

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

105th

~~106th~~ Legislative Day

24  
April 28, 1990

Speaker Breslin: "Ladies and Gentlemen, the hour of 12:30 having arrived and passed, this House will come to order. Would all unauthorized persons remove themselves from the House floor? I would ask Members to be in their seats. The Chaplain for today is the Reverend Mike Clark, from the Grace Lutheran Church in Knoxville, Illinois. Reverend Clark is the guest of Representative Brunsvold. I invite our guests in the Gallery to rise and join us for the invocation."

Reverend Mike Clark: "Almighty God, You have blessed these men and women with unique gifts, and have called them to serve in this House by the will for those whom they serve. Give them courage, patience and vision to fulfill their vocation. Empower them to bring justice, compassion and mercy to the task that's before them. Enable them in the midst of their doubts and uncertainties to chose wisely. Equip them with the strength to accomplish those purposes for which this government was established. Let us remember that there have been governments which have oppressed and even sought to exterminate peoples. May we seek always to respect all peoples, regardless of cultural identity. We pray these things in the Name of the Lord of all nations, our Savior Jesus Christ. Amen."

Speaker Breslin: "Representative Balanoff, would you lead us in the Pledge?"

Balanoff - 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 Breslin: "Roll Call for Attendance. Representative Matijevich, are their any excused absences?"

Matijevich: "Madam Speaker, no excused absences, and while I have

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the Floor, since its near the opening of the Session, I notice someone distributed literature on our desks, which is prohibited by our rules, and I would remind the Members, please tell everybody, lobbyists included, no literature distributed at our desks. The only way you can do it under our rules is individually go to each Member and give them a hand out. Whatever you want, but not this Floor distribution."

Speaker Breslin: "Thank you Representative Matijeovich. Representative Piel."

Piel: "No excused absences today, Madam Speaker."

Speaker Breslin: "One...Mr. Clerk take the Roll. 118 Members answering the Roll Call. A quorum is present. Agreed Resolutions."

Clerk O'Brien : "House...Joint Resolution 113, offered by Representative Munizzi; House Joint Resolution 116, Stephens, et al; House Joint Resolution 117, Stephens, et al; House Resolution 1569, McNamara; 1570, McNamara; 1571, Hallock; 1572, Curran; 1573, Ryder; 1574, Stephens; 1575, Stephens; 1576, Keane; 1577, Doederlein; 1579, Balanoff; 1580, Balanoff; 1581, Kirkland; 1582, Davis; 1583, Ryder; 1585, Kubik; 1586, Johnson; 1588, Wennlund; 1589, Balanoff; 1590, Leitch; 1591, Piel - Giglio; 1592, Balanoff; 1593, Balanoff; 1594, Balanoff; 1595, Balanoff; and 1596, Hasara.

Speaker Breslin: "Representative Matijeovich on the Agreed Resolutions."

Matijeovich: "Madam Speaker, both sides of the aisle have examined the Resolutions they are agreed to. I move the adoption of the Agreed Resolutions."

Speaker Breslin: "Representative Matijeovich moves the adoption of Agreed Resolutions. All those in favor say 'aye' opposed 'no', in the opinion of the Chair the 'ayes' have it. The Agreed Resolutions are adopted. General Resolutions."

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Clerk O'Brien: "House Joint Resolution 114, offered by Representative Daniels, et al; House Joint Resolution 115, offered by Representative Novak; House Resolution 1578, offered by Representative Santiago; House Resolution 1584; offered by Representative Lang."

Speaker Breslin: "Committee on Assignment...Representative DeLeo, for what reason do you rise?"

DeLeo: "Thank you Madam Speaker. A point of personal privilege. The Assistant Majority Leader, William Laurino, will be reaching the age of 49 this week. Representative Laurino will be...he's been here 20 some years here in the General Assembly, so we have a cake honoring his birthday and his 35 years. He was a precinct captain for Abraham Lincoln here in Springfield.

Speaker Breslin: "Wrong party Representative DeLeo!"

DeLeo: "Well, he wa...that's before he came over on the Democratic side of the aisle.

Speaker Breslin: "I see."

DeLeo: "But we do have some cake here, and we invite every Member of the House to come over for a little slice of Representative Laurino's 49th Birthday. Thank you."

Speaker Breslin: "Thank you and congratulations, Representative Laurino, you are very well preserved. Very. Committee Reports."

Clerk O'Brien: "Representative Richmond, Chairman of the Committee on Agriculture, to which the following Bills were referred, action taken April 24, 1990, reported the same back with the following recommendations: 'do pass' House Bill 2903; 'be adopted Consent Calendar', House Resolution 1356, Senate Joint Resolution 34. Representative Steczo, Chairman of the Committee on Cities and Villages to which the following Bill was referred, action taken April 24, 1990, reported the same back with the following

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recommendations: 'do pass Consent Calendar' House Bill 3406; Representative Curran, Chairman of the Committee on Economic Development, to which the following Bills were referred, action taken April 25, 1990 reported the same back with the following recommendations: 'do pass' House Bills 3239, and 3120; 'do pass short debate' House Bill 3390, 'do pass as amended short debate' House Bill 3136, Representative Flinn, Chairman of the Committee on Financial Institutions to which the following Bills were referred, action taken April 24, 1990 reported back with the following recommendations: 'do pass' Senate Bill 100, 'do pass Consent Calendar'. House Bills 3424 and 3732; 'do pass as amended Consent Calendar' House Bill 3065. Representative Dunn, Chairman of the Committee on Judiciary I, which the following Bills were referred, action taken April 25, 1990, reports the same back with the following recommendations: 'do pass' House Bill 2972, 'do pass short debate' House Bill 2941 and 3306; 'do pass as amended short debate' House Bill 3482, 3875, 3220, and 3182; 'do pass as amended Consent Calendar' House Bill 3055. Representative Levin, Chairman of the Committee on Public Utilities, which the following Bills were referred, action taken April 24, 1990 reported the same back with the following recommendations: 'do pass as amended' House Bill 3355 and 3667, 'do pass short debate' House Bill 2932, 'do pass as amended short debate' House Bill 3492. Representative Ronan, Chairman of the Committee on Transportation Motor Vehicles, which the following Bills were referred, action taken April 24, 1990, reports the same back with the following recommendation: 'do pass as amended short debate' House Bill 3630, 'be adopted' House Joint Resolution 100. Representative Mautino, Chairman of the Committee on Insurance, to which the following Bills were referred,

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action taken April 24, 1990, reported the same back with the following recommendations: 'do pass' House Bill 3683 and 3624; 'do pass as amended' House Bill 3307"

Speaker Breslin: "Excuse me Mr. Clerk. Ladies and Gentlemen, we interrupt to introduce Representative Piel, who will make a special introduction. Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Representative Giglio and I have the distinct honor today of introducing to you from Lansing, Illinois, Thornton Fractional South High School State Bowling Champions. Now lots of times when you have a Bowling Champion Team, you have one or two individuals on that team who have averages of above 200 for the entire series. Out of 32 games this team only had four games above 200, but it was a total team effort. After the first day they were in first place and never relinquished first place. It is my honor to introduce to you the Thornton Fractional South Bowling Team, the State Champions of the State of Illinois, and their Coach, Bill Beckwith, who will introduce the team members.

Coach Bill Beckwith: "Thank you. This is Cindy Jones. Mashell Juraguez. Rachele Zickorman. Kendra Carlson. Debbie Jurosic. Jenny Shacowski. Ellen Coburg. And Shay Wilson. This group of young ladies not only have been the State Champions of this state, they have been represented...representing our school for two years previously. Also out of this group of eight, they have an accumulative grade point average of over 3.5, in other words, they are also very fine student athletes. This is our future, Ladies and Gentlemen. I'm happy to have been part of their lives. I hope that you can continue to be part of theirs. Thank you."

Piel: "Thank you very much, Bill. Thank you, Madam Speaker, and

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Ladies and Gentlemen of the House for your time. And we have a Resolution which we will present to them shortly after we leave the podium. Thank you very much."

Clerk O'Brien: "Continuing Committee Report from Insurance Committee. 'Do Pass short debate' House Bills 3834, 3528, 3468, and 3857; 'Do pass as amended short debate' House Bill 3323, 982, and 3856. 'Do pass Consent Calendar' House Bills 3529, 3530, and 3469; tabled in Committee, Senate Bill 47."

Speaker Breslin: "Ladies and Gentlemen. Ladies and Gentlemen, we interrupt our business today for a special introduction by Representative Phelps. Please give Representative Phelps your attention. Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We appreciate your attention just for a few brief moments. It's my distinct privilege and honor to introduce the third place, Class A, Basketball Championship Team of Norris City, Omaha Infield Schools, in the heart of Southern Illinois. Which we are very much proud of. We've watched these young people grow and evolve to be, not only outstanding athletes and cheerleading group, but who demonstrate the utmost sportsmanship which I am very proud of. Senator Ray...Jim Ray also joins me in this Resolution of which we passed a few days ago. House Resolution #1488, which you all have joined me, and it is my distinct pleasure now to introduce to you the Head Coach Dave Gray. Dave."

Dave Gray: "Is it on? Yeah. Is our privilege to be here today to share in this experience. It's good for these young people to have this opportunity to get on the floor of the House of Representatives. We appreciate Representative Phelps for giving this opportunity and Senator Ray. This is the result of a lot of hard work for these young people,

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and we have always said to them that as you work hard you will receive these rewards. And this is one of these things that is a great experience for these young people. We thank you very much for your time. Thank you."

Phelps: "Again, thank you."

Speaker Breslin: "Committee Reports."

Clerk O'Brien: "Representative White, Chairman on the Committee of Human Services, to which the following Bills were referred action taken April 24, 1990, reported the same back with the following recommendations: 'do pass' House Bills 3318, 3429, 3515, 3565, 3567, 3575, 3576, and 3600; 'do pass short debate' House Bill 3164, 3563, 3587, 3599, 3675, 3748, 3777, and 3853; 'do pass as amended short debate' House Bill 2013 and 3561; 'do pass Consent Calendar' House Bills 3480, 3614, and 3694; 'be adopted' House Resolution 196 as amended, and House Resolution 1422; Interim Study Calendar House Bills 3516 and 2956. Further Committee Report, Representative Terzich Chairman of the Committee on Executive to which the following Bills were referred, action taken April 25, 1990 reported the same back with the following recommendations: 'do pass' House Bills 1585, 2929, 3000, 3283, 3284, 3293, 3294, 3304, 3393, 3493, 3793, and 3891; 'do Pass as amended' House Bill 890 and 3038; 'do pass as short debate' House Bill 3036 and 3426; 'do pass Consent Calendar' House Bills 3064, 3190, 3202 and 3682; 'do pass as amended Consent Calendar' House Bill 3367; Interim Study Calendar House Bill 3504."

Speaker Breslin: "Consent Calendar, Second Reading."

Clerk O'Brien: "Consent Calendar, Second Reading, second day. House Bill 2845, a Bill for an Act to amend the Waukegan Port District Act together with Amendment #1. Second Reading of the Bill. House Bill 2857, a Bill for an Act to amend the Illinois Police Training Act. Second Reading of

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the Bill. House Bill 3037, a Bill for an Act to amend an Act concerning education. Second Reading of the Bill. House Bill 3057, a Bill for an Act to amend the Illinois Vehicle Code together with Amendment #1. Second Reading of the Bill. House Bill 3074, a Bill for an Act to amend the Sanitary District Act. Second Reading of the Bill. House Bill 3089, a Bill for an Act in relation to Lake County Forest Preserve District. Second Reading of the Bill. House Bill 3249, a Bill for an Act in relation to conviction information. Second Reading of the Bill. And Senate Bill 680, a Bill for an Act to amend the School Code together with Amendment #1 and #2. Second Reading of the Bill."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, it is the intent of the Chair...it is the intent of the Chair to go to the Order of House Bills, Second Reading. Representative McCracken and Representative Cullerton, if you could be particularly advised that we are going to House Bills Second Reading, beginning on page two of your Calendar. Members, if you know that you do not you are not prepared to move your Bill to Third Reading please indicate that. And it will be held on Second for Amendments. The first Bill is House Bill 299, Representative Currie. Clerk, read the Bill."

Clerk O'Brien: "House Bill 299, a Bill for an Act to amend the Illinois Public Aid Code. Second reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Currie."

Currie: "Leave to withdraw."

Speaker Breslin: "Withdraw #1. Any further other Amendments?"



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

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes Madam Speaker, and Members of the House. What Amendment #2 states is that with the Spousal Impoverishment Act, we have an element of dignity. And when we speak of element of dignity, what we're thinking and talking to is the fact of if you do have a living spouse and you are, your spouse, is put into a nursing home, you're able to keep assets of approximately \$60,000 plus your home, plus your car, plus \$18,000 in income. In this wonderful piece of legislation, there is nothing that covers the widow or the widower. So therefore, what my Amendment states is, that in order to maintain dignity, so that both the spouses or the widow or the widower can be protected, my Bill states that you can place the remaining spouse in a nursing home, at that time that person would be a widow or a widower. But, instead of spending down the entire assets of that individual, the dignity would still prevail and there would be assets left at \$30,000. Plus the home, plus the car. I think what we're looking at is something that has to be covered and we also have to look at the dignity of the aging problem. And we also have to look at the person who is a widow or widower. So I ask for its favorable passage."

Speaker Breslin: "The Lady has moved for the adoption of Amendment 2 to House Bill 299, on the question the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I rise in opposition to the Sponsors Amendment. It may...she may have a good germ of an idea here, but I would resist her Amendment on three grounds. First, the Amendment is discriminatory against the individual in a nursing home

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institution who happens still to be married, for that individual would not be able to take advantage of the expanded dollars that she would make available to a widow or widower. Secondly, I'm fearful that adoption of this Amendment would carry a very heavy price tag for the State of Illinois. The federal government reimburses us for nursing home care for individuals who meet their income eligibility limits and those income eligibility limits do not track those that are the subject of Amendment 2 to House Bill 299. Third, the underlying Bill deals with the new federal program the Spousal Impoverishment Program, it deals with issues that affect the lives of those whose husbands or wives are institutionalized, those men and women who remain in the community. The Sponsor's proposal here does not deal with those people. The people who are the underlying point of House Bill 299. I would recommend to the Sponsor that she find another vehicle to present her own idea. And I would ask my colleagues to reject Amendment 2 to House Bill 299."

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

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

Speaker Breslin: "She will."

Didrickson: "Representative Wojcik. If I understand you correctly what you're saying then...Madam could you um...I can not hear her...Representative Wojcik if I am to understand you correctly, in order to be medicaid eligible, for nursing care, you would not have to spend down your complete resources, but you could maintain \$30,000, home plus car, is that correct?"

Wojcik: "That is correct."

Didrickson: "Okay. Let me paint a picture for you, and then perhaps you can tell me if that is your reason for

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sponsoring this Amendment. I put my husband into a nursing home, but before I can do that, in order to be medicaid reimbursable, I have to spend down all my resources. He turns around and within two or three months of going into that nursing home and getting medicaid reimbursed, dies. I now am left with nothing because I've had to spend down absolutely everything. So now I'm going to be able to be eligible for assistance, versus, had I been able to at least keep a minimum standard of a car, a home, and some savings, I would then be self-sufficient. Is that your intent with this Bill?"

Wojcik: "Well, actually that...correct insofar as it was. However, with the new spousal law, spouses may maintain \$60,000 in the bank. If the individual has to go the the hospital, you don't have to spend that down. In the old Bill you would spend down to \$30,000, in other words, half of that money would go into the nursing home and then after that was spent down, you would go on medicaid. Today you automatically go on medicaid if you have \$60,000. But if you have \$60,000 plus, you'll spend down to the \$60,000 figure. So what I am saying is if we are allowing this for spouses your analogy is correct. If you are going to have a widow now or a widower going into the nursing home, they will not have that same benefit. What we're going to do is say 'hey, you're the only one left so therefor we're taking all your money down to \$2000.' My Bills say we should still keep them at dignity also. They have just as much right as those that are still remaining married."

Didrickson: "Yeah, I'm sorry. Your Bill says what?"

Wojcik: "My Bill says that you still will maintain a level of income and also...you will..."

Didrickson: "For who? For the person in the hospital or in the nursing home? Or for the person who is the spouse?"

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Wojcik: "Its the...the nursing home...the person who goes to the nursing...the surviving. Okay let's, you have...the first part of 299 is for spouses."

Didrickson: "Okay."

Wojcik: "O.k. And if you are a spouse and you go to the nursing home, you are allowed...the other spouse, is allowed to keep \$60,000. The home and the car."

Didrickson: "I got ya."

Wojcik: "If there's any money over \$60,000, it is spent down to the \$60,000 figure."

Didrickson: "I got that."

Wojcik: "Right. Now, if..."

Didrickson: "And your Amendment would do what?"

Wojcik: "If the spouse passes away, that's in a nursing home..."

Didrickson: "Right."

Wojcik: "The surviving spouse becomes ill, that spouse goes into a nursing home,..."

Didrickson: "And not have to spend down?"

Wojcik: "As the law is today, that spouse will spend down every penny they have to \$2000. What my Bill said is since you are the surviving spouse you will only have to spend down one half of your assets."

Didrickson: "I understand. Thank you."

Speaker Breslin: "The Gentleman from..."

Wojcik: "And I would ask for..."

Speaker Breslin: "The Gentleman from Cook, Representative Bowman, do you still wish to speak on this Amendment? Mr. Bowman?"

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is one of those very seductive sort of Amendments. It sounds pretty good. But the problem with it is that what the Lady is proposing to do falls outside of the federal guidelines for medicaid reimbursement. So we wouldn't be able to get any federal medicaid

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reimbursement monies back, if this Amendment were to go in the Bill and the Bill were to passed. This is a what we call in the trade, loving the Bill to death. Loading it up with so many goodies and so many nice things that the Bill falls under its own weight. I implore all of you to resist this attempt at legislative seduction to resist the Amendment...to beat the Amendment. And to pass a very good Bill, which will take full advantage of the federal medicaid reimbursement regulations. Let's just pass this Bill in its original form and defeat this Amendment. Thank you."

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

Wojcik: "Yes, Madam Speaker and Members of the House. I have listened and I would certainly like to say this. When you want to talk of cost when we look at the spousal impoverishment, and the way that the Bill is going to be today, the state will immediately take up the cost of the spouse who gets placed to the nursing home. My Bill is allowing a spend down program for the surviving spouse. I don't think that's cost. I think that's looking at an element of dignity that we seem to have forgotten. The cry that I have back home is coming from the elderly people who are saying that 'my life savings is being taken away. My spouse has Alzheimers' or that 'I'm a widow ' or 'I'm a widower, my God, if I end up in the hospital or nursing home, I have nothing left.' So, I'd ask you all to think about this. Think about your parents, think about aunts and uncles whomever is out there. Or do you want them to have dignity in their final days or do you want them to have just another semblance of living in a nursing home and being sorrowful and not even having any respect for themselves? I ask for this amendment to pass, and I ask for a Roll Call. And I thank you."

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Speaker Breslin: "The question is 'shall Amendment #2 be adopted?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. A simple majority is required to adopt this Amendment. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 58 voting 'no', and one voting 'present', and the Amendment fails. Are there any...Representative McCracken...are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Readings. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, we have a special guest with us today. Would the staff please retire to the rear of the chamber? Would the Members please take their seats? Would staff please retire to the rear of the chamber? Mr. 'Zabin' would you retire to the rear of the chamber? Mr. Homer, Mr. Homer, could you be seated? Could you be seated? We're very pleased to have with us today the person who serves as the Counsel for the government of Taiwan assigned to the city of Chicago. The Director General Hue was recently appointed to the Counsel position in Chicago. Previously he has served in other positions representing the government of Taiwan all across the world. And I was most pleased to learn this morning that he's a graduate of the Georgetown University in Washington, which of course is the school which graduated the next Governor of the State of Illinois, Mr. Neil Hartigan. So with that I give you, the Counsel of the Government of Taiwan in Chicago, Director General Hue. Director General."

Director General Hue: "Thank you very very much. Mr. Speaker, the Members of the House, Ladies and Gentlemen. The first speech I ever made in my life, about 35 years ago, in a primary school in Taiwan, was entitled The Great

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Emancipator, Abraham Lincoln so you can imagine what the great pleasure and honor I have to come to the City of Springfield, and to meet you here this afternoon. The leaders of the Land of Lincoln. Indeed for those of you who have visited my country The Republic of China on Taiwan, must be aware that my country has been built on the ideology of the three principles of the people. Nationalism, democracy, and peoples' livelihood, which according to our National Father was by the people, of the people, and for the people. The exact words Abraham Lincoln said in his Gettysburg Address. Because of this same political ideology the relations between our two peoples have grown stronger and stronger. And in recognition of that, and also in anticipation of further developments, the House of Representatives of the State of Illinois, in this very chamber passed a resolution 11 years ago in 1979, to call for further and the strengthening the relations between our two countries, and the two peoples. Last year the Republic of China on Taiwan replaced Great Britain to be the fifth largest trading partner of the United States. The total trade volume amounted to \$36 billion. Among this figure the State of Illinois exported to Taiwan industrial and agricultural products worth about \$430 million. And in the past few years, we witnessed the big companies from Taiwan coming to Illinois to invest and to set up branches, offices..offices. Among them, are the worlds largest companionship company Evergreen. Our national flag airliner, China Airline, the leader of our plastic producer 'Naiya' and others. And this state, State of Illinois is full of potential. So there's alot for us to do. And we're willing to promote these relations. And for your information, I'm very pleased to inform you that in the first season of this year, not only a very important

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business transactions have been concluded, between the people of Illinois and the companies in Taiwan, involving tens of millions of dollars, but also the Illinois Company Molex, has agreed to set up a joint venture with its counterpart in Taiwan called 'Molex-AuLing' to manufacture and to market electronic products and machines in the Far East. This company, once completed, will be the biggest of its kind in the Far East. And in addition to that, in the field of education, there are 1400 students from Taiwan taking up graduate studies in the State of Illinois. Currently, the whole United States has about 1200 students taking studies in Taiwan, The Republic of China, on courses on Chinese culture, Chinese languages, and so on. And my office, located in Chicago, providing service to seven states of the midwest will continue to do its best to promote relations in different fields, educational, cultural, sport, trade and so on. And as I conclude, I wish to thank you, especially thank you, Mr. Speaker, and thank all of you for giving me this opportunity to share some information on recent developments with you. And to invite you, sincerely invite you to visit Taiwan, to visit your friends in the Republic of China at your conveniences. Thank you very much."

Speaker Breslin: "Ladies and Gentlemen, returning to the order of House Bills, Second Reading, on page 2, appears House Bill 391, Representative Steczo. Clerk, read the Bill."

Clerk Leone: "House Bill 391, a Bill for an Act to amend an Act in relation to reimbursement. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Floor Amendments?"

Clerk Leone: "There are no further Motions or Floor Amendments."

Speaker Breslin: "Representative Steczo, the Bill has to remain on Second for the lack of a fiscal note. Which has been



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requested but has not been filed. Second Reading, House Bill 569, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 569, a Bill for an Act to amend the Illinois Insurance Code."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee. There are no Motions filed."

Speaker Breslin: "And any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 706, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 706, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee of Floor Amendments."

Speaker Breslin: "Representative Cullerton, the a fiscal note has been requested. It will have to be held on Second until that's filed. Representative Cullerton."

Cullerton: "We could ask the Clerk if he could please look into the file. The Bill was up last year, and it passed on to Second Reading in fact was voted on. Perhaps somewhere in the file there might be a found a fiscal note from last year. We can take it out of the record now, but it's something I'd like them to look for."

Speaker Breslin: "Very good. Out of the Record. House Bill 975, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 975, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "None. Third Reading. House Bill 1042, Representative Parcells, Representative Parcells. Out of the Record. House Bill 1220, Representative Curran."

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Clerk, read the Bill."

Clerk Leone: "House Bill 1220, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "A fiscal note has been requested on this Representative Curran. It has not yet been filed. So the Bill will remain on Second. Representative Cowlshaw, for what reason do you seek recognition?"

Cowlshaw: "Madam Speaker I wonder if the Clerk could be asked to check carefully about the Amendments of this Bill. I believe there is a...now I may be mistaken, but I'd just like you to check if you would please. It seems to me that last year we adopted two Amendments to this Bill. Amendments #2 and 3. I had filed an Amendment #4 to this Bill, which was never heard. It was never adopted nor otherwise. It simply was never heard. And then in Committee a week or so ago we adopted another Amendment to this same Bill, and called it Amendment #2."

Speaker Breslin: "The Clerk will look for those Amendments Representative Cowlshaw. The Bill's out of the Record."

Cowlshaw "Well, Madam Speaker, rather than delay you, since the Bill can't be moved to Third Reading today anyway. I just wanted to alert the Chair and the Clerk, to the fact that we may need to do something such as designate the Amendment that we adopted in Committee as 2(a) or 2(x) or you know, whatever, but we can't have two Amendments that are both #2."

Speaker Breslin: "Good point Representative Cowlshaw."

Cowlshaw: "At any rate if you would look into that for me I'd appreciate it. Thank you."

Speaker Breslin: "We will. Representative Cowlshaw, you might

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check your records, the Clerk believes that your comments refer to House Bill 1222, not 1220. So if you would check that, that might be helpful also. In the meantime, we have a special introduction by Representative Regan. Here he is."

Regan: "Thank you, Members of the House. If Bob Piel and Loleta Didrickson are around, they also have people from this beautiful band. If any of you noticed on your way up the beautiful music that was coming, the band downstairs is called the Spartan, a band from Marian Catholic High School, in my district. This band is outstanding in their awards that they've received throughout the State. But the most impressive thing is this band four...or four times throughout the last 10 years have been the #1 band in the United States of America. Including three times in a row in the last three years. And I certainly think that they deserve a hand for that. Can you give them a little bit there, #1 Band in America. And I'd like to introduce their Director, Greg Bimm for a little words of encouragement to the...to the troops out here."

Greg Bimm: "I'd like to thank all of you for having us. And especially Representative Regan, for this honor and for your warm welcome. I'd like to introduce the group of kids that are with me. I have the band officers, our three drum majors, our color guard officers, those are the flags that march with our marching band, and our drum sergeant. Again I'd like to thank you all for this wonderful honor."

Regan: "And thank you for making my district proud throughout the United States of America. Thank you."

Speaker Breslin: "On the order of House Bills, Second Reading, page two, appears House Bill 1222, Representative Curran. Clerk, read the Bill."

Clerk Leone: "House Bill 1222, a Bill for an Act to amend the

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School Code. Second Reading of the Bill. Amendment #1 and 2 were adopted previously."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions. Further Amendments that are filed. Floor Amendment #2(A), by Representative Curran."

Speaker Breslin: "So the record...the file includes an Amendment filed, identified as 2(A) filed by Representative Curran. Is that correct Mr. Clerk?"

Clerk Leone: "That is correct."

Speaker Breslin: "Okay. I am confused. What is 2(A)? Since when do we have a 2(A)? Okay, this is the status of the Bill Representative Curran. There is a 2(A) filed, a 3 and a 4. Obviously, some error has occurred. Since this Bill cannot move anyway, it is the request of the Chair that you would withdraw #2(A), refile it as 5, and then be ready to move on it the next time it's called on Second Reading. Okay, that would clear up the number problem. Okay. Out of the Record. House Bill 1762, Representative Ryder. Is Mr. Ryder in the chamber? Out of the Record. House Bill 1817, Representative Trotter. Representative Trotter is not in the chamber. Out of the Record. House Bill 2178, Representative Steczo. Mr. Steczo. Out of the Record. House Bill 2179, Mr. Steczo. Representative Steczo. Out of the Record. House Bill 21...Representative Steczo has returned to the chamber. We'll go back to his two Bills. House Bill 2178. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 2178, a Bill for an Act to revise the law in relationship to counties. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk Leone "No further Amendments."

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Speaker Breslin: "Third Reading. House Bill 2178. Read the Bill  
Mr. Clerk."

Clerk Leone: "House Bill 2179, a Bill for an Act to amend the  
Township Law. Second Reading of the Bill. Amendment #1  
was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "The Calendar indicates Amendments #1 and 2 were  
adopted in Committee. I'm sorry, 2179. Excuse me. 2179.  
Are there any Floor Amendments filed?"

Clerk Leone: "There are no Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2181, Representative  
Steczo. Clerk, read the Bill."

Clerk Leone: "House Bill 2181, a Bill for an Act to amend an Act  
to revise the law in relationship to counties. Second  
Reading of the Bill. Amendment #1 was adopted in  
Committee."

Speaker Breslin: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2842, Representative  
Ropp. Clerk, read the Bill."

Clerk Leone: "House Bill 2842, a Bill for an Act to amend the  
Regency University Act. Second Reading of the Bill. There  
are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2853, Representative  
Preston. Mr. Preston. Clerk, read the Bill."

Clerk Leone: "House Bill 2853, a Bill for an Act relating to  
corporal punishment. Second Reading of the Bill."

Speaker Breslin: "Out of the Record. House...On page three  
appears House Bill 2859, Representative Shaw. Out of the  
Record. House Bill 2867, Representative Saltsman, Mr."

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Saltsman. Mr. Saltsman. Clerk, read the Bill. Woops, out of the Record. House Bill 2884, Representative Hensel. Clerk, read the Bill."

Clerk Leone: "House Bill 2884, a Bill for an Act relating to township purchasing. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2887, Representative Peterson. Clerk, read the Bill."

Clerk Leone: "House Bill 2887, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative William Peterson."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker. Amendment 1 to House Bill 2887, raises the population figure from 5,000 to 15,000. This was suggested by the Illinois Department of Transportation and it's presented because of their request. I appreciate your vote for this Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to House Bill 2887, on the question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, is the Amendment printed?"

Speaker Breslin: "The question is 'has the Amendment been printed and distributed?'...The answer is 'yes'."

Cullerton: "Okay. And if he could take out Record until we get...we don't have a copy here, if we could take a look at it. Sounds fine, but I just want to take a look at it."

Speaker Breslin: "Okay. Out of the Record. House Bill 2896, Representative Stange. Clerk, read the Bill."

Clerk Leone: "House Bill 2896, a Bill for an Act in relationship to safe and sanitary transportation of food. Second

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Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Stange."

Stange: "Thank you Madam Speaker. Amendment #3 basically cleans up...there was a drafting error in LRB. And it's just a drafting problem and it's just being distributed now. And it's just a technical error."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 3 to House Bill 2896, on that question is there any discussion? There being none the the question is 'shall Amendment #3 be adopted?' all those in favor say 'aye' opposed say 'no', in the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2950, Representative Satterthwaite. Representative Satterthwaite. Clerk, read the Bill."

Clerk Leone: "House Bill 2950, a Bill for an Act to amend the County Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2985, Representative Weller. Mr. Weller. Out of the Record. House Bill 2988, Representative Davis, Monique Davis. Clerk, read the Bill."

Clerk Leone: "House Bill 2988, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2990, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 2990, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Motions or Amendments?"

Clerk Leone: "There are no Motions or further Amendments."

Speaker Breslin: "Third Reading. House Bill 3024, Representative McNamara. Clerk, read the Bill."

Clerk Leone: "House Bill 3024, a Bill for an Act in relationship to financial planning. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3058, Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 3058, a Bill for an Act to provide for sport services to prevent homeless. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions or further Amendments."

Speaker Breslin: "A fiscal note has been requested and is not yet filed Representative Cullerton. So the Bill remains on Second Reading. House Bill 3085, Representative Matijevich. Mr. Matijevich. Out of the Record. House Bill 3090, Representative Peterson. Clerk, read the Bill."

Clerk Leone: "House Bill 3090, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions. No further Amendments."

Speaker Breslin: Third Reading. House Bill 3107, Representative Ewing. Clerk, read the Bill."



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Clerk Leone: "House Bill 3107, a Bill for an Act to amend the Uniform Criminal Extradition Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3110, Representative White. Mr. White. Out of the Record. House Bill 3112, Representative Lang. Mr. Lang. Out of the Record. On page 4 of your Calendar appears House Bill 3118. Representative Phelps. Clerk, read the Bill."

Clerk Leone: "House Bill 3118, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3130, Representative Weller. Clerk, read the Bill."

Clerk Leone: "House Bill 3130, a Bill for an Act to amend the Liquor Control Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Brunsvold. Is Mr. Brunsvold in the chamber? Representative Brunsvold, you have Amendment #1 filed on Representative Weller's Bill, House Bill 3130, that amends the Liquor Control Act...Representative Brunsvold."

Brunsvold: "Madam Speaker, if you're going to hold the Bill for other notes, I would just wait for the Amendment, if that's proper."

Speaker Breslin: "Well, it has been called now on Second Reading, so and it has been read a second time once. It will be held after that, but that's the call of the Sponsor."

Brunsvold: "Okay."

Speaker Breslin: "Not of the proponent of the Amendment."

Brunsvold: "Well Amendment #1 would reduce the limits as was

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prescribed by the Bill, Representative Weller's from 80,000 down to 45,000, on the limit, top limit, and from 40,000 down to 32.5 on the lower limit. And that's what the Amendment does. The Amendment was, in my view, necessary because of the doubling of the charges that the original Bill had. Which would increase the cost to the tavern owner in dram shop insurance. We'll have over the past years, passed alot of DUI legislation, and the cost involved now with dram shop insurance have gone sky rocketed, and this in fact might equate to some very expensive situations for the local tavern owner. I question the increases that were on the original Bill and would ask the adoption of Amendment #1 which would raise slightly those limits. Thank you."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #1 to House Bill 3130, and on that question the Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Weller and others have begun an intitutive that this legislation, the underlying legislation represents to provide help for the victims of drunk drivers. The victims of those who are themselves victims of alcohol. And this Amendment in effect completely eviscerates Representative Weller's Bill. It makes it a meaningless Bill. The limits under the Dram Shop Act are ridiculously low. We're talking about families that are left without a breadwinner, we're talking about individuals who are hurt, maimed because of a drunk driver. And...we're...current law limits the recovery to ridiculously low figures. Representative Weller's Bill is a very modest attempt, but I think a tough attempt, to try to at least allow the victims of alcohol, some meaningful recovery against people who misuse the roads and misuse the responsibility that they have when they're under the

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influence of intoxicating liquor. As you remember several years ago, Representative Countryman and I and several others eliminated one of the glaring faults of the Dram Shop Act and that is the ability of individuals to recover for damages when they were...had their cause of action derived from the drunk person. So that's no longer the law. What we're talking about now in Dram Shop Law, is when someone goes in the tavern, gets drunk, and then goes out and kills someone else, leaving their family without a breadwinner, maims another person on the road, injures them and causes them huge expenses and loss of wages and various things like that. Keep in mind that there is no cause of action that that injured person has under the common law of Illinois against the Dram Shop Carrier. Even if their damages are millions and millions of dollars, even if they are paralyzed for life, left without a job, their families without support, there's no recovery against the Dram Shop Carrier, under the Common Law of Illinois, other than through the Dram Shop Act. All Representative Weller's underlying Bill is trying to do is to make those limits reasonable. To say that it's not unreasonable that you can get \$80,000 if you've had a total loss of the ability to support your family. Or that you can get \$40,000 when you've been maimed or seriously injured. Representative Brunsvold, I know is well intended, but the bottom line is, if you rep...if you pass this Amendment and you've got Representative Weller's Bill not only do you remove his initiate in the area of drunk and drugged driving legislation, but you also leave thousands and tens of thousands of families in Illinois and individuals in Illinois who are injured and killed by drunk drivers without any compensation to fall back on the taxpayers for support. This is a modest Bill. It's a reasonable Bill

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and even though Representative Brunsvold's one of my good friends and I respect him. This a bad Amendment and ought to be defeated."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "May I ask the Sponsor a question, please?"

Speaker Breslin: "Proceed."

Hartke: "Representative Brunsvold, when was the last time that we raised the Dram Shop limit?"

Brunsvold: "To my knowledge, Representative, it was not very long ago. In fact two or three years ago that we did raise the Dram Shop Insurance and at that time indication was...would let this thing get kinda take effect and work a little bit to see if it was in fact reasonable. I think we haven't reached a time yet where we needed to raise this."

Hartke: "Thank you, and that's my sentiment completely. I think we raised it a couple years ago and now we're trying to mess with it again. You know what we're saying, 25, 30, 80, what is the limit on a life? I you know...I don't know. Maybe what Representative Weller's trying to do is commendable, but I think it is too soon."

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

Levin: "Madam Speaker, Ladies and Gentlemen of the House, despite the excellent Sponsor I must rise in opposition to Amendment #1. I think what was suggested earlier is absolutely correct. The underlying Bill is a very important initiative in terms of dealing with the problem of drunk driving. It seems that when we in this state ought to be doing everything we can to discourage drunk driving and to be holding accountable those people who are leading to increased incidents of drunk driving, injury and death. This legislation is a very modest step in that direction. Illinois is one of very few states that puts a

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cap on liability. But we do, and the injuries that are sustained by people who are the victims of drunk driving, in many cases are in the hundreds of thousands of dollars. So Representative Weller's limit is increase to \$80,000 is itself actually inadequate. But that's what, that's a step that he choses to take to attempt to moderate the situation. This Amendment would in effect gut this very good initiative. I strongly encourage a 'no' vote despite the fact that this is a very good Sponsor."

Speaker Breslin: "The Gentleman from Grundy, Representative Weller."

Weller: "Madam Speaker, question for the Sponsor of the Amendment."

Speaker Breslin: "Representative Brunsvold will you answer a question? He will."

Weller: "Representative, the increases that you recommend in your Amendment over the current law, 2000, \$2500.00 increase for recovery for injury and a \$5000.00 increase for recovery for loss of income. How did you determine what level to determine these figures? What was your formula?"

Brunsvold: "Well, I used the same method you probably did when you raised them from 40 to 80. You know that seemed like apropos number I guess. I don't know where you came up with 80, after we just increased this a short time ago, if you want an increase let's do it in small measures and not one big shot of doubling the end result from 40 to 80. I simply reduced them to what I thought was a moderate increase."

Weller: "Representative, did you take into account inflation in the five years since they were last set?"

Brunsvold: "No, I didn't Representative."

Weller: "To the Amendment Madam Speaker. I rise in opposition to this Amendment. I recognize that the Representative is

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well intentioned. And he feels that perhaps he's offering a compromise. Over the last many years there's been very, very serious research and effort and study put into the issue of drunk driving and trying to determine what's right and what's fair to the victims of alcohol related accidents. This legislation has a compromise. Some would say we should completely remove those limits on Dram Shop. Others would say we should raise it to 3 or 4 hundred thousand dollars. We're raising it just a small amount almost set for inflation. We're raising it only if you have loss of recovery, but when it comes to injury, it is only raising it from 30 to 40 thousand dollars. And when it comes to loss of income we're only raising it from 40 to 80 thousand dollars. And think about it, Ladies and Gentlemen, if you're the sole provider for your family and you're injured and your family loses you as their source of income, are you only worth 40 thousand dollars to your spouse and to your children? This is really an issue of fairness. I rise in opposition to this Amendment, Ladies and Gentlemen, and as you cast your vote, I hope you will think of the children and the spouses of those victims, and vote 'no' on this Amendment. Thank you, Madam Speaker."

Speaker Breslin: "The Gentleman from Sinclair, Representative Flinn. Representative Flinn."

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

Speaker Breslin: "The Gentleman has moved the previous question. There are objections. The question is 'shall the previous question be moved?' All those in favor say 'aye' all those opposed say 'no', the 'no's' have it. You've been voted down Representative Flinn. The next person to speak on the Amendment is the Gentleman from Lake, the most vocal, Representative Matijevich."

Matijevich: "Well, I appreciate that Madam Speaker. It didn't

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look right to close the debate after two people, especially when there's a lawyer in the chair, and this could be a lawyers' issue. Oh four? Oh, somebody told me there was two. I'm sorry. That makes my feel better. But let me tell you, Madam Speaker and Ladies and Gentlemen of the House, why this is a good Amendment. My family was in this business for 30 years. 30 years, we didn't have one claim, one claim against us. Not one. Yet, you had a high premium because of volume of business. This is a tax on small business. The Bill is. I mean you can say it's because it's offered by MADD and so forth, but it is a tax. Because the business people are going to have to pay a higher premium, even if they have no claims. So you're gonna raise that cap, and the business people are going to suffer. They can be good decent people, it's a lawful business. They don't have a claim against them in all those years. So I would urge the Members that you support the Amendment after all, I think the tavern owners very often, are the brunt, the brunt of a...and the victims of so much that happens themselves. Everybody comes to the local neighborhood tavern when they're looking for a charity. They're looking for this, and they're looking for that, but then when they want to put a something, a tax on them, that's what they do, they raise their premiums. This will...Bill will have an astronomical increase on the reinsurance premiums and I don't think everyone of them deserve it. There are some that are not good business men, that aren't responsible, but don't take it out on everybody. I would urge the support of this Amendment for those small business people."

Speaker Breslin: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. This Amendment sweetens

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this terrible Bill up just a little bit. Most people want to eliminate dram shop insurance in the State of Illinois, and that's the word I get in my district, back home. What is good for lawyers, is a terrible Bill for small business. Most of the small business that are forced to carry this dram shop insurance, about 150 of them, in my district, are about to go out of business now on account of the high cost of carrying this premium. Even this small amount and raise in this Amendment is going to cause insurance companies to continue to raise the rates on those small businesses. The Amendment does sweeten up the Bill. But neither one of them are any good, I'm urging a 'no' on this and a 'no' on the Bill when it comes back for Third Reading. Thank you."

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

Countryman: "Thank you Miss...Madam Speaker. I rise to oppose this Amendment. When I first came here four or five years ago, I was the one who sponsored the legislation that reformed the Dram Shop Act. And I paid a price since I did that. We eliminated a cause of action in that instance, and that was a cause of action, for the relatives or dependents of the intoxicated person. And that meant we eliminated all the cases involving bar fights. We eliminated the cases where the intoxicant gets drunk in the tavern, he drives out drives into a tree and kills himself, now he has no cause of action. I had the attorneys call me on the phone and they said 'Countryman, you eliminated that cause of action. What about these poor widows and children?' And I said 'yeah, but it's the third party, the innocent third party who deserves to recover under this legislation, and that's what we've done.' It was a good reform. The Secretary of State told me it was a good reform. And then all of a sudden the defense lawyers



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called me and they said 'hey, you've eliminated all the cases. We don't defend all these dram shop cases anymore because all the lousy ones are gone. And the only ones that exist are the good ones.' And I'll tell you something, dram shop insurance has gone down as a result of that reform. Now when we made that reform, and now we have inflation over a period of time, those innocent third parties who are struck by drunk drivers are entitled to recovery. And they're entitled to an economic recovery that's fair. I know most of us here don't think that this amount is fair, and it should be higher. But this amount is reasonable it'll provide insurance in this state, the premium cost will not skyrocket. The insurance companies are wrong. They told me on the phone yesterday, since 1985 the premiums have gone down. You should vote against this Amendment for the Bill. Thank you."

Speaker Breslin: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you Madam Speaker. I hope that the Members of this House heard very well the comments by Shawn Countryman, because we did work out that reform years ago, and what did occur was correct. But I'd like to pose is a question of the Sponsor of the original Bill if I may."

Speaker Breslin: "That is not appropriate Representative Mautino."

Mautino: "Let me then address the question to the Sponsor of the Amendment."

Speaker Breslin: "Representative Brunsvold, where are you? A question has been posed to you. Proceed Sir."

Mautino: "Representative Brunsvold, with the current limits established in our existing law, the innocent third party is eligible to receive \$40,000. Is that not correct?"

Brunsvold: "Yes sir."

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Mautino: "Under this Amendment, would that individual receive \$40,000 or would that individual receive a sum less than \$40,000 by about a third or 20 percent?"

Brunsvold: "Are you including lawyers fees and that, Representative?"

Mautino: "I think that's kinda relating to what I'm saying, yes."

Brunsvold: "Yea, they would probably receive less because of legal fees, yes."

Mautino: "Alright, would you be amenable to providing another Amendment that would establish the upper limit to be in total authorized to the third party litigant?"

Brunsvold: "Yes I would. I'd be willing..."

Mautino: "I think that'd be a great Amendment..."

Brunsvold: "I'd be willing to talk."

Mautino: "...because this is third party action. After previous actions have taken place, maybe the Sponsor would accept that Amendment as well. If they did then we would be addressing that third party innocent victim, rather than the current situation whereby the case is taken to court on a contingency basis. And that third party individual doesn't get 40,000. They get 25. So let's put the Amendment in direct to that litigant and eliminate that additional 15 to 30 percent that's taken off the top."

Brunsvold: "I'd be amenable to that Representative. I don't know if Representative Weller would be or not. But..."

Mautino: "Thank you very much sir."

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

Stephens: "Thank you, Madam Speaker. I...we've raised these limits once in 50 years. I think it's not inappropriate to raise them twice in 50 years. The Gentlemen who's the Sponsor of the legislation, is has put this together as part of a package that deal with the issue of drunk

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driving, alcohol and substance abuse, it's part of the puzzles solution. And we need this piece intact, not with this Amendment on it. I know the Gentleman is well intentioned, but he's just wrong in this Amendment, we have to vote this Amendment down. Increasing the limit of liability by...for inquiry by \$10,000 is not out of the question. The real question about this Bill and the effect this Amendment has on it, is whether you want to side with the drunks and the drunk drivers or whether you want to side with the victims of their acts on the highways. If you want to side with the victims, you vote 'no', if you want to side with the drunks that cause the injury, you vote 'yes'."

Speaker Breslin: "There being no further discussion, Representative Brunsvold is recognized to close."

Brunsvold: "Thank you, Madam Speaker. I think my role mate Representative Matijevec hit it right on the head. This is a small business owner who is doing business, and the increase in his insurance rates would go to what? I don't know. They're paying approximately \$2800 now, would that equate to 5600 a doubling of the premiums? I don't know. I can't find that out. Will they double the premiums? Insurance companies evidently don't know whether they're going to double the premiums. I don't know. I don't know if Representative Weller knows, whether the premium is going to double because of this action or not. And I'm not willing to take that step and put that business, small business operator in a doubling of his insurance rates. So, I would ask for your support and adopt Amendment #1."

Speaker Breslin: "The question is 'shall Amendment #1 be adopted?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. A simple majority is required for the adoption of an Amendment. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 40 voting 'aye', 64 voting 'no' and 6 voting 'present'. Representative Novak, for what reason do you seek recognition?...He does not seek recognition. The Amendment fails Representative Brunsvold, Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Weller, this Bill remains on Second Reading awaiting the filing of the appropriate Amendments. Representative Matijevich is recogni...excuse me, no not Amendments, notes, a fiscal note and a correctional budget note is required. They've not been filed. Representative Matijevich, you are recognized for a motion."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, as I would ask leave of the House and use the Attendance Role Call for the purpose of waiving a posting notice on House Bill 34. This Bill is going to be heard immediately after adjournment, in the House Rules Committee, the conference room, Speaker's Conference room and that Rules Committee, and there are about five other Bills that have already been posted. So I would ask leave of the House use the Attendance Roll Call on the waiving of the posting."

Speaker Breslin: "You've heard the Gentleman's Motion. Are there any objections? Hearing no objections, and with leave of the Body by use of the Attendance Roll Call, House Bill 34 will be heard in the Rules Committee. The Rules Committee, Ladies and Gentlemen, will meet immediately after adjournment, which will be immediately. Representative Johnson, for what reason do you seek recognition?"

Johnson: "I had sought recognition with respect to House Bill 3130, cause I'm not sure I understood correctly, and I

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thought at least that issue needed to be discussed. Did you say that there was a fiscal note request?"

Speaker Breslin: "There's a fiscal request and a correctional budget note requested."

Johnson: "A correctional budget note?"

Speaker Breslin: "Yes. Look at your...look at your calendar. Those are the notes that are awaited."

Johnson: "When were those notes filed, and who filed them?"

Speaker Breslin: "I don't know Representative Johnson. You can come to the Well and ask. Or ask Representative Weller if he's been put on notice."

Johnson: "Well, I would...Representative Weller?"

Speaker Breslin: "We're not on that order of business at any rate Representative Johnson."

Johnson: "Well, we would be if you have recognized me when I sought recognition."

Speaker Breslin: "Well, we are not on that order of business and we are ready to adjourn."

Johnson: "Okay. Thank you."

Speaker Breslin: "So, Ladies and Gentlemen is there any further business? Agreed Resolutions."

Clerk O'Brien: "House Resolution 1597, offered by Representative Churchill."

Speaker Breslin: "Representative Matijevich moves the adoption of the Agreed Resolutions. Hearing no objection, the Agreed Resolution is adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1587, offered by Representative Johnson, with respect to the memory to Doctor G. Leroy Porter."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolution. Hearing no objection the Death Resolution is adopted. Allowing Perfunctory time for the Introduction of Bills and the reading of a Constitutional

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Amendment on Second Reading, Representative Matijevich now moves that the House stand adjourned until 4:00 o'clock tomorrow, Thursday, April 26. Hearing no...all those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, and this House stands adjourned until 4:00 o'clock tomorrow, Thursday, April 26, whether you like it or not."

Clerk O'Brien: "Introduction and First Reading of Bills. House Bill 4229, offered by Representative Granberg, a Bill for an Act to amend the Workman's...Workers' Compensation Act. First Reading of the Bill."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #15, resolved by the House of Representatives of the 86th General Assembly in the State of Illinois, the Senate concurring herein. 'That there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this resolution. Proposition to amend Sections VIII and XIII of Article One of the Constitution to read as follows: Article I, Bill of Rights; Section VIII, Rights after Indictment. In criminal procedures the accused shall have the right to appear and defend in person and by counsel to demand the nature and cause the accusation and to have a copy thereof, to meet the witnesses face to face, and to have process to compel the attendance of witnesses in his behalf, and to have a speedy public trial by an impartial jury of the county in which the offenses alledged to have been committed, except that the General Assembly, by law may abolish the right of jury trial for prosecutions of offenses which by law are punishable only by a fine of no more than \$500.00. Section XIII, Trial by Jury, the right of trial by jury as heretofore enjoined shall remain...except that the General

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Assembly by law may abolish the right of jury trial for prosecutions of offenses which by law are punishable only by a fine of no more than \$500.00. Schedule this Amendment of Section VIII and XIII of Article One of the Constitution, takes affect on January 1, following it's approval by the electors of this state. Second Reading of the Constitutional Amendment and the Amendment will remain on the Calendar on the Order of Second Reading."

Clerk O'Brien: "There being no further business, the House now stands adjourned."

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