 having received a Constitutional Majority is hereby declared passed. House Bill 3896, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3896, a Bill for an Act in relationship to the classification, citation, and dissemination of the Illinois Statutory Law. Third Reading of the Bill."

Speaker McPike: "Representative Cullerton."

Cullerton: "Well thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wanted to call this Bill when Representative Daniels was on the floor. I understand that he is on his way so let me just indicate that this Bill involved, among other things, the codification of the Illinois Revised Statutes and there were a couple of players involved besides the State. They have been negotiating over the issues dealing with this Bill and I'm told that those two groups have reached an agreement. However, the agreement which would have to be codified in the legislation is not yet completed. So the plan then would be to pass this Bill over to the Senate and it would then be amended with that agreement and come back here for concurrence. The Bill...I did indicate to Representative Daniels that I would take the Bill back to Second Reading for the purposes of voting on a few Amendments, but I don't believe that would be necessary now. There were...Representative Churchill had some Amendments that we did not vote on and so I don't

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think it's necessary to do that although if Representative Daniels wants me to I'd be happy to. The Bill as it's drafted declares that the Illinois Revised Statutes to be the official statutes of the State including chapter and paragraph numbers and to declare that they be in the public domain. Requires the LRB to continue to assign chapters and paragraph numbers to legislation as it deems appropriate and requires the LRB to charge a fee for the dissemination of the Bills enacted or passed and of the memory system to nonpublic officials. These fees would be determined by the LRB based on cost and the value of their services. We also adopted an Amendment that called upon the Legislative Reference Bureau to do a study to determine what portions of the statutes should be revised and to make a report after one year. As I indicated, this Bill will be amended in the Senate and will come back here for concurrence but for now it's our plan to pass the Bill over to the Senate so they can take action."

Speaker McPike: "Is there any discussion? The minority leader, Representative Daniels"

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. The representations of the prior Speaker are accurate. We have worked with the Reference Bureau in drafting an Amendment to this Bill which is not yet completed which would talk in the terms of recodification and recompilation of Illinois laws along with paragraphing number system. It is the way to go according to the Illinois Supreme Court and their recommendations and what we have been working hard for in terms of bringing our statutes up to current power based upon access that should be held for all of the interested companies. Stan Johnson of the Reference Bureau is in the process of working on the Amendment, it is not yet completed. We certainly don't want to stall the progress

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of an important piece of legislation that deals with the recommendation of the Supreme Court. Based upon that I have agreed with Representative Cullerton to support his Bill with the complete understanding that an Amendment would be offered in the Senate to accomplish the recodification and recompilation which would then come back to us for action and consequently I support this Bill as anticipated to be amended in the Senate."

Speaker McPike: "Further discussion? Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Laurino 'aye'. On this Bill there are 111 'ayes', 1 'no', 1 voting 'present', House Bill 3896 having received the Constitutional Majority is hereby declared passed. House Bill 4014, Representative Giorgi. Do you want to call the Bill, Sir? Read the Bill, Mr. Clerk."

Clerk Leone: "On page 24 of the Calendar, House Bill 4014, a Bill for an Act to amend an Act in relationship to asbestos. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is a Bill where we added two or three people to the Asbestos Abatement Authority and we made the CDB Chief, Chairman of the Board. I urge support of the Bill."

Speaker McPike: "Any discussion? The Gentleman from DuPage, Representative Daniels."

Daniels: "Can I have a...first a point of inquiry and that is, is this Bill on Postpone Consideration?"

Speaker McPike: "Yes, it is."

Daniels: "Okay. We can go on with the debate, I'll have further debate to go along after I put my thoughts together."

Speaker McPike: "Representative Piel."

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Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.  
Will the Gentleman yield for some questions?"

Speaker McPike: "Yes, he will."

Piel: "Representative Giorgi, the first time we brought this up,  
you know I'd asked you some questions dealing with the  
Attorney General. And now does the Attorney General agree  
with what you're doing on this Bill?"

Giorgi: "Yes, if you'll take my word for it, yes."

Piel: "Before you were sort of beating around the bush. Because  
what you're doing, you're taking a lot of authority away  
from him. And the initial Bill, the initial Act that we  
put in basically made him Chairman of this. Your Bill  
strips him of the Chairmanship. Why is that?"

Giorgi: "We want him to concentrate on litigation."

Piel: "But there is, I'm sorry you..."

Giorgi: "We want him to concentrate on litigation. We're a very  
litigious society and we need the Attorney General to do  
the litigation and Skoien, who's builder of the State of  
Illinois to be the Chief of the..."

Piel: "Which litigation are you talking about? On dealing with  
the asbestos?"

Giorgi: "Yes, Sir."

Piel: "Well he's got his department doing that. He serves as  
Chairman individually. Why are you stripping him of the  
Chairmanship?"

Giorgi: "The time that's going to be demanded of him is better  
served if he's worried about litigation rather than  
building or tearing down. I don't see why your having  
trouble understanding this..."

Piel: "Yeah, no, no, you see I'm surprised...I'm surprised you  
obviously haven't talked to the Attorney General on this  
because he wanted this legislation. We put the legislation  
in at his request. And now your Bill is stripping him of

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his Chairmanship."

Giorgi: "No, well we're not as hung up on titles like you are. You know we don't need to be titled your honor and your eminence..."

Piel: "No, I'm trying to figure out why you want to strip the...why you want to strip the Attorney General of his Chairmanship of this Asbestos Advisory Committee."

Giorgi: "We do it knowing that the person we are putting in charge is very talented."

Piel: "Who would that person be?"

Giorgi: "Gary Skoien."

Piel: "One of the Governor's appointees you want to take as a democrat...you want to take the Attorney General out of Chairmanship and put one of the Governor's appointees in there is that correct?"

Giorgi: "Piel, I always brag that I represent..."

Piel: "Okay, Giorgi, tell me all about it."

Giorgi: "Right, I always brag that I represent from pimps to popes and some of us speak for the mentally retarded. In your case who do you represent?"

Piel: "I represent the people of the 79th District. If you ever come down to the south side of Chicago just keep on coming south. But you haven't answered my question. I know you're trying to be cute...I know you're trying to be cute but why don't you answer the question. So the people in the...or the people in the chamber know."

Giorgi: "Oh, I'm sorry repeat it...repeat it Tony...Repeat your question."

Piel: "Why are you stripping the Chairmanship of the Attorney General and giving it to one of the Governor's appointees?"

Giorgi: "I don't think we're stripping him of the Chairmanship."

Piel: "Your Bill is stripping him of the Chairmanship. We passed legislation last year for the Attorney General that give

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him the Chairmanship.. of this. This Bill here takes the Chairmanship away from him. I just ask you that a minute ago and you told me it was Gary Skoien who's a Governor's appointee."

Giorgi: "We are realigning...Why are you frightened? Why are you frightened?"

Piel: "I am not frightened at all. I'm asking why you're doing it."

Giorgi: "Why are you scared of assuming the Chairmanship?"

Piel: "I'm not scared, I'm asking you why you're doing it. You have not answered us why you are doing it."

Giorgi: "Can you handle this job or shall we give it to somebody else?"

Piel: "What was that?"

Giorgi: "Can you handle this job or shall we give it to someone else?"

Piel: "Are you saying the Attorney General is not able to handle the job and so you're giving it to somebody else."

Giorgi: "No Skoien. Your telling me Skoien can't...by your remarks Skoien can't handle the job."

Piel: "Pardon me?"

Giorgi: "Are you... Are you denigrating your Chairman of the Capital Development Board?"

Piel: "No, no, no. You don't want the Attorney General to have it... I'm asking you why the Attorney General can't handle it or why you want to strip him of this position?"

Giorgi: "I was just reminded that he gave up on the McCormick Place maybe he can't handle his job. I don't know."

Piel: "No, you still haven't answered my question. I'll ask the question for the fourth time. Why are you stripping the Chairmanship from the Attorney General?"

Giorgi: "He's on the board."

Piel: "Why are you stripping the Chairmanship from him?"



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Giorgi: "The Chairman's going to have to consult him on legal matters. It's a very cozy arrangement. Why can't you understand it?"

Piel: "Mr. Giorgi, the problem we have here, you know you're sitting here wanting to pass a Bill on Third Reading, you know the Members of the House have been sitting here listening to your diatribe, and five times I've ask you the question. Five times you haven't answered it. I'm asking you why are you stripping the Chairmanship from the Attorney General and giving it to one...in your words in the past, one of the Governor's flunkies, I don't classify him as a flunky, I classify him as an appointee, but why you want to take it away from the Attorney General and give it to one of the Governor's appointees? Just answer the question. I don't need your political diatribe, I just want the question answered."

Giorgi: "Who? Who's that... Representative Piel. Representative Piel the Attorney General is the Chief Legal Officer of the State..."

Piel: "And he's got a very large department to handle litigation."

Giorgi: "...and we're becoming more and more litigious as you're showing here now. But we need a Chairman to run this authority and Skoien is the natural choice. He's the builder for the State, now if you can't understand that...let's talk in English."

Piel: "To the Bill, Mr. Speaker. To the Bill, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House, obviously the Gentleman doesn't want to answer the question. I don't know why he...first of all, we passed the Attorney General's Bill, the Attorney General wanted the Bill, we passed it the way he wanted it set up. Now the Gentleman stands up here, doesn't want to tell us why he wants to

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take the power away from the Attorney General. He's using fifty dollar words and trying to cast aspersions on the questions that are being asked, hey, all I'm doing is asking him a straightforward question. You know, Neil Hartigan and I are on a first name basis I mean if...Neil Hartigan didn't come up and say to me hey, I don't want to be Chairman anymore, he didn't come up to anybody else and say I don't want to be Chairman anymore: But my question is why does this Gentleman want to take...here he is, he's got a good program working, he's working as the Chairman and this Gentleman wants to give the Chairmanship to a Republican? No, there's something wrong there. I'm trying to figure out what it is Zeke, but you don't want to tell us. And so Mr. Chairman, Ladies...Mr. Speaker, Ladies and Gentlemen of the Assembly, until such time as the Sponsor of this Bill wants to answer the questions and not be dilatory and wishy-washy about his answers, I would ask people to vote no or present on the Bill. Kill it again like we did before."

Speaker McPike: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. My esteemed colleagues, it's moments like this that make our job worthwhile."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I think that we're making a mistake of letting personalities interject into debate about a Bill that's going to govern us well beyond probably the tenure of any of the Gentlemen being discussed that will be occupying the position in the relatively near future. These positions are being created with the thought of best expediting the Illinois Asbestos Abatement Authority. To have the Attorney General serve as the Chair of that Authority, it would be tantamount to having the State's Attorney serve as the Chair of the County Board.

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Under the authority and under the responsibilities of law, the Attorney General will be responsible for the asbestos litigation efforts, and as the chief law enforcement officer it's my understanding that he's decided that to also serve as the Chair of this body would put him into potential conflict positions and while he wants to remain a member of the commission, he simply thinks that it would be best that he not serve as the Chair and also be the chief litigator on behalf of the state in these areas. I don't know what's so political about that or so complex. I think it makes for a better Bill. And we all the time come in here and try to correct things and perfect things that we've done in previous Sessions. That's all this does and why all the hullabaloo about it, I don't know but I would hope that we'd put that aside and put personalities aside and do what we should do and approve the Bill."

Speaker McPike: "Excuse me, Representative Homer. Representative Giorgi would like this Bill taken out of the record. Take it out of the record. Senate Bill 209, Representative Mautino."

Mautino: "Mr. Speaker, Mr. Clerk, I would like to inquire as to the number of Amendments that are on this Bill. Is it three or four?"

Speaker McPike: "On this Senate Bill?"

Mautino: "Yes."

Speaker McPike: "Mr. Clerk."

Clerk Leone: "Amendment #1 is adopted. Amendments #2, 3, and 4 have been filed, are pending."

Mautino: "Then..."

Speaker McPike: "Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 209, a Bill for an Act to amend the Regulatory Agency Sunset Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino. You're a Cosponsor of

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the Bill, did you want to handle it?"

Mautino: "Yes, Representative Shaw asked me to handle it and also the Amendments. We would like to have leave to take the Bill back to Second Reading."

Speaker McPike: "Fine. The Gentleman asks leave to return to Second Reading for purposes of Amendments. Does the Gentleman have leave? Attendance Roll Call will be used, leave is granted. Bill's on Second Reading. Are there any Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Mautino and Shaw."

Speaker McPike: "Representative Mautino."

Mautino: "Withdraw."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments."

Clerk Leone: "Floor Amendment #3, offered by Representative Mautino."

Speaker McPike: "Representative Mautino."

Mautino: "Withdraw."

Speaker McPike: "Gentleman withdraws Amendment #3. Further Amendments."

Clerk Leone: "Floor Amendment #4, offered by Representative Mautino."

Speaker McPike: "Representative Mautino on Amendment #4."

Mautino: "Thank you very much, Mr. Speaker. Amendment #4 becomes the Bill. This is the agreed Amendment between the architects, the optometric practice, individuals, the professional engineers, the structural engineers, the Department of Professional Regulation and all the interested parties. The Amendment eliminates those references to the Department of Registration and Education and includes in its place the Department of Professional Regulation. Establishes the board, the rules and

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regulations for operation as it pertains to those four Acts. It provides as well that a...changes in the Illinois Architectural Act that require that a managing agent provision is deleted and it returns to the current requirement that a person in charge of the architectural practice must be a director or a general partner. It provides that the optometrists who are admitted into Illinois without examination by virtue of being licensed in another U. S. jurisdiction will be required to pay a registration fee. It changes the Illinois Professional Engineering Act and the Illinois Structural Engineering Act as prescribed and recommended by the Department of Professional Regulation and I move for its adoption."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to waive the appropriate rules so the Bill can be heard on Third Reading at this time. Any objections? Hearing none Attendance Roll Call will be used. Motion carries. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 209, a Bill for an Act to amend the Regulatory Agency Sunset Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. The Amendment is the Bill. It is agreed to by all parties involved of the regulative professions, the department and it eliminates the language that referred to the old Department of Registration and Education. I think everyone knows what's in it and I move for its passage."

Speaker McPike: "Representative Hensel."

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Hensel: "Mr. Speaker, Members of the House. Question of the Sponsor?"

Speaker McPike: "Yes, proceed."

Hensel: "If this passes and it goes to the Senate do you anticipate that they will then concur with the Amendments that are put on so that it will be a clean Bill?"

Mautino: "The only Amendment that's on this Bill at this time and the Bill becomes Amendment #4. I believe it's agreed to by everyone. You can check with Molly Lesh. I think yes that's what would happen."

Hensel: "So the Senate will then concur that it would be as such."

Mautino: "I would hope so. I can't give you that guarantee but I would hope so, yes."

Hensel: "Okay I support the Bill."

Mautino: "Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 113 'ayes', no 'nays', 1 voting 'present'. Senate Bill 209 having received a Constitutional Majority...Representative Laurino 'aye', this Bill has a 114 'ayes', no 'nay'...no 'nays', 1 voting 'present'. Senate Bill 209 having received a Constitutional Majority is hereby declared passed. Senate Bill 566, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 566, a Bill for an Act concerning the regulation of the practice of respiratory care. Third Reading of the Bill."

Speaker McPike: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. Senate Bill 566 creates the Respiratory Care Practice Act, provides that the regulation

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of the practice of respiratory care by the Department of Professional Regulation. The purpose of this Bill is to insure that all those practitioner respiratory care in the State have demonstrated competent and are duly licensed by the State. This Bill is supported...there is no opposition with the nurses and the medical societies. They're neutral on the Bill. Over 17 States have passed this legislation already. Eventually the legislation will generate about a million dollars for the State. I'd like to have your favorable vote."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I rise in opposition to this Bill as I did when it failed previously in this House. There will be an increase in cost to hospitals. Perhaps it's alright with the nurses, but they're not the ones paying the bills. The hospitals know that in every State where this has been adopted the cost to the hospital has gone up because there becomes a shortage and the minute there's a shortage the price of these respiratory therapists will go up. Furthermore there are people who will lose jobs, as I explained the other day, there is a grandfather clause but these people have to have worked for three years and there are many people out there who've worked a year or two who will be out of business if this comes into being. There is no consumer cry out saying 'Oh my heavens, the respiratory therapists are losing people's lives'. There's been no consumer cry for this. This is strictly people wanting to cut the competition and get their salaries increased. As I said the other day, last year they said for our protection and safety we couldn't let anybody do this including nurses. Then in order to get the nurses to approve the Bill they said okay nurses you can do it. Well if the nurses weren't safe last year, then

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they're not safe this year. I think they've always been safe. I don't think it's necessary and I'd ask for you to defeat this Bill again."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. This Bill has been before us several times in fact as I was a Sponsor a couple of years ago. We have attempted to provide quality care for all people who are in need. We are assured of that hopefully by licensing and regulating certain professions. This is one that certainly needs the regulatory action as a result of this piece of legislation and I urge your support."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, and Members of the House, I rise in support of this legislation. It seems ironic to me that we are here debating whether or not people who are directly related to health care should or should not be licensed to practice when we already license people to put roofs on our houses, to put our plumbing in our houses, et cetera, which are not life threatening kinds of situations. We are giving more and more responsibility for in-home care. And so in addition to the work that's being done in hospitals we are expecting people to be out in people's homes. They certainly need to be responsibly educated so that they can fulfill their duties in a way that will protect the health rather than endanger the health of the patient. We do need to have minimum qualifications for people who are in the health care system. This is only one little segment of it but since we license the others I think we should certainly see that there are minimum standards for the people in respiratory care as well and I urge your support for the legislation."

Speaker McPike: "Representative LeFlore to close."



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LeFlore: "I'd just like to have a favorable vote on this Bill."

Speaker McPike: "Question is, 'Shall Senate Bill 566 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this good piece of legislation. As has been said earlier, we have struggled with this Bill but I don't really know why. The respiratory care people wish to have a Practice Act, they do a fine job, they should be licensed, there should be high standards. They deal with people who have very serious and very complicated respiratory problems and the functions, as far as I'm concerned, should be performed by people who have been screened and licensed and qualify to carry out those functions and this is a good Bill and we should put green votes up there. Pass this Bill. Those people should not be...have the door slammed in their face by the General Assembly. They're professionals, they want to be licensed, they should be licensed. We should do that. Put some more green votes up there, please."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. Mr. LeFlore asks for a poll of the absentee."

Clerk O'Brien: "Poll of those not voting. Berrios. Capparelli. Daley. DeLeo. Krska. Laurino. Levin. Martinez. Terzich and White."

Speaker McPike: "Representative LeFlore no one is seeking to change their vote. What is your preference? Representative Countryman."

Countryman: "Mr. Speaker would you change me to 'no' please."

Speaker McPike: "To 'no'?"

Countryman: "To 'no'."

Speaker McPike: "Representative Countryman votes 'no'."

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Representative Daley votes 'aye'. Representative Shaw."

Shaw: "No."

Speaker McPike: "Representative Shaw changes from 'aye' to 'no'.

Representative Martinez votes 'aye'. Representative Regan  
'aye'. Representative Matijevich."

Matijevich: "I'm voting for this but I just want to give a little  
time...Representative LeFlore...no here's a guy...No I see  
him running around the aisle that all have done, now don't  
tell me about dilatory when we had to listen to Tate about  
10 min...a half an hour when he verified. Now I'm  
explaining my vote. I'm saying the reason that I'm voting  
this way and taking some time doing it, is because I know  
how hard Representative LeFlore has worked. I know how  
sincere he is in this. I know he is thinking about the  
health care of many people not only in Cook County but all  
over the State of Illinois. So I think because of that  
Representative LeFlore ought to have 60 votes to get this  
Bill out of the House and into the Senate. It's good for  
health care and it's good for all of us...Representative  
Levin is here, too."

Speaker McPike: "Representative...Representative Shaw.  
Representative Shaw."

Shaw: "Yes, thank you, Mr. Speaker. I changed by mind because it  
does grandfather them in. I will give them an 'aye' vote on  
this one."

Speaker McPike: "Representative Shaw votes...Representative Shaw  
votes 'aye'. Representative Levin votes 'aye'. House Bill  
6...this Bill having received...Representative Parcels."

Parcels: "Mr. Speaker, if the Bill receives the right number of  
votes, I'd like to have it verified."

Speaker McPike: "Mr. Clerk, have you taken the record? This Bill  
receives 61 'ayes', 47 'nos' and the Lady has requested a  
verification of the 'aye' votes. Mr. Clerk, poll the

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affirmative."

Clerk O'Brien: "Poll of the affirmative. Ackerman. Barnes. Bowman."

Speaker McPike: "Excuse me, Mr. Clerk. Representative Kulas."

Kulas: "Mr. Speaker, change my vote to 'aye'. Can I have leave to be verified?"

Speaker McPike: "Representative Kulas votes 'aye', Representative Parcels he would like to be verified. Does he have leave to be verified? I beg you pardon."

Parcels: "Who's going to be verified?"

Speaker McPike: "Representative Kulas."

Parcels: "Alright. Fine."

Speaker McPike: "Proceed, Mr. Clerk."

Clerk O'Brien: "Bowman. Braun. Brunsvold."

Speaker McPike: "Representative...excuse me, Representative Ronan."

Ronan: "Mr. Speaker, I'd like to change my vote from 'no' to 'aye'."

Speaker McPike: "Representative Ronan votes 'aye'. Proceed."

Clerk O'Brien: "Churchill. Cullerton. Curran. Currie. Daley. Davis. Deuchler. Didrickson. Dunn. Flowers. Frederick. Giorgi. Hallock. Hartke. Homer. Huff. Johnson. Jones. Klemm. Kubik. Kulas. Lang. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McNamara. McPike. Morrow. Mulcahey. O'Connell. Panayotovich. W. Peterson. Preston. Regan. Rice. Ronan. Ropp. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Tate. Tuerk. Turner. Van Duynes. Wait. Wennlund. Williams. Williamson. Wojcik. Anthony Young. Wyvetter Young and Mr. Speaker."

Speaker McPike: "Representative Parcels you start with 63 'ayes'."

Parcels: "Thank you, Mr. Speaker. Representative Huff."

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Speaker McPike: "Representative Huff. Representative Huff here?  
Remove him from the role."

Parcells: "Representative Flowers."

Speaker McPike: "Representative Flowers. She was just here a  
second ago. Representative Curran is standing down front  
and would like leave to be verified, Representative  
Parcells. Representative Levin and Representative Braun  
and Representative Flowers would like to be verified."

Parcells: "Alright...That's it."

Speaker McPike: "Further questions of the affirmative?"

Parcells: "Representative Mulcahey."

Speaker McPike: "He's right here in front. He's right here."

Parcells: "Representative Morrow."

Speaker McPike: "Excuse me, Representative Daley is right here.  
He'd like to be verified."

Parcells: "Okay."

Speaker McPike: "Representative Morrow is right here in front."

Parcells: "Representative Bowman."

Speaker McPike: "Representative Bowman. Representative Bowman.  
Remove him from the roll."

Parcells: "Representative Brunsvold."

Speaker McPike: "Representative Brunsvold's right here."

Parcells: "Thank you. Representative Bugielski."

Speaker McPike: "Representative Bugielski. He voted no,  
Representative Parcells."

Parcells: "Thank you."

Speaker McPike: "He's not here. There he is. He voted 'no'.  
Representative Bugielski did you want to change your vote?  
Proceed Representative Parcells."

Parcells: "Representative Phelps."

Speaker McPike: "Representative Phelps. He voted no, too, now  
Representative Parcells."

Parcells: "I'm sorry. Representative Dunn."

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Speaker McPike: "Representative Cullerton."

Cullerton: "Is she verifying the negatives or the positives. I'm getting confused."

Speaker McPike: "Representative Parcels..."

Parcels: "I'm trying the positives. It gets confusing."

Speaker McPike: "Representative Parcels are you verifying the negative or the positives?"

Cullerton: "This isn't an Amendment."

Parcels: "The positives, Sir."

Speaker McPike: "Alright. Proceed on the positives then. Proceed."

Parcels: "Representative Williamson."

Speaker McPike: "Representative Williamson. She's in the back. Is that it?"

Parcels: "No. Representative Hallock. Oh, sorry."

Speaker McPike: "He's right here."

Parcels: "Representative Tate."

Speaker McPike: "Representative Tate's right in the back. Anything else? Anything else, Representative Parcels?"

Parcels: "Yes. Just a moment."

Speaker McPike: "Representative Laurino."

Laurino: "Vote me 'aye'."

Speaker McPike: "Votes 'aye'. Laurino 'aye'. Representative Parcels do you have anyone else to name?"

Parcels: "No further."

Speaker McPike: "This Bill having received 62 'ayes', 45 'nos', 2 voted 'present', Senate Bill 566 having received a Constitutional Majority is hereby declared passed. On the order of health and safety, Representative Breslin was in the Chair when her Bill was called so we're going to return and pick it up. House Bill 3695, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3695, a Bill for an Act to amend the

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Illinois Human Rights Act. Third Reading of the Bill."

Speaker McPike: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill deals with AIDS. What it does is...and it is controversial so I would appreciate it if you would listen to debate so that you can make an informed decision. What the Bill does is allow dentists to make referrals of AIDS patients when they have not treated AIDS patients in the past. The issue I will start by giving an example. Currently it is very clear that doctors and dentists, those in the health care profession can make referrals of cases that they do not feel competent to treat. For instance, a dentist might well not take particular kinds of cases, treat particular kinds of cases, however, let me give you an example. If an AIDS patient comes to a dentist and this AIDS patient has an impacted molar, the dentist might well be a dentist who treats impacted molars but he has never treated an impacted molar of an AIDS patient. Because the dentist knows that the AIDS patient has an immune system that is broken down he knows that he may well not react the same way to an impacted molar treatment as a person who does not have AIDS. He therefore seeks to refer that person. Under these circumstances to refer the patient solely because the person has AIDS is a violation of the Human Rights Act because it is discrimination based on handicap. It is the considered...this Bill is introduced at the request of the Dental Society, I want to make that very clear. This is not an issue that came to me at the request of one dentist in my district or one group of dentists, but at the request of the entire Illinois State Dental Society. They believe it is good practice for a dentist who does not feel capable of treating an AIDS patient to find a referring dentist, to refer that person

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to the dentist, and be sure that they get good care. The Bill is limited to dental care only. It is required that the person find an accepting referral; in other words a dentist who will accept this patient, and that that dentist have the facilities and have the qualifications that are equal to or better than the dentist who is making the referral. That is the purpose of the legislation and I would be happy to answer any questions."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Bill. I did a little research on what generated this Bill and even though the Sponsor indicates that it didn't come from one dentist in her district and that it came from the entire Illinois State Dental Society, the reason why the Dental Society brought the Bill was because of one instance. And what happened was in that one instance was a dentist treated an AIDS patient and decided he didn't want to treat the AIDS patient, the AIDS patient wanted to stay with that dentist and the dentist tried to get rid of the client. This Bill talks about the issue of referrals. The proper term is discrimination. This Bill allows for the discrimination of someone because they have AIDS. Now I think if you think about what this might mean in a small community that has for example two dentists, you could have one dentist decide he doesn't want the AIDS patient and the other dentist, being perhaps a more compassionate person, decide to take the AIDS patient. Under this Bill that would be what would happen. That one dentist would discriminate the other one would take it. So you'd have in your small community an AIDS dentist and a non-AIDS dentist. I think that, as a practical matter, many people who have AIDS first learn about the fact that they have the disease in a dentist's

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office. That's primarily, I would say, one of the first places you discover that you might have it. So there's going to be many dentists who are going to be exposed to AIDS patients in the first place. So the Bill, it doesn't accomplish much other than to stand for the proposition that we're going to...this society is going to specifically change the law to allow for someone to be discriminated against simply because they have the disease. The OSHA rules now require that all employees in a dentist's office have rubber gloves available to them. That all dentists, I would think, in Illinois are aware of the fact that people can have AIDS and they will take every precaution right now to make sure they don't come in contact with someone, because that person himself or herself may not even know that they have AIDS. So it's simply a reaction of a group of...a trade group, the Illinois State Dental Society, reacting to one member of their society who is, I think, doing the wrong thing by discriminating against a patient and for that reason the premise of the Bill is a bad one and we should vote against it as a result of it."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous Speaker, although well-intentioned, is just plain wrong. This is not the result of just one person that has had a problem, this is a result of the entirety of the society who made a decision that this is a problem. It's not an isolated circumstance, it's reality. We should...you should understand that there is a Amendment that has been placed on this that indicates we're not going to leave the victim in the lurch, it has to be a successful referral. It has to be to someone who is competent and capable of referring, or excuse me, of taking care of dental patients with AIDS. It has to occur in a timely



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fashion and it has to be by someone that's qualified to do it. As a result it is not an isolated circumstance but rather a rational and appropriate means of addressing an issue. Frankly it's a situation in which the...those who wish to take care of victims of AIDS would be able to do that. And I would think, although I don't speak for those victims, that they would prefer to have that done by someone in whom they have confidence, someone in whom they feel should be able to accomplish the task. It's unfortunate but it is a realistic approach. I think a green vote is appropriate. Certainly it is in line with the current feeling within this dental community."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise in support of the Representative's Bill. I think everything has been said about the right of referral and that this will be an absolute referral. They will not be left out there. But let me bring the issue home, I guess, if I could. If you don't think this Bill is important, then I ask you to go home, tell your constituents, tell your Mother, tell your children, tell your spouse that your family dentist does not have the right to refer a patient with an infectious disease and therefore that the dentist they're going to visit may very well be treating an AIDS patient. You go home and tell that to downstate people. I'm sure you'll get a very favorable reaction. I think a green vote is advisable."

Speaker McPike: "Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen this is an issue that quite frankly is difficult. I have a lot of people in this Assembly whom I respect who disagree with the Bill. They believe there is a loophole in it. As a consequence I called by own dentist and I ran the Bill past

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him and I asked him pointedly if an AIDS patient came to you tomorrow would you treat that patient. He said he was sure that he would not. He said that he would treat this patient the same way as that he would treat a leukemia patient. He said he knows that a leukemia victim does not react to treatment the same as an average patient would. As a consequence he would first consult the patient's medical physician, and then he would consult the University of Illinois to find the best physician in the State that was closest to the area to make an accepting referral. The reason it is not acceptable in the AIDS situation, but is acceptable in the leukemia situation is because AIDS has been designated a handicap...a handicap under the Human Rights Act when leukemia is not. It seems to me that the Dental Society has a point here and we ought to allow them to make accepting referrals. I ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Currie to explain her vote."

Currie: "Thank you, Mr. Speaker, Members of the House. Presently if a dentist is not equipped to handle a particular patient or a doctor the same, a referral can be made. It isn't against the law. This Bill is a license to discriminate against people who have AIDS and I think on that basis when we consider who else we might pass legislation enabling people to discriminate against, that the right vote to this Bill is a no vote. There is not a problem that this legislation can resolve without prescribing a specific license to a particular group of people in this society to discriminate against another group."

Speaker McPike: "Representative Parke explain your vote."

Parke: "Thank you. AIDS is a very scary disease. It is something that most of us would not want to have to deal

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with. Why should we force any individual, whether a professional or not, to have to deal with something they're not prepared for; they're emotionally not comfortable with and maybe in some cases even frightened to deal with. Let's give people the opportunity to do what they feel is best for themselves whether they're professionals or individuals."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 96 'ayes', 11 'nos', 7 voting 'present'. House Bill 3695 having received a Constitutional Majority is hereby declared passed. Special Order Children, appears House Bill 1844, Representative Preston. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1844, a Bill for an Act in relation to the certification of child care workers. Third Reading of the Bill."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 1844 creates the Child Care Worker Certification Act of 1987. This Bill provides for the certification of child care workers by the Department of Professional Standards. The purpose is to protect children in private nonprofit residential treatment centers and group homes. This has nothing to do with child care or day care centers. This is only for residential...not-for-profit residential treatment centers and group homes. The Act will require the verification of the basic competence and moral character of child care workers, establish criteria for child care workers including minimum age, training, and written examinations. It's supported by the Child Care Association of Illinois, the Council on Training, Illinois Association of Child Care Workers, Illinois Catholic Conference, Lutheran Social

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Services, and others, and I would gratefully solicit your 'aye' vote and be glad to answer any questions."

Speaker McPike: "Any discussion? Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Though this Bill is well-intended, one has to remember whether it's licensure or certification, there tends to be an exclusiveness that develops within that industry. We are now going to put certain specific qualifications on the people that have to deal with it. Right now under those qualifications we are saying one must have a high school diploma. They also have to have 60 hours of training and a 20 hours of renewal. Now many people that are dealing in this arena may not have that in their program or future people may not have it in their program. What we're going to do is that we're going to exclude people who may be having good hearts, that know how to provide a warm and loving environment for these children but we're going to exclude them from this. This is going to cost jobs. I think that it's not a needed Certification Act. The Department of Children and Family Services assigns these children and pay the providers. What is going to happen it's going to cost that agency more money to provide this program. Right now the Department of Registration does not have a line item to pay for this. So we're not going to have money to pay for them. Again we're going to be passing legislation that is not funded, that is not going to be funded and we're going to raise expectations for an arena that we shouldn't have to certify. I think this idea has got merit but I think this legislation is ill -advised and it will cost us jobs. I ask that you vote no on this legislation."

Speaker McPike: "Representative Parcells."

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

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this is for the small community..."

Speaker McPike: "Yes."

Parcells: "...but the day care facilities are not included. Is that correct?"

Preston: "That is correct."

Parcells: "Well, what is the purpose then of doing this?"

Preston: "This is for residential treatment centers where a child goes into a residential home for a variety of reasons. This will certify the residential...the employees at this residential treatment center to make sure that they have had sufficient training to be able to care for on a twenty-four hour basis a child that maybe is severely, emotionally disturbed, may have all sorts of very severe problems that have required that child being placed in a residential setting. This has nothing to do with day care at all."

Parcells: "Well, but why wouldn't the day care facility people need the same thing? When they're with a person all day. The harm doesn't come when they're asleep at night, the harm comes when they're awake."

Preston: "No, no. A day care situation is entirely different. Children who are put in day care are not children with severe problems. Children who are put in a residential center are children needing that kind of supervision and the supervisors have to have some training for that."

Parcells: "Well, to the Bill. I think this idea is wonderful, but once again Ladies and Gentlemen here we go. We've just renamed this department the Department of Professional Regulation and I think we should have called it Regulation and Strangulation because we're certifying and licensing everything. We know the prices will go up although there was no fiscal note from the Department of Children and Family Services you know..."

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Preston: "Yes there was. Excuse me..."

Parcells: "...it's going to cost them more. From the Department of Children and Family Services?"

Preston: "No, the Department on Professional Regulation..."

Parcells: "Right, that's right and they..."

Preston: "...entered a fiscal note that indicates not only will this not cost money it will raise revenues by a hundred and eight thousand dollars."

Parcells: "That is correct. But you see the Department of Children and Family Services is going to have to hire these people and once they are certified they're going to cost more and there will be a shortage. It just...it's happened everywhere every time in everything we certify and license. I like the idea but it isn't going to keep children from being abused if that's what we're trying to avoid. The idea is good but I think it's just one more regulation and strangulation going to up the price, going to put people out of work who don't have this certification and I would say that the time is not now for this Bill. I ask your 'no' vote."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. This is the anniversary date, May 19th, of the beheading of Anne Boleyn. In honor of that auspicious event I think we should cut off this whole debate. I move the previous question."

Speaker McPike: "The Lady moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed 'no', the 'ayes' have it. The previous question is put. Representative Preston to close."

Preston: "Thank you, Mr. Speaker. There were a couple of things that were mentioned by the very well-intentioned opponents of this Bill that were incorrect. One of which is that the

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Department of Children and Family Services are going to have to hire these people. That's purely an erroneous statement. The child care workers that are being addressed in this Bill are hired by these not-for-profit child care group homes or centers. It has nothing to do with the State expenditure for that. This Bill simply will require the certification of the employees of these group homes, these day care centers where children are in a residential setting. You wouldn't send your children to be taken care of by some other people if you weren't certain that those people had some minimal training to be able to do that. If you weren't certain that those people supervising your child didn't have some background investigation to make sure they didn't have some history of child abuse. That's the minimum that you would be concerned about with your own children. How much more so would you be concerned if children were being taken away and had to be put into a day care facility...or a training facility or group home where they had to be cared for twenty-four hours a day. This gives some minimal protection for those children and I solicit your 'aye' vote. Thank you."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Hensel to explain your vote."

Hensel: "Thank you, Mr. Speaker. The Sponsor was correct in saying that it would generate a hundred and eight thousand dollars in revenue. He failed to say that it would take four years to generate that amount of money. In the four years the expenses to the Department and the State would be four hundred and sixty-two thousand and that would leave a deficit to the State of three hundred and fifty-three thousand over a four year period. And I don't think at this time that we need another agency being regulated.

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Pretty soon we'll be regulating gas station attendants to make sure that they're pouring the right gas into the tanks and in the right tanks and I ask for a 'no' vote."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I too rise to support this legislation. It was kind of interesting. I have one of these facilities in my district and the reason I'm supporting the legislation is that the Director of that facility, Ulrich Children's Home, came in and said I can be a better manager if I've got this tool to make sure that the employees who work for me, providing care to children in my neighborhood, are adequately screened and protected so that employees can be held accountable. So in the facility in my neighborhood it...in my local area the director of that agency is who came and lobbied me and asked me to support this legislation. So when people say that the management of these..."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Well, Mr. Speaker, Members of the House, I'm in a quandary because the analysis that we have really indicates that this exempts all county and State facilities. So I'm assuming that it applies only to private facilities. But I'm not sure whether it means that private facilities can hire only people who have this certification or whether it's an optional thing for those groups. If they are required to have this certification only because they are working in a private institution, but not in a publicly run institution it doesn't seem to me we've made much progress by this Bill in upgrading the quality of child care workers. We will simply be adding the cost to private facilities and I think that's unfair."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Just in explaining my vote I



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wanted to again indicate some of the people who are...organizations that are supporting this. The Child Care Association of Illinois, the Council on Training, the Illinois Association of Child Care Workers, the Illinois Catholic Conference and Lutheran Social Services among others."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. May I have a verification of the Roll Call, please?"

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. Representative Parke, this has 70 'aye' votes, do you persist? You persist? No. On this Bill there are 70 'ayes', 41 'nos'... Representative Terzich 'aye'. Terzich 'aye'. On this Bill there are 71 'ayes', 40 'nos', 2 voting 'present'. House Bill 1844 having received a Constitutional Majority is hereby declared passed. Representative Berrios."

Berrios: "Thank you, Mr. Speaker. I move to suspend the provision of House Rule 37(g) as it pertains to House Bills 3446, 3686, 3707, 3834, 4101, and 4208 so that consideration of such Bills can be continued to June 3rd. We need a little more time to work on these."

Speaker McPike: "All in favor of the Gentleman's Motion signify by saying 'aye', opposed 'no'. Leave for the Attendance Roll Call, hearing no objections leave is granted. Attendance Roll Call will be used. The Gentleman's Motion carries. Suburban Assistance, House Bill 3049, Representative Hensel. Representative Hensel on House Bill 3049. Read the Bill, Mr....no, out of the record. House Bill 3050, out of the record. House Bill 3875, Representative Churchill. Representative Cullerton. Cullerton."

Cullerton: "Well, I just wanted to inquire of the Sponsor of

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the... Representative Hensel we've got some Amendments. We'd like to adopt these Amendments tonight so that we could vote on the Third Reading tomorrow and it's getting kind of late so..."

Speaker McPike: "Representative Hensel."

Hensel: "I think it's been read a second time. The Amendments could be put on tomorrow and then we could pass it to Third and go through it tomorrow. I think it's a little late, it's some real big Amendments there that I think it needs a lot of discussion and I think we ought to just..."

Cullerton: "Yeah but people might...I think it's better...I think... I think it's to put...It needs no discussion, it's better to do it now when no one's listening."

Hensel: "No I'd just as soon wait until tomorrow. Thank you."

Cullerton: "Your Bill."

Speaker McPike: "Well, Representative Hensel, the Chair can not guarantee you that we'll get back to this order of business. Do you understand that? Okay. Representative Churchill did you want to call your Bill? Where'd he go? Out of the record. And Representative Leverenz, House Bill 4267. Mr. Leverenz here? There he is. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4267, a Bill for an Act to amend an Act relating to disaster relief. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Clerk, take this Bill out of the record. Alright. House Bill 4094, Representative McCracken, on a Motion."

McCracken: "Thank you, Mr. Speaker. We, I, inadvertently presented the wrong Amendment on this Bill this afternoon."

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It was voted on Second and Third Reading today and passed the House and I move to reconsider the vote by which the Bill prevailed on Third Reading."

Speaker McPike: "The Gentleman moves to reconsider the vote by which House Bill 4094 passed. Any objections? Hearing none the Attendance Roll Call will be used. The Gentleman's Motion carries. Representative McCracken, the Bill's on Third Reading."

McCracken: "I ask leave to return to Second Reading to adopt the correct Amendment."

Speaker McPike: "Alright. The Gentleman asks leave to return to the Bill to Second Reading for purposes of Amendment. No objections. Leave is granted, Attendance Roll Call will be used. Bill's on Second Reading. Are there any Amendments?"

McCracken: "I move to table Amendments 2 and 4 previously adopted."

Speaker McPike: "Gentleman moves to table Amendment #2. Any objections? Representative Cullerton on Amendment...on the Motion to table Amendment #2."

Cullerton: "Were they adopted by a Record Roll Call or a..."

McCracken: "They were voice adoptions."

Speaker McPike: "They were voice adopted."

Cullerton: "Alright. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #2 be tabled?' All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment's tabled. Question is, 'Shall Amendment #4 be tabled?' All those in favor say 'aye', opposed 'no', the 'ayes' have it, Amendment #4 is tabled. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative McCracken."

McCracken: "Amendment #3 was previously withdrawn. I'd like to

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proceed with that at this time."

Speaker McPike: "Mr. McCracken, the Clerk is trying to check to see if they keep Amendments that are withdrawn."

McCracken: "I'll give him this one when I'm done."

Clerk O'Brien: "Supplemental Calendar #3 is being distributed; which is a Consent Calendar. Supplemental #3 is a Consent Calendar."

Speaker McPike: "Mr. Clerk, Amendment #3, please."

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker, I apologize to the House for this. We thought the error corrected by the adoption of Amendment #4 did the job, and in fact I was wrong. The proper Amendment should have been Amendment #3, the effect of the Bill is unchanged, it merely changes the 'word' as to the word 'when'. In a line of the Bill which allows for the proper realization of item #1, described in the Bill when exercised by a Christian Scientist. It was asked by them and we want to accommodate them, I move its adoption."

Speaker McPike: "Representative Cullerton."

Cullerton: "Well, just to make sure we don't make a mistake, this is Amendment LRB#8511494REMCAM04, is that correct?"

McCracken: "Yes, yes Sir."

Cullerton: "And I don't see.. just so I make...your adding a paragraph, is that correct?"

McCracken: "Yes."

Cullerton: "It's not underlined in the Amendment, is it?"

McCracken: "Because it's a new Act."

Cullerton: "Okay, and this is...this language is similar to the original Bill?"

McCracken: "It's identical except for the word in line 9 of the Amendment. In...Amendment #3 reads 'when', in Amendment #4

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it read 'as'. They believe it's an important change."

Cullerton: "Fine, thank you. I support the Amendment then Mr. Speaker."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 4094, a Bill for an Act creating presumptions concerning nutrition and hydration. Third Reading of the Bill."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker, as I say the only difference is to change the word 'as' to the word 'when' and I move its passage. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 4094 pass?' All those in favor vote 'aye', opposed vote 'no'. Gentleman asks leave to waive the appropriate rule so the Bill can be heard on Third Reading. Hearing no objections, leave is granted, Attendance Roll Call will be used. Have all voted? Have all voted? Clerk will take the record. On this Bill there are 103 'ayes', 7 'nos', 6 voting 'present'. House Bill 4094, having received the Constitutional Majority is hereby declared passed. Special Order, Education. Second Reading. House Bill 2289, Representative Younge, Wyvetter Younge. Out of the...out of the Record? House Bill 2946, Representative Preston. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2946, a Bill for an Act to amend the School Code, Second Reading of the Bill. Amendment #1, was adopted in Committee."

Speaker McPike: "Any Motions or Amendments filed?"

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

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Speaker McPike: "Third Reading. House Bill 3011, Representative Preston. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3011, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, to House Bill 3011 meets some of the concerns that were addressed in committee, makes the Bill easier for school boards to live with it and defines that the provisions of the Bill are determined by the local school board and I'd ask you to adopt Amendment #1."

Speaker McPike: "Any discussion. The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3176, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3176, a Bill for an Act to amend an Act to repeal the school...Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Excuse me, excuse me Mr. Clerk. Out of the record. House Bill 3178, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3178....."

Speaker McPike: "Out of the record. House Bill 3252,

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Representative Hensel. Read the...Out of the Record.  
House Bill 3386, Representative Hicks. Read the Bill, Mr.  
Clerk."

Clerk O'Brien: "House Bill 3386, a Bill for an Act to amend the  
School Code. Second Reading of the Bill. No Committee  
Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. The Bill will be returned to  
Second Reading. There's an Amendment filed to the Bill."

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

Speaker McPike: "Representative Hicks."

Hicks: "Yes, Mr. Speaker, I would make an inquiry of the Chair.  
There are two Amendments filed, is that not correct?"

Speaker McPike: "Yes."

Hicks: "I would withdraw #1, please."

Speaker McPike: "Gentleman withdraws Amendment #1. Further  
Amendments?"

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

Speaker McPike: " Representative Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House.  
Amendment #2 to House Bill 3386 simply addresses the issue  
of eligibility for determination. Right now the problem  
being that at the very end of the school year for Special  
Education, a student making the eligibility requirements  
can place a 60 day limit in such a way that school  
districts have to keep teachers and evaluators over into  
the summer. This simply clarifies that language and makes  
anybody who is ..students that are referred for evaluation  
after April 15, an eligibility determination shall be made  
prior to the first day of the following school year. I ask

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for its adoption."

Speaker McPike: "Gentleman moves the adoption of Amendment #2. No discussion, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "House Bill 3387, inadvertently left off the list. Yes, I'm sorry, House Bill 3386, Third Reading. House Bill 3387, left off this Order of Business by error. House Bill 3387, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3387, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to 3387 deals with a School District and Special Education District, where there's a cooperating agreement and dealing with strikes. This Amendment is agreed to by everybody whose looked at it from the State Board and IEA, IFT and also the School Board Association, I ask for its adoption."

Speaker McPike: "Any discussion? Being none the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3392, Representative McNamara. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 3392, a Bill for an Act to amend the



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School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions or Amendments filed?"

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Please withdraw Amendment #2."

Speaker McPike: "Lady withdraws the Amendment. Further Amendments."

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 does one of two things which are absolutely critical to improving the system of education in the City of Chicago. Absolutely all this Amendment does is to give authority over his or her school to those people who are principals of schools in the City of Chicago, and I move for its adoption."

Speaker McPike: "Any discussion? Representative McNamara on the Amendment."

McNamara: "Thank you, Mr. Speaker. This Amendment is a very controversial Amendment and has been discussed on this floor many, many times. I believe the purpose of this Amendment may be to make this Bill controversial, and I object to it. There are meetings going on, on school organization right now, and that are very important and this should rightfully be handled in the proper format. I am in opposition to this Amendment."

Speaker McPike: "Representative Keane."

Keane: "Thank you..thank you, Mr. Speaker. As the Bill Sponsor has indicated we've heard this before, there is a Special Order of Business that will deal with it rather than to

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take up the time at this late hour of the Members. I would ask that we defeat the Amendment and take it up at a more appropriate time."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, because it is my conviction that there are two principal elements absolutely required for reform and this is one of them, I ask for a Roll Call Vote on this Amendment."

Speaker McPike: "Question is, 'Shall Amendment #3 be adopted?' All those in favor..she just closed Representative McAuliffe. You can explain your vote. Question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Representative McAuliffe, to explain your vote."

McAuliffe: "Well Mr. Speaker, Ladies and Gentlemen of the House. I had my light on, I did want to speak on this. I support what Representative McNamara said. These school principals have a tough enough job teaching the children without managing the mechanical plants of the schools. Furthermore, many of these members of this union support me, and I want to tell my Republican friends that I'm very glad to get the support of labor when I can get it. I have 80 of these school engineers living in my district and they all helped me in the last election and I want to make sure that they'll help me in the next election and vote 'no' on this Amendment."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. In explaining my vote, I would ask for a no vote here. We're in meetings right now working with principals' responsibilities in the school situation, and I don't think we ought to be acting now on that provision when we're in the middle of conferences dealing with the principals' responsibilities, so I would

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ask for a 'no' vote."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment there are 48 'ayes', 61 'nos', and 1 voting 'present'. The Amendment fails. Further Amendments?"

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Please withdraw Amendment #4."

Speaker McPike: "Lady withdraws Amendment #4. Further Amendments?"

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 is identical to an Amendment that was offered a few days ago and came within a couple of votes of being adopted. What it does, is to require that the Chicago Board of Education shall employ that ratio of administrators to pupils in the Chicago District that does not exceed the average ratio of administrators to teachers for the State throughout the previous year. When this Amendment was discussed at a prior time, someone asked me a question to which I did not then know the answer. I have since determined that answer. Those school districts which underlie wholly or in part my own State Representative District have a total enrollment and there are five of them and they are all unit school districts, just as is the City of Chicago; the total enrollment for those districts is forty-one thousand four hundred thirty-four students. Those districts employ a total of one hundred fifty-one administrators. That is a ratio of one administrator for each two hundred and seventy-four students. In Chicago

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District 299 there is an enrollment of slightly less than four hundred and twenty thousand students. The number of administrators is, two thousand seven hundred and thirty. That ratio is one student...one administrator to each one hundred fifty-three students. The differences in the numbers of students I would remind you, two hundred seventy-four to one hundred fifty-three. That represents a waste of money that is absolutely incredible. I move for the adoption of this Amendment."

Speaker McPike: "Lady moves for the adoption of Amendment #5. Question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed 'no', the 'nos' have it, and the Amendment is defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3715, Representative Satterthwaite. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3715, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3816, Representative Novak. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3816, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Novak."

Novak: "Thank you, Mr. Speaker, please withdraw Amendment #1."

Speaker McPike: "Gentleman withdraws Amendment #1. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 4019, Representative Levin. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 4019, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Would you please withdraw #1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill sets a standard for ..."

Speaker McPike: "Excuse me, Mr. McCracken. Representative Cullerton."

Cullerton: "Yes, Mr. Speaker, I believe this Amendment is out of order. This is not a new Act and I believe that the new language is not underlined."

Speaker McPike: "Mr. Clerk, can we see the Bill? Representative McCracken."

McCracken: "I believe there is a correct Sponsor of #2, identifying me as the Sponsor. Is that..was that the objection?"

Speaker McPike: "No, that was not the objection."

McCracken: "What was it?"

Speaker McPike: "Representative Cullerton would you repeat it?"

Cullerton: "It's a HRS Amendment and it doesn't underline the new language and it's not a new Act."

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McCracken: "Well we have a number 3 filed that's underlined."

Cullerton: "Which one do we want to vote on?"

McCracken: "#3, I was wrong."

Cullerton: "Which one are we on?"

McCracken: "We are on #2, I was wrong."

Speaker McPike: "Gentleman withdraws Amendment #2. Further Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you. Recently the United States Supreme Court decided an issue of student speech on the premises or in articles published by the local schools, and held that the standards of freedom of expression applied to adults generally, are not the same as those applied to students, when acting in this context. The Bill the Gentleman offers, essentially, would set as a standard...or a statutory standard in Illinois, no limitation on student expression that is inconsistent with the First Amendment as applied to adults. This would reinstate the standards set forth in the recent United State Supreme Court decision, Hazelwood versus (Koolmeyer), and I move its adoption."

Speaker McPike: "The question is, 'Shall this Amendment be adopted?' And on that, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. As the Sponsor of House Bill 4019, I would oppose the Amendment. If the Gentleman does not like my Bill I think he'll have the opportunity on Third Reading to argue against it. But basically the Amendment guts the Bill, and, you know, like the opportunity to have this Bill put in the form that I think is appropriate. Its an important issue, there's been a lot of mail and concern expressed on this issue, I introduced this Bill because of a situation that occurred

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in the City of Chicago where after the court decision came down, a principal of a school on the North Side of Chicago, took over control, made a house organ of a student newspaper that had been an award winning paper, given great educational experiences in the field of journalism to the kids. And that was taken away. The object of the underlying Bill is to restore the status to what it was before the Hazelwood Case which I think was a fair balance. This Bill provides that there can not be obscenities, that there can be pre-censorship of student newspapers in that situation and that the faculty sponsors ought to be in charge. I would ask that we defeat this Amendment so that I have an opportunity to present the Bill on Third, in the form that I think is appropriate."

Speaker McPike: "Representative McCracken to close."

McCracken: "Thank you, Mr. Speaker. I'd like a Roll Call Vote on it and I would just like to emphasize that yes it is a hostile Amendment and I'm sorry that we can not come to an agreement on this. There's nothing wrong with..with considering the Amendment, however, because the Amendment doesn't merely delete the Bill or its effectiveness, it sets a matter of public policy on the record. Puts out...puts in our statutes the public policy that schools are different, that they, as a forum of expression, are subject to different standards than when an adult goes to a street corner and makes a speech. We all value virtually no limits on that. But let me tell you something, it's important to the schools and it's important in Chicago as well as everywhere in the State. These standards are consistent with the recent decision, they allow review by the policy makers of the school, they allow enforcement of the schools grounds' and publications and it's not an unreasonable standard to consider. It doesn't just delete

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the effectiveness of the Bill, it sets a different standard and I would like to have the matter considered. This is different from the Third Reading issue you'll be confronted with, if it's not adopted. It's not an improper vote on Second Reading."

Speaker McPike: "The questions is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment there are 69 'ayes', 38 'nos', the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 4071, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 11 of the Calendar, House Bill 4071, a Bill for an Act to amend the Open Meetings Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker McPike: "Third Reading. House Bill 4143, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4143, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker McPike: "Third Reading. House Bill 4144, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4144, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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



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Representative Steczko."

Speaker McPike: "Amendment #1, Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 requires that additional revenue be allocated to operations and maintenance purposes of the funds if Community College or Colleges are not at the state-wide average levy for that particular fund. It adds corporate personal property tax revenues to the calculation. That provision is a technical correction. It requires that for colleges to be eligible for the levy, they have for three.. they have to eligible for three consecutive years before utilizing the ..authority, and it requires local board approval for the levy in an open meeting and ...ICCB Certification of Eligibility. I move for the adoption of the Amendment."

Speaker McPike: "Gentleman moves for the adoption of the Amendment. Representative Ropp."

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

Speaker McPike: "Yes he will."

Ropp: "Representative, is this a taxing authority without referendum?"

Steczko: "This is an Amendment that was requested by the Higher Education Committee that better clarifies whose eligible for the ...for the increase in the levy by ICCB certification."

Ropp: "Okay, so how does the...did you answer my question?"

Steczko: "Well, the Bill deals with that issue, but not the Amendment.."

Speaker McPike: "To the Amendment, Mr. Ropp."

Ropp: "Well, okay, I ..we're ..you can go on with this, but we're probably not going to support the Bill then."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it

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and the Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 simply provides a 2 year delay for one area of the state in terms of annexation into Community College District. I would move for its adoption."

Speaker McPike: "Question...Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Would the Sponsor yield for a question please? Is this Amendment #1 which would exempt school districts in a particular area of the state from being annexed into Community College District?"

Steczko: "Representative Hoffman, could you repeat that please?"

Hoffman: "What is the purpose of this Amendment?"

Steczko: "It provides a 2 year.."

Hoffman: "Thank you very much, Representative."

Speaker McPike: "Question is, 'Shall this Amendment be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 4241, Representative Black. Read the Bill, Mr. Clerk. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4241, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Black and Sutker."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. With the cooperation of the Chairman of the Higher Ed Committee, Representative

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Satterthwaite, Representative Sutker, we offer Amendment #1 which basically becomes the Bill, and all it does is to add the words Community College District and Community College Board to that phrase a Local Governmental and Governmental Employees Tort Immunity Act as they were inadvertently left out. I would ask for your approval of House Amendment #1."

Speaker McPike: "Any discussion? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. On House Calendar Supplemental #3. House Bills Second Reading. House Bill 1638. Read the Bill Mr. Clerk. Mr. Clerk, would you read the Bill, House Bill 1638."

Clerk Leone: "House Bill 1638, on the Order of Second Reading."

Speaker McPike: "We're on the Supplement Calendar #3."

Clerk Leone: "House Bill 1638, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative McCracken..McCracken withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I've spoken with the Sponsor of the Bill and I believe we're in agreement as to the adoption of this. It requires notice to be given of the decision of the Hearing Officer specifying rights of appeal. I move its adoption."

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Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 3144, Representative Flinn. Read the Bill...is Mr. Flinn here? Representative Olson? Read the Bill. House Bill 3144, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3144, a Bill for an Act to amend certain Acts in relationship to standards to be adopted by specific State Agencies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions or Floor Amendments?"

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

Speaker McPike: "Representative Flinn. Olson, Representative Olson, Representative Cullerton."

Cullerton: "I'd like to have leave to handle this Amendment for Representative Flinn."

Speaker McPike: "Gentleman...Gentleman asks leave to handle the Amendment for Representative Olson, proceed."

Cullerton: "Yes, Yes, thank you, Mr. Speaker. This Bill is a JCAR Bill. The Amendment deletes two Sections of the Bill as now drafted. The Bill amends various Acts with regard to rules, with regard to adoption of standards by certain State Agencies in specified areas. This Amendment takes out the Director of Insurance in promulgating standards requiring footnotes in the annual financial statements to conform with certain requirements, and this Amendment eliminates that as well as the Director of Insurance to promulgate standards requiring footnotes and annual statements of HMO's..."

Speaker McPike: "Any discussion."

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Cullerton: "Not controversial."

Speaker McPike: "Any discussion? Being none the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 3254, Representative Tate, Mays. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3254, a Bill for an Act regarding the use of corn -based plastic bags. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments? Any Amendments?"

Clerk Leone: "There are no Floor Amendments."

Speaker McPike: "No Floor Amendments. Third Reading. House Bill 3417, Representative Frederick. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3417, a Bill for an Act in relationship to the Administration of Certain State Tax Acts. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Amendment #1 offered by Representative Kubik."

Speaker McPike: "Representative Kubik withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Frederick."

Frederick: "..Amendment 2."

Speaker McPike: "The Lady withdraws Amendment #2. Further Amendments?"

Clerk Leone: "Amendment #3, offered by Frederick."

Speaker McPike: "Representative Frederick."

Frederick: "Withdraw Amendment #3."

Speaker McPike: "She withdraws Amendment #3. Further Amendments?"

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Clerk Leone: "Floor Amendment #4, offered by Virginia Frederick."

Speaker McPike: "Representative Frederick, Amendment #4."

Frederick: "Alright, Amendment #4 of House Bill 3417 expands the License Revocation Act, in order to include other professions in the present Act, and where they failed to file a tax return and pay taxes or interest or penalties owed, this profession's license is revoked. I move adoption of the Amendment...Amendment #4."

Speaker McPike: "Representative Cullerton."

Cullerton: "The Bill amends ...your Amendment amends the Horse Racing Act, and it gives the Board authority to refuse to issue or suspend the occupation license of any person who fails to file a return. Who is that aimed at? Race Track owners?"

Frederick: "I'm sorry, I can not hear the question."

Cullerton: "The Amendment amends the Horse Racing Act. Your Amendment. And my question is, who is this aimed at? Apparently the Amendment says that if someone doesn't pay their taxes their license is suspended?"

Frederick: "Right.."

Cullerton: "Which licenses are we talking about?"

Frederick: "Alright, it's aimed at horse owners, trainers, harness drivers, jockeys, agents, apprentices, grooms, stable foreman, exercise boys, veterinarians, valets, blacksmiths or concessionaires whose work is conducted upon race track grounds."

Cullerton: "What about the race track owners?"

Frederick: "No. I don't see that. Well, not the owners I don't believe."

Cullerton: "Well the owners are called organization licensees, I think. Why aren't they included in the Amendment?"

Frederick: "This is..this is the same lane..language, it's in every Licensing Act and this one just specifies these

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additional."

Cullerton: "Well, is there another Section of the law that your telling me that an organization licensee, like a race track owner, is covered by the provisions of this law? Hello!"

Frederick: "If the State licenses race track owners, they are covered, but it's the same Act as we have elsewhere."

Cullerton: "Alright, fine, let's go."

Speaker McPike: "Representative Kubik."

Kubik: "Would the Lady yield?"

Speaker McPike: "Yes, she will."

Kubik: "Representative, could you explain to me exactly what this Amendment does and why we need this Amendment?"

Frederick: "Well, it is a good Amendment, that's true. What it does is provide that in businesses and professions that do not file a tax return or pay penalties or fees on taxes owed, their license is simply revoked. And I think this is a very good measure."

Kubik: "How would...why would it apply to people in the horse racing industry?"

Frederick: "Why would it apply to..."

Kubik: "Why would it apply to people in the horse racing industry?"

Frederick: "Well, they are a relatively new industry. We have just approved a new race track in Illinois and these people are suddenly brought into the Act."

Kubik: "But the new Act would have affected the horse track owners, it wouldn't have affected the people working at the tracks and the jockeys and the other individuals."

Frederick: "As I understand it, the race track owners are covered in another Act."

Kubik: "Representative, perhaps maybe you could pull this Bill out of the record for a moment so that we could take a look at it."

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Frederick: "Okay, alright. Alright, actually I prefer to run the Bill now and let's vote it up or down, and I will try to correct it if there's a problem later, okay? I move adoption of the Amendment."

Speaker McPike: "No opposition to the Amendment, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no', the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3550, Representative Petka. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3550, a Bill for Act in relationship to the land conveyance by the Department of Conservation. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker McPike: "Any Motions or Amendments added...or filed?"

Clerk Leone: "No Motions filed. No further Amendments."

Speaker McPike: "Third Reading. House Bill 3669, Representative Stange. Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3669, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Amendments or Motions?"

Clerk Leone: "Floor Amendment #1 offered by Representative Levin."

Speaker McPike: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. Some time ago, a measure was adopted on terms of putting dates on food items so that people have the opportunity to make a choice in terms of the freshness of foods. House Bill 3669, Amendment #1, would provide the same kind of consumer information for items sold at retail, with respect to whether there exists in those items, chemicals known to



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cause cancer or induce birth defects. This kind of measure was adopted by referendum in the State of California as Proposition 65, and has been extremely popular in that state in terms of simply providing information to the consumers to make a reasonable decision. It doesn't say whether the item should be sold or not be sold, it simply gives the consumers the information that they can decide whether an item may be deadly to their health because established tests have determined that there is an insecticide or other chemical in that product that's known to cause cancer or birth defects. If there are any questions I will be happy to answer them. The Bill would establish a panel of experts to come up with a list. This is what was done in the State of California. They have just begun to put theirs into effect. At this point I would say twenty percent of the citizens of this country are benefiting from this type of protection. We think that the citizens of the State of Illinois should enjoy the same information and the same protections."

Speaker McPike: "Representative McCracken on the Amendment."

McCracken: "Any Bill good enough to pass as a Proposition in California doesn't belong in the Illinois Legislature."

Speaker McPike: "Representative Cullerton."

McCracken: "Speaker."

Speaker McPike: "Representative McCracken."

McCracken: "That was just my opening remarks. This is.."

Speaker McPike: "Representative Cullerton on a point of order."

Cullerton: "Is the Sponsor of the Bill present?"

Speaker McPike: "Is the Sponsor of the Bill present?"

Cullerton: "Yeah, we're on Second Reading, were doing Amendments, I don't see the Sponsor here."

Speaker McPike: "Representative Stange here?"

McCracken: "I'm a cosponsor of the Bill, does that count?"

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Cullerton: "Well, If you were it would count."

Speaker McPike: "Yeah Representative McCracken is signed as a hyphenated cosponsor so..."

Cullerton: "Okay, well then, Mr. Speaker, I would suggest that he take the Bill out of the record. There's further Amendments that have been offered but are not distributed and I think we should..."

McCracken: "Oh, you...alright. Well can we read it a Second time tonight."

Cullerton: "Sure."

McCracken: "...and we'll consider all of them tomorrow."

Cullerton: "Sure, right."

Speaker McPike: "Representative McCracken what's your choice? Out of the record?"

McCracken: "Read it tonight..."

Speaker McPike: "Pardon?"

McCracken: "Read it tonight."

Speaker McPike: "We intend to..."

McCracken: "...and we'll take both Amendments tomorrow."

Speaker McPike: "We intend to read every ...Representative McCracken for your interest and everyones interest, we intend to read all Bills tonight a Second time so we can get to them tomorrow. This Bill has been read a Second time and will be held on Second Reading. House Bill 3715, Representative Satterthwaite. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3715, a Bill for an Act to amend the School Code..."

Speaker McPike: "Any Amendments? The Bill was moved to Third Reading earlier today. House Bill 3805, Representative Churchill. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3805, a Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the Bill. No Committee Amendment."

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Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker McPike: "Third Reading. House Bill 3876, Representative Shaw. Mr. Shaw here? Out of the record. Mr. Clerk, read the Bill a second time. House Bill 3876."

Clerk Leone: "House Bill 3876, a Bill for an Act regulating contributions by certain employers to benefit funds. Second Reading of the Bill."

Speaker McPike: "This Bill will be held on Second Reading. House Bill 3940, Representative Hensel. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3940, a Bill for an Act in relationship to the Budget of Counties. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed, no further Amendments."

Speaker McPike: "Third Reading. House Bill 3946, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3946, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker McPike: "Third Reading. House Bill 3947, Representative Hoffman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3947, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker McPike: "Third Reading. House Bill 3971, Representative O'Connell. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3971, a Bill for an Act to create the

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Long Term Care Ombudsman Act. Second Reading of the Bill.

There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Amendment #1 was withdrawn. Floor Amendment #2 is being offered by Representative O'Connell."

Speaker McPike: "Representative O'Connell."

O'Connell: "I'd like to withdraw Amendment #2."

Speaker McPike: "Withdraw Amendment #2. Further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative O'Connell."

Speaker McPike: "Representative O'Connell."

O'Connell: "Yes, Mr. Speaker.."

Speaker McPike: "Briefly, briefly."

O'Connell: "Very briefly, Mr. Speaker. This is an agreed Amendment between the Department of Aging, the Council on Aging, the Attorney General and I'd like its adoption."

Speaker McPike: "Gentleman moves for the adoption of Amendment #3. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative O'Connell."

Speaker McPike: "Representative O'Connell."

O'Connell: "Amendment #4 is a technical Amendment which cleans up Amendment #3."

Speaker McPike: "Gentleman moves for the adoption of Amendment #4. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment's adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 4120, Representative Barnes. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4120, a Bill for an Act to amend the

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Illinois Public Aid Code. Second Reading of the Bill.

There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker McPike: "Third Reading. House Bill 4217, Representative DeLeo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4217, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Cullerton."

Cullerton: "Mr. Speaker, I don't believe that the Sponsor is present. I would suggest we hold this until tomorrow."

Speaker McPike: "This Bill has been read a Second time and will be held on Second Reading. House Bill 4236, Representative Richmond. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4236, a Bill for an Act to amend the Timber Buyers Licensing Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 4236 makes one basic change plus a few technical changes. It would...basically it changes the Department...currently the Department of Conservation pays a share of the total cost of acceptable Forestry Managing Plans and Practices. The Amendment removes the references to share amounts funded from monies appropriated in FY86 and 87. It allows fines collected

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from timber buyers and landowners all gifts, bequests, grants and all other receipts to be placed in the Illinois Forestry Development Fund. That's the major thrust of the Amendment. These monies are paid to timber growers for implementation of acceptable forestry management practices. I move the adoption."

Speaker McPike: "Question is, 'Shall the Amendment be adopted?' All in favor say 'aye' opposed 'no'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Tate on a Motion to table. House Bill 3254. The Gentleman moves to table House Bill 3254. The Gentleman has leave to use the Attendance Roll Call. The Bill is tabled. Death Resolution. Of a former... Death Resolution of a former Member."

Clerk O'Brien: "House Resolution 1373 offered by Representative Ronan, Capparelli and Farley. WHEREAS, The Members of this Body were saddened to learn of the sudden death of one of our former colleagues, Joseph F. Fanta, who served as a member of the Illinois House of Representatives for 4 terms; and WHEREAS, A native of Calumet City, Joseph Fanta lived most of his life on the north side of Chicago, and he graduated from Lane Technical High School; and WHEREAS, Joseph Fanta attended Northwestern University night school and Siebel Institute of Technology, and he served in the Illinois National Guard from 1929 to 1941; and WHEREAS, Joseph Fanta's first job was as a janitor with the Chicago Board of Education, and for 9 years, he was a deputy bailiff with the municipal court; and WHEREAS, in 1954, Joseph Fanta became a city inspector with the Department of Streets and Sanitation, a job he held until retiring in 1985; and WHEREAS, Joseph Fanta was elected in 1956 to the

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first of four terms he served as State Representative from the 9th District; and WHEREAS, From 1976, Mr. Fanta had served as a volunteer in a ward office, helping immigrants process their citizenship papers; and WHEREAS, Joseph Fanta leaves a proud heritage to mourn his passing in the persons of his son, Frank; three grandchildren; and a host of other close relatives and friends; and WHEREAS, It is certain that the love and warmth that Joseph Fanta shared with all he knew will long be remembered by friends and family alike; therefore, be it RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we express our profound sorrow upon the death of Joseph Fanta; that we join with those individuals who mourn the loss of a close friend and colleague; and that we extend our heartfelt sympathy to his family; and be it further RESOLVED, That a suitable copy of this preamble and resolution be presented to the family of Joseph Fanta."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker, I move for the adoption of this Resolution. Joe was an institution in our neighborhood. He had a stroke about a year ago, but ever since I broke into politics with the 33rd Ward, Joe was one of our most active Members, constantly working for the people of our community. He had been out of the General Assembly for almost 12 years at that point, but he was there in our Ward Office every night helping people become citizens. There are probably seven or eight hundred people who live on the northwest side City of Chicago, who are citizens today because Joe worked with them on an individual basis to get them into the American System. As far as I'm concerned, he's a tremendous loss to the people of the northwest side. He did a yeoman's job down here in the General Assembly and

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up until his death he always cared about the little people. And as far as I'm concerned he's a great guy because he's always on the public payroll, and that's what our area represents. So I really am saddened with his loss."

Speaker McPike: "Representative Berrios."

Berrios: "Thank you, Mr. Speaker. I had the opportunity to meet Joe Fanta about six years ago. He was one of those individuals that didn't mind going that extra step to help people. As Ronan said earlier, he helped a lot of people become citizens. And where he had problems sometimes he would talk to people and let them know that a certain individual was having problems and he would just have to go out and try to help that person. He was a person that gave of himself freely and he's an example as to what public servants should be; being there for the people. And I am happy that I had the opportunity to meet him 6 years and over the years, have gotten to know him a little better. I know a lot of people at the Board of Tax Appeals are going to miss him, because he would always stop up there to say hello because of Harry Summaro, because they were excellent friends. And like I said, he was that kind of person that liked to help, and the world is a little worse off because one of those kind of people have left us."

Speaker McPike: "Representative Farley."

Farley: "Thank you, Mr. Speaker. I would offer my condolences to the Fanta family. I go back with Joe Fanta to 1960. He was a member of the 47th Ward Democratic Organization which I was, and still am, a member of. And as the other two Gentlemen said, he was a real personable guy, he was a hard campaigner. I passed out Fanta Soft Drink Pop, one campaign that he ran for the House seat in. And Joe Fanta, as the other two Gentlemen have said was a tremendous asset to any political organization, as well as neighborhood



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groups and individuals just trying to help them and especially in the area of helping people become citizens. So I would just offer my condolences and wish the family well from here."

Speaker McPike: "Representative Ronan, asks leave that all Members be added and leave is granted. Representative Ronan now moves that the House stand adjourned until tomorrow at the hour of 9:00 a.m. allowing the Clerk Perfunctory Time for House Bills Second Reading and for Senate Bills First Reading and moves for the adoption of the Death Resolution. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the House stands adjourned and the Amendment is adopted."

Clerk O'Brien: "Committee Report, Committee on Rules has met in pursuant to Rule 29(c)-3 following Bills have been ruled exempt on May 19, 1988. Senate Bills, 1529, 1534, 1563, 1593, 1599, 1616, 1642, 1647, 1668, 1685, 1691, 1697, 1701, 1714, 1719, 1771, 1780, 1781, 1789, 1793, 1794, 1800, 1826, 1834, 1856, 1868, 1870, 1871, 1888, 1913, 1923, 1926, 1996, 2003, 2009, 2012, 2013, 2014, 2023, 2035, 2042, 2043, 2049, 2050, 2102, 2117, 2136, 2174, 2185, 1592, 1603, 1611, 1612, 1633, 1655, 1671, 1702, 1704, 1706, 1707, 1709, 1762, 1773, 1796, 1812, 1814, 1827, 1830, 1876, 1889, 1906, 1947, 1955, 1958, 1959, 1960, 1966, 1978, 1979, 1981, 1989, 1998, 1999, 2007, 2027, 2028, 2041, 2051, 2063, 2087, 2147, 2153, 2200, 2217, 2228, 2232, 2238, 2243, 2249, 2263, Signed John Matijevich, Chairman. Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker. I am directed to inform the House of Representatives the Senate has passed Bills of the following title, the passage of which I'm instructed to ask concurrence of the House of Representatives to wit; Senate Bills 2257, 2258, 2260, 2264, 2271.' Senate Bills, First Reading. Senate Bill 2260, Wojcik, a Bill for an Act

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to amend the Public Aid Code. First Reading of the Bill. Senate Bill 2264, Slater, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1558, Ropp, a Bill for an Act relating to Private Business and Vocational Schools. First Reading of the Bill. Senate Bill 1626, Anthony Young, a Bill for an Act to amend the Energy Assistance Act. First Reading of the Bill. Senate Bill 1673, Hensel, a Bill for an Act in relation to Superconducting Super Collider. First Reading of the Bill. Senate Bill 1723, Parcels, a Bill for an Act to amend the Illinois Savings Association and Banking Act. First Reading of the Bill. Senate Bill 1954, Mays, a Bill for an Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 2122, Breslin, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. First Reading of the Bill. Senate Bill 2124, Dunn, a Bill for an Act relating to Security Interest and Crops. First Reading of the Bill. Senate Bill 2193, Mulcahey, no...Mautino, a Bill for an Act to create the Drunk and Drug Driving Prevention Fund. First Reading of the Bill. Senate Bill 2199, Ryder, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 2218, Steczo, a Bill for an Act in relation to Licensing of Clinical Psychologists. First Reading of the Bill. Senate Bills..or I'm sorry House Bills, Second Reading. House Bill 469, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage. Second Reading of the Bill. Senate Bill...House Bill 1364, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Second Reading of the Bill. House Bill 1638, has been read previously. House Bill 2004, a Bill for an Act to amend the Open Meetings Act. Second Reading of the Bill. House Bill 2315, a Bill for an

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Act to amend the Illinois Coal and Energy Development Bond Act. Second Reading of the Bill. House Bill 2932, a Bill for an Act to amend an Act to provide for casual defects ( sic - deficits) or failure in revenues. Second Reading of the Bill. Senate...House Bill 3007, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 3017, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 3049, a Bill for an Act in relation to the construction of the Superconducting Super Collider. Second Reading of the Bill. House Bill 3050, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 3072, a Bill for an Act to amend an Act to revise the law in relation to Clerks of Courts. Second Reading of the Bill. House Bill 3144, has been read previously. House Bill 3266, a Bill for an Act in relation to Prisoners. Second Reading of the Bill. House Bill 3294, a Bill for an Act to amend the Criminal Code, Second Reading of the Bill. House Bill 3417, has been read previously. House Bill 3526, a Bill for an Act in relation to Fire Protection Districts. Second Reading of the Bill. House Bill 3600, a Bill for an Act to amend the House (sic - Housing) Authorities Act. Second Reading of the Bill. House Bill 3875, a Bill for an Act to amend certain Acts in relation to stormwater management. Second Reading of the Bill. House Bill 3926, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 4217, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 4236, has been read previously. House Bill 4264, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 4265, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill."

Clerk Leone: "On the order of Second Reading, House Bill 80, a

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Act to amend the Criminal Code. Second Reading of the Bill. House Bill 3154, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. House Bill 3176, a Bill for an Act to amend an Act to repeal the School Code. Second Reading of the Bill. House Bill 3178, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 3252, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 3254, a Bill for an Act regarding...House Bill has been read a Second time previously. House Bill 3300, a Bill for an Act to amend certain Acts in relationship to Community Services. Second Reading of the Bill. House Bill 3308, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 3433, a Bill for an Act concerning deposits for the purchase of new residential real estate. Second Reading of the Bill. House Bill 3436, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. House Bill 3446, a Bill for an Act to amend an Act relating to education. Second Reading of the Bill. House Bill 3498, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. House Bill 3504, a Bill for an Act concerning periodic review of certain minors placed in foster care. Second Reading of the Bill. House Bill 3550, a Bill for an Act..has been read a Second time previously. House Bill 3655, a Bill for an Act to amend an Act to provide for Local Government Debt Reform. Second Reading of the Bill. House Bill 3669, has been read a Second time previously. House Bill 3686, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 3698, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 3707, a Bill for an Act to amend an Act relating to Elementary and Secondary Education. Second Reading of

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the Bill. House Bill 3786, a Bill for an Act to amend the Housing Authorities Act. Second Reading of the Bill. House Bill 3807, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 3820, a Bill for an Act to amend an Act relating to enhanced financial support. Second Reading of the Bill. House Bill 3834, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill, 3845, a Bill for an Act concerning aquariums and museums and public parks. Second Reading of the Bill. House Bill 3876, a Bill for an Act to amend an Act regulating contributions by certain employers to benefit fund. Second Reading of the Bill. House Bill 3906, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 3908, a Bill for an Act in relationship to long term care insurance. Second Reading of the Bill. House Bill 3940, has been read a Second time previously. House Bill 3941, a Bill for an Act to amend the Illinois Water Well Construction Code. Second Reading of the Bill. House Bill 3942, a Bill for an Act to amend certain Acts relating to counties. Second Reading of the Bill. House Bill 3946, has been read a Second time previously. House Bill 3947, has been read a Second time previously. House Bill 3962, a Bill for an Act to create the East St. Louis Municipal Investment Corporation. Second Reading of the Bill. House Bill 3971, has been read a Second time previously. House Bill 3991, a Bill for an Act to amend an Act relating to the regulation of rivers, lakes and streams. Second Reading of the Bill. House Bill 4030, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 4043, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 4064, a Bill for an Act in relationship to State

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Employment. Second Reading of the Bill. House Bill 4101, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 4106, a Bill for an Act to amend the Environmental Barriers Act. Second Reading of the Bill. House Bill 4109, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Second Reading of the Bill. House Bill 4112, a Bill for an Act to amend the Metro-East Sanitary District Act. Second Reading of the Bill. House Bill 4120, has been read a Second time previously. House Bill 4208, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 4267, a Bill for an Act to amend an Act relating to Disaster Relief. Second Reading of the Bill. House Bill 4277, a Bill for an Act to amend an Act to establish a Technical Task Force on Community Mental Health Services. Second Reading of the Bill. Senate Bills, Second Reading. Senate Bill 145, a Bill for an Act to amend the State Employees Group Insurance Act. Second Reading of the Bill. Senate Bill 448, a Bill for an Act to amend the Business Corporation Act. Second Reading of the Bill. Senate Bill 591, a Bill for an Act to amend the Township Open Space Act. Second Reading of the Bill. Senate Bill 952, a Bill for an Act to amend the Illinois Savings and Loan Act. Second Reading of the Bill. Senate Bill 1475, a Bill for an Act to amend the Illinois Pesticide Act. Second Reading of the Bill. There being no further business, the House will now stand adjourned until tomorrow, May 20th at the hour of 9:00 a.m."

DOCUMENT NAME	REQ	STORE	PRINT	DATE	COPY	D		ERROR
	OPER	GROUP	COMMAND			WIDTH	DEPTH	
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