

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

117th Legislative Day

May 15, 1990

Speaker McPike: "The House will come to order. The Chaplain for today is Mr. Rick Wenneborg of the Chatham Christian Church. Reverend Wenneborg is the guest of Representative Hasara."

Reverend Wenneborg: "Before we approach the Throne of Grace this morning, I would like to thank you on behalf of the Falconers of the State of Illinois. My hobby is falconry, and I appreciate very much your taking time to deal with an issue that related only to 95 of us last week. And I wanted to thank you for that. Let's pray together. Father, we come to You this morning very grateful for the privilege of freedom that we have in this nation. And thank You for the responsibility and the privilege of enacting laws for our fellow men. We ask Your blessing upon these Representatives today. We pray that You'll give them wisdom as they contemplate the issues before them, that Your spirit will guide them in making decisions in keeping with Your will, that the foundation of scripture will guide them in making just and true legislation. Again, we thank You for Your presence here and trust Your will be done in Jesus name. Amen."

Speaker McPike: "Be lead in the Pledge of Allegiance by Representative Ropp."

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

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

Matijevich: "Speaker, excused today are Representative Farley who is recovering from his surgery, and Representative Bowman due to illness in the family."

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Representative Piel."

Piel: "No excused absences today, Mr. Clerk."

Speaker McPike: "Take the roll, Mr. Clerk. 116 people answering the Roll Call. A quorum is present. Committee Report."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)-3), the following Bills have been ruled exempt: Senate Bills 1484, 1504, 1518, 1550, 1568, 1572, 1577, 1578, 1613, 1619, 1623, 1635, 1643, 1660, 1674, 1676, 1689, 1702, 1711, 1744, 1842, 1843, 1860, 1874, and 1884, signed John Matijevich, Chairman."

Speaker McPike: "House Bills, Third Reading. On Human Services, where we adjourned last night, House Bill 797, Representative Levin. So many Legislators are in their office, we're not coming back to this Order of Business, so the Chair would encourage you to come to the House floor. House Bill 797, Representative Levin. Out of the record. House Bill 975, Representative Currie. House Bill 1651, Representative Wyvetter Younge. House Bill 1656, Representative Wyvetter Younge. House Bill 2647, Representative Regan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2647, a Bill for an Act to amend the Child Care Act. Third Reading of the Bill."

Speaker McPike: "Representative Regan."

Regan: "Yes, this is a Bill at the request of the Department of Children and Family Services. It relieves a little of the pressure on day care service people when there is no possible connection with the child that they don't have to be going through this \$45 test. And I urge its passage, please."

Speaker McPike: "Is there any discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker. Will the Sponsor yield to a few questions?"

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Yes."

Currie: "Amendment 3 on your Bill, Representative Regan, says that people who hold a particular certificate may have up to four youngsters in their home without requiring licensure by the Department of Children and Family Services. Can you explain the point of that provision?"

Regan: "Yes. And I apologize, I forgot Amendment 3 was on this particular Bill, being so early as we come up. Amendment 3 simply tries to open up some more slots for day care, for children. There seems to be a tremendous need out there for someone to watch our children. 85 percent of children are watched in non-licensed homes. They're only allowed three children plus their own. I felt if they had more education, that we could allow them to have four children. An additional child in non-licensed home would open up a tremendous amount of slots and ease the pressure on day care."

Currie: "Do you...have you heard people who hold the Child Development Associate Certificate, that they would like this proposal to pass?"

Regan: "As a matter of fact, Mr. Parke has, and we had a seminar on the north side and there was interest in this, considerable interest in this."

Currie: "Do people understand what the requirements of the CDA are, the costs, the extent of the program?"

Regan: "Well, that's one of the problems we have educating them what it is. I feel it's their choice, this is permissive, it's not mandatory. If a person decides that they'd like to take this course, which can range anywhere from \$500 to \$600 in that range. Then they're allowed to have another..."

Currie: "My underst...my understanding...to the Bill, Mr. Speaker. My understanding is that's it's a good deal more

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

117th Legislative Day

May 15, 1990

costly and a good deal time consuming to earn the CDA, and as far as I know of the 433 holders of CDA certificates across the country, a very small proportion live in Illinois. So, if your point is to open up more day care slots, I don't think that you've achieved very much by Amendment 3 to House Bill 2647, and I would suggest that you actually do a disservice to the whole point of state licensure and regulation. Under your Amendment, a CDA certificate holder could have four tiny infants, four three month old babies, without provision of an extra staffer or any kind of requirement for DCFS enforcement or approval. So, health and safety issues I think, are down the tubes with your Amendment #3. I don't think you accomplish your purpose. I think you set the kind of precedent that would enable this Legislature to open more unlicensed slots. I don't think that's the way to open more unlicensed slots. I don't think that's the way to respond to day care needs. I think a lot of people out there would be more than happy to open their home to licensed programs if they knew that those programs were as easily organized as they are. And I would encourage you to direct your efforts in those directions. I would suggest to the Members of this Assembly, we that do a disservice to youngsters if we support this Bill, given that Amendment #3 was adopted. I hope we can say 'no' to House Bill 2647 in its present shape, and encourage the Sponsor to bring the Bill back to Second Reading, and take off an Amendment that I believe makes the Bill, not a good one at all."

Speaker McPike: "Representative Regan to close. Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I have been working on this issue for a year and a half serving on various com...boards, and study commissions

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

117th Legislative Day

May 15, 1990

on it. And the major problem that we have in the day care arena today is finding quality, affordable day care. We can allow people through advance training...additional training to find that they have an understanding what the needs of both infants and toddlers are, then we should at least give encouragement and incentives to those very people who will be able to afford to take children into their homes and one more could make a difference between whether or not an individual person watching children will find it cost effective to do so. This will take the burden off of the problems that we have in the day care arena and the child care problem that develops not only in the city where we have a greater focus, but I will tell you in the rural areas of this state, we have a tremendous problem finding these qualified people who not only love children and want to do this but they do it because it's a way of raising additional funds for themselves and at the same time provides something that is greatly needed by all the citizens of this state. And that is quality, affordable child care. And I rise in support of this worthwhile legislation and if it's a beginning, this is the beginning. And we have to work towards finding this and other solutions to this crisis that going on in Illinois today."

Speaker McPike: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I too, rise in support of House Bill 2647. The Sponsor has indicated to me that he will be glad to work with any groups who are concerned about the certification and in informing people of what it is about. If you've ever attended day care hearings, you know that licensing is a problem for people. The paper work is burdensome. I was at a hearing in Collinsville earlier this year and day care owners told us that they would get three and four different pieces of advice on how to handle

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

117th Legislative Day

May 15, 1990

a certain situation in their day care center, so it is not true that licensing is easier for people and solves the problem of both users and providers. It does indeed become very cumbersome for them. And so, I don't think it's true to say that we need to aim to have everyone licensed that we can. Also, please remember the underlying Bill when you're voting on this. In committee, it was pointed out to us that some organizations felt that under the current law, all their office workers were even needed to be fingerprinted and record checked, which was very, very costly to some of these organizations. So I hope you will look very carefully not only at the Amendment, but also at the underlying Bill. And vote 'yes' on this piece of legislation."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I think there may be some merit to the basic underlying Bill, but the question of the third Amendment is really something that endangers the Bill itself. I don't think we substantially increase the number of children who could be cared for under the provision of that Amendment. However, it does seem to leave some loopholes that would make it very difficult for us to monitor and to know exactly what the credentials were for the people who had these Child Development Associate credentials. I think that this is an issue that might be left to the task force that Representative Black has a Bill to establish where we could get some more comprehensive kind of evaluation of what the impact would be. But for us to do it on a piece meal basis, exempting some people who have day to day contact with children, without knowing exactly what those qualifications were, and whether or not this was a wise procedure, would be a wrong step for us to take at this

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

117th Legislative Day

May 15, 1990

time, and I would hope that the Sponsor would reconsider the Bill with that Amendment."

Speaker McPike: "Representative Monroe Flinn."

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

Speaker McPike: "The question is, 'Shall the previous question put?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it. The previous question on is put. Representative Regan to close."

Regan: "Thank you, Mr. Speaker. Members of the House, going back for additional education I think, is to the benefit of these people that right now have none. And opening up one more slot to one more child, certainly isn't something that's going to scare the world. The instruction is very serious, it's done at a junior college, it costs \$325 plus. It could range from \$150 additional to 500 for supervision and training in this program. That kind of training certainly should be...make people feel comfortable and open up one more slot of affordable day care. The most inexpensive day care is what we're speaking about right here and I urge its passage."

Speaker McPike: "The question is, 'Shall House Bill 2647 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Pedersen to explain his vote."

Pedersen: "Ladies and Gentlemen of the House, this is a good Bill, I commend Representative Regan for presenting it. We don't need more regulation and this is certainly a step in the right direction."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 84 'ayes', 23 'nos', 5 voting 'present'. House Bill 2647, having received a Constitutional Majority is hereby declared passed. House Bill 3058, Representative Cullerton. House Bill 3110, Representative Jesse White.

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

117th Legislative Day

May 15, 1990

House Bill 3121, Representative Curran. House Bill 3147, Mc...Representative McGann. Yes, it is. House Bill 3318, Representative Currie. House Bill 3330, Representative Currie. House Bill 3347, Representative Jones. Read...House Bill 3358, Representative Regan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3358, a Bill for an Act to amend the Children and Family Services Act. Third Reading of the Bill."

Speaker McPike: "The Bill's on Short Debate. Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. Upon learning of a group home that was to be placed in a residential neighborhood in my district. People called, they complained about it, so I went to investigate what type of group home would be in a residential neighborhood. And I found out that there's a problem with some children that can't be placed in foster homes. They just can't get along with people. They have low self-esteem, they're depressed, withdrawn, they have violent behavior, aggressiveness, they don't know right from wrong, and they go from 14 to 21 years old. There was to be 10 people placed in this home from 14 to 21 years old with that kind of a description. I talked to the department and it said that one of the reasons that they do have such a long length of care, is that they're responsible from zero to 21. Well, if that's the case, I would suspect if we have people with deviolent...violent behavior such as this, that certainly 14 year olds should be separated from 18 year olds. And all this Bill does is say in a group home or shelter, this has nothing to do with foster care, that they must be housed separately or have separate living quarters. It also, I put an Amendment in that unless the child is in

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

117th Legislative Day

May 15, 1990

the last year of high school or vocational training, so that he's not removed from his high school. And I urge its passage."

Speaker McPike: "Does anyone stand in opposition? The question is, 'Shall House Bill 3358 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 111 'ayes', 2 'nos', none voting 'present'. House Bill 3358, having received a Constitutional Majority is hereby declared passed. House Bill 3483, Representative Jones. Lou Jones. House Bill 3484, Representative Hasara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3484, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 3484 is a very simple Bill, that simply codifies the existing public aid Child Support Advisory Committee. This committee is...required under the federal Family Support Act of 1987. public aid already has this committee, it just needs to be put into statute to bring us in compliance with federal law. I move for its adoption."

Speaker McPike: "Any discussion? The question is, 'Shall House Bill 3484 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 114 'ayes', no 'nays', none voting 'present'. House Bill 3484 having received the Constitutional Majority is hereby declared passed. House Bill 3561, Representative White. House Bill 3575, Representative Bowman. Is anyone handling these Bills for Representative Bowman? House Bill 3576, Representative Bowman. House Bill, 3599, Representative McGann. Mr. McGann. Read the Bill, Mr. Clerk."

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

117th Legislative Day

May 15, 1990

Clerk O'Brien: "House Bill 3599, a Bill for an Act to amend the Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Chairman. Members of the Assembly, House Bill 3599 amends the Health Facilities Planning Act related to the issuants of certificates of need for health facilities and services. This Amendment has been developed by the Citizens Assembly Council and Mental Health and Developmental Disabilities in cooperation with the Department of Public Health and the Department of Mental Health and Developmental Disabilities. And I would ask for passage of House Bill 3599."

Speaker McPike: "Any discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I am advised that the Hospital Association is still opposed to the Bill, even with the Amendment. Do you know if that's correct?"

McGann: "That is correct, and we have being passed this morning to all the Representatives an answer to their objections that they had in relative to it. And the Citizens Assembly have prepared this response and it's being delivered this morning. If you want, I'll be happy to take it out of the record, until such a time as you've had a chance to view it."

McCracken: "I would appreciate that. Thank you."

McGann: "Fine. Mr. Speaker, if you'd...I will ask you to take it out of the record for a while."

Speaker McPike: "Take the Bill out of the record. House Bill 3600, Representative White. House Bill 3655, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3655, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Hicks."

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

117th Legislative Day

May 15, 1990

Hicks: "Thank you, very much, Mr. Speaker. House Bill 3655 would require the Department of Public Aid to resolve in equities into billing and payment procedures between long term care providers and other types of Medicaid providers. I would be happy to try to answer any questions."

Speaker McPike: "Any discussion? Representative McCracken."

McCracken: "Thank you, I rise in opposition to this Bill. The Department of Public Aid is opposed to the Bill. And really what this calls for is something that is very difficult to accomplish. There will be additional administrative costs associated with the shifts in the personnel assignments, claims in data processing system changes and the like. I believe the Department of Public Aid needs the flexibility it has under current law to handle these issues. We should not be micro-managing our departments from the Legislature. I think the department makes a good point in opposition and I stand behind it. I oppose the Bill."

Speaker McPike: "Representative Hicks to close."

Hicks: "Thank you, very much, Mr. Speaker. What this simply does it is requires that current inequities of the law be resolved by January 1, 1991. So, we have nearly a year to try to resolve the problems. I know it's difficult to solve problems, but I think that's what we're here for. I'd ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 3655 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative McCracken. Go on. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 60...on this Bill, there are 65 'ayes', 47 'nos', 3 voting 'present'. House Bill 3655 having received the Constitutional Majority is hereby declared passed. House

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

117th Legislative Day

May 15, 1990

Bill 3675, Representative Trotter. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3675, a Bill for an Act to Amend the Family Practice Residency Act. Third Reading of the Bill."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you, Mr. Speaker and Members of the House. House Bill 3675 was submitted to me by the Citizens Council on Children. What it does, is it priorities the last...to the list of priorities in which funds can be appropriated to the specialty, of OB-Gyne physicians practicing in our state. Its intent is to address the horrendous infant mortality rate that we are now experiencing. There is no fiscal impact at this time and I would like for passage."

Speaker McPike: "The Bill is on Short Debate. Does anyone rise in opposition? Representative McCracken."

McCracken: "Not in opposition, necessarily. I have a question."

Speaker McPike: "Proceed."

McCracken: "Is it correct now that within the specialty known as family practice, all current law does is to encourage family practitioners in certain geographic areas? Is that correct? Is that current law?"

Hicks: "That's...that's correct. The way I understand it, yes."

McCracken: "Now, this would change from a priority based on location to a priority based on specialty, is that right?"

Hicks: "It's inclusive of that, correct. Not just change it, but it would also add to it that we're looking at the specialty also."

McCracken: "Okay, so it adds as one of the priorities obstetrics."

Hicks: "Yes."

McCracken: "Now, have you talked to the Department of Public Health about this?"

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

117th Legislative Day

May 15, 1990

Hicks: "We have talked, yes."

McCracken: "And do they have a position?"

Hicks: "I've just received, in committee they did not have one. I did receive one, that they are opposed to it at this time."

McCracken: "Okay. Well, alright. To the Bill, I do rise in opposition. The department is opposed to it and the reason it is opposed to it, is because it already has commitments based on the priorities as set forth in the current law. This is a substantial change, although it's an addition priority, it's a priority different in kind. And I think for that reason, we should stand by the department's opposition. Thank you."

Speaker McPike: "Representative Trotter to close."

Trotter: "Thank you, very much, Sir. We have all heard the numbers repeatedly in this House of the high rate of infant mortality that we have. We've all heard that it must be addressed sooner or later. I think it needs to be addressed now. This Bill does that. The infant mortality that we are experiencing here in the State of Illinois, is not just something that is happening down state. It's happening up in the cities and urban areas as well. This Bill will put focus on that problem and will address it and correct it. We need an 'aye' vote. Thank you."

Speaker McPike "The question is, 'Shall House Bill 3675 pass?' All 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 76 'ayes', 35 'nos', 2 voting 'present'. House Bill 3675 having received the Constitutional Majority is hereby declared passed. House...House Bill 3748, Representative Wojcik. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3748, a Bill for an Act to amend the

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

117th Legislative Day

May 15, 1990

Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. House Bill 3748 actually brings up the asset level to the federal mandate. Which will bring it from 1500 to 2000 for a single person and 2250 to 3000 for a married couple. I urge its passage."

Speaker McPike: "Does anyone rise in opposition? The question is, 'Shall House Bill 3748 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 115 'ayes', no 'nays', none voting 'present'. House Bill 3748 having received the Constitutional Majority is hereby declared passed. House Bill 3958, Representative Bowman. House Bill 3998, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3998, a Bill for an Act to amend the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker McPike: "Representative Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House. I know this will be hard to believe, but this is one Bill that will actually help some people in the HIV epidemic that the Department of Public Health Supports. This Bill allows physicians to notify a Spouse of an infected patient of an HIV infection, if the physician has been unable to persuade the patient to make the notification or if after a reasonable time he believes that the notification has not been made even though promised. It is a very minor Bill in the whole scope of what is needed to be done in the HIV epidemic, but it addresses a serious deficiency in our law which now penalizes physicians for doing the right thing to warn a spouse the potential of infection. I would appreciate your 'aye' vote."

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Representative White."

White: "Will the Sponsor of the Bill respond to a question?"

Speaker McPike: "Yes."

White: "In committee we agreed the spirit of this Bill. But I want to know from you if you will commit that further down the line that this Bill will do exactly what it's designed to do today."

Pullen: "Sir, I can not commit to whatever the Senate might do, but I will discuss it with you if any thing does happen over there."

White: "That's fine."

Speaker McPike: "Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, in committee there was concern that this legislation would be used as a vehicle for something else. This Bill was a subject of another Bill last year, which was negotiated it out. At the time, it was felt to be a reasonable compromise and then that legislation was subsequently amended, greatly broadened and went to the governor, and the governor amendatorily vetoed out the additional provisions. In committee this time, this Sponsor was asked for a commitment that the Bill this time would not be used as a vehicle. I would hope that this particular...this Sponsor would resist in the Senate any Amendments to this legislation, so we don't have to go through this same scenario again. I think people are tired of having to fight this issue, and this particular provision is one which was negotiated out, which was agreed to last year. But I do hope the Sponsor will resist any Amendments in the Senate unless, Representative White, the Chairman of our committee agrees to them."

Speaker McPike: "Representative Young."

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

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

117th Legislative Day

May 15, 1990

House, I just rise to support this Bill. I know none of us know what will happen to our legislation in the Senate, so that's not the issue before the Body right now. The issue before the Body is this particular measure necessary, and I think we all agree that this measure is necessary."

Speaker McPike: "Representative Pullen to close."

Pullen: "Thank you, Mr. Speaker. I appreciate the comments of the previous Speaker who spoke last. I would, and his support for this measure. I would like to put on the record, because I believe that a misunderstanding could otherwise occur, that I was not in the committee when this Bill passed, I was not able to be there that day, so I did not put anything on the record in that committee. I believe that I have satisfactorily answered the concerns of the Chairman of the committee, and I think that it's rather astounding that people would oppose this Bill. I also was rather surprised to hear one of the Gentleman who was speaking say that...say I was surprised to hear that he had said in committee he is tired of the AIDS issue. Well, I don't think that the people in the State of Illinois can possibly expect us to give up on something because somebody's tired of it, when people are still at risk in this state. I urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 3998 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 114 'ayes', no 'nays', none voting 'present'. House Bill 3998...Representative Tony Young, 'aye'. On this Bill, there are 115 'ayes', and no 'nays'. House Bill 3998 having received a Constitutional Majority is hereby declared passed. House Bill 4120, Representative Bugielski. Read the Bill, Mr. Clerk."

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

117th Legislative Day

May 15, 1990

Clerk O'Brien: "House Bill 4120, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. House Bill 4120 amends the public aid Code. This Bill is in response to the negotiations between the Department of Public Aid and the Long-Term Care Community. I ask for your 'aye' vote."

Speaker McPike: "The Bill's on Short Debate. Does anyone stand in opposition? Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. Will the Sponsor yield? Representative, when you were in committee, you gave some assurances that this would be a vehicle only for changes that were agreed to by all parties. Do we that same understanding as we leave it on the floor?"

Bugielski: "Yes. The Department of Public Aid, everything is being worked out with the department. So, there is nothing that's going to be out of line."

Hultgren: "That's fine. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 4120 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 111 'ayes', no 'nays', 2 voting 'present'. House Bill 4120 having received a Constitutional Majority is hereby declared passed. House Bill 4178, Representative Bugielski. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4178, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. House Bill 4178 amends the public aid Code. This Bill will enable the Department of Public Aid and the Long-Term Community to work out negotiations that are taking place at this time and I will

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

117th Legislative Day

May 15, 1990

assure you that the department will be involved in every aspect of the legislation that has taken place on this matter."

Speaker McPike: "Does anyone rise in opposition? Representative Hultgren."

Hultgren: "Representative, again, there was assurance in committee that this would be used only for agreed changes. I'm wondering if we have that same understanding as we proceed on Third Reading."

Bugielski: "Yes, we do, Representative. And I was talking with the representative from the department this morning, she said everything is okay."

Hultgren: "Thank you."

Speaker McPike: "The question is, 'Shall House Bill 4178 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 112 'ayes', no 'nays', 2 voting 'present'. House Bill 4178 having received the Constitutional Majority is hereby declared passed. Human Services, Second Reading appears House Bill 36...3565, Representative Currie. Second Reading, out of the record. House Bill 3567, Representative Williams. House Bill 3587, Representative Didrickson. House Bill 3702, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3702, a Bill for an Act in relation to Public Health. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, the Bill would set up a mechanism to provide grants to the Regional

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

117th Legislative Day

May 15, 1990

Poison Resource Centers in the State of Illinois. There currently are four regional poison control centers. Amendment 1 is an Amendment that is an Agreed Amendment, worked out between the Department of Public Health and the Illinois Hospital Association. I would move its adoption."

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's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3755, Representative Levin. House Bill 4074, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 40...what was the number again?"

Speaker McPike: "4074."

Clerk O'Brien: "House Bill 4074, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. This Amendment comes to us from the department. It makes it easier for the department to comply with the wishes of this legislation. This says that...that the records required by this legislation, the medical records which have to catch up with the child, have to do so to the extent possible. Because sometimes it's not possible to get the records. And it clarifies what 'least restrictive setting' is with respect to children in foster care to mean that that is the most family-like setting. I think with this Amendment, there will be no opposition from the department. I would be glad to answer

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

117th Legislative Day

May 15, 1990

any questions. Respectfully ask for an 'aye' vote."

Speaker McPike: "Any discussion. Representative McCracken."

McCracken: "Yes, I see the Amendment. Has the department told you they're not opposed?"

Curran: "This is the department's Amendment."

McCracken: "And with this adoption, they're not opposed, Russ Blaauw is right there. Okay, thank you."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment is adopted. There's a request for a fiscal note. Representative Curran, is that request going to be withdrawn? Representative McCracken withdraws the request for a fiscal note. Third Reading. Returning to Human Services, Third Reading, appears House Bill 1656, Representative Wyvetter Youngue. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1656, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Youngue."

Youngue, W.: "Thank you, Mr. Speaker. May I return this Bill to Second Reading for purposes of an Amendment?"

Speaker McPike: "Yes, the Lady asks leave to return it to Second Reading. Is there any objections? Hearing none, leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendment?"

Clerk O'Brien: "Floor Amendment #2 is being offered by Representative Wyvetter Youngue."

Speaker McPike: "Representative Youngue."

Youngue, W.: "Thank you, Mr. Speaker. Amendment #2 would establish the Public Housing Ownership and Economic Development Program. The purpose of this Amendment is to make home ownership available as an option to people who are presently in public housing. By having the Illinois

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

117th Legislative Day

May 15, 1990

Housing Development Authority make 75 percent of the funds needed available for homes for people on public aid. The Amendment would require DCCA to buy plants in and around public housing, so that people can get off of public aid and go to work. And I move for the adoption of the Amendment. I had an understanding in the committee that I would discuss this Bill and work with the Illinois Department of Public Aid and before the Bill's called on Third Reading, I will do that. I move for the adoption of the Amendment."

Speaker McPike: "Any discussion? The question...Representative McCracken."

McCracken: "I think the Lady should have the Bill in the form she wants it for Third Reading. But we will be opposing it any way."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3110, Representative White. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3110, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 3110 expands coverage for pregnant women and infants. It's designed to combat our large amount of infants or to combat infant mortality by providing them with more access to prenatal and regular medical care. At present, the federal poverty level is at 133 percent, and this Bill seeks to raise it to 185 percent of the poverty level. Fifty percent of these dollars will be reimbursed to the

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

117th Legislative Day

May 15, 1990

state by the Federal Government, and we feel that this kind of legislation will improve health care. And as a result of it, it will reduce our cost in the future."

Speaker McPike: "The Gentleman moves for passage of the Bill, and on that, Representative McCracken."

McCracken: "Yes, this is...this is another of the Bills that really highlights the problem with how we raise and spend money in State Government. This is a surely a good idea, in the ideal world. However, the Department of Public Aid budget that went to committee had not budgeted this, and in spite of that still had a substantial reduction in committee. So, there is no money, there is no money currently appropriated for this to my knowledge and to stand here and say we are going to do these things in the face of budget cuts. Budget cuts agreed to by the majority, I might add, is just an absolute wrong thing to do. It raises expectations unfairly, it sends the wrong message. If you don't want to raise the money and if you don't want to vote for those Bills that appropriate the money, then we should not be voting for this. The Department of Public Aid estimates that the first year start up, will be 9.5 million dollars additional, and that each year there after, will cost 24 million dollars additional. It is absolutely the wrong thing to do. Especially in light of the cuts that were made in the committee. It's just absolutely inconsistent. It's too bad we don't do the appropriation and the authorization in a single Bill. We don't, that's...that's one thing that's wrong with State Government. I rise in opposition."

Speaker McPike: "Representative Parcels."

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

Speaker McPike: "Yes."

Parcels: "I wonder if this is going to be nine or ten million

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

117th Legislative Day

May 15, 1990

dollars in the first year, is that already in the department's budget?"

White: "No, it is not. But I also want you know too that half of the nine million dollars will be reimbursed by the Federal Government. And then we go back to the old saying, 'Do I pay more now...do I pay a little now or do I pay a lot more later?' And with the low birth weights...weights of babies that are born in the State of Illinois and the fact that we lead one of the lowest in terms one of the...highest in term of infant mortality, the importance of this Bill is very important."

Parcells: "In order to receive that ten million, approximately ten million, we have to spend it first before we can be reimbursed. And I'm wondering what line item you want to take it from in the public aid budget, so, that we can spend the ten before we get any form of reimbursement."

White: "It's called...it's the hospital assistant line and other provider lines."

Parcells: "Well, to the Bill. It seems to me that we'll be adding even more people to a system that is already somewhat broken. We aren't able to deliver to the people that we need to now, and now we will be adding more people to the system. Everybody is very careful about taxation in this state right now. And we're going to be looking for any where from 10 to 24 million dollars on a yearly basis for this Bill. I think it's unfortunate that we can't do it as Representative McCracken said in an ideal world we should be able to do this. But for right now I think it is something that the State of Illinois can't afford and I encourage your 'no' vote on this Bill."

Speaker McPike: "Representative Stephens."

Stephens: "Representative White, you're a very good Legislator, you're an even better politician, cause you got us again."

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

117th Legislative Day

May 15, 1990

Now here we are, we're standing on the floor trying to argue the merits of what your Bill does, and those arguments are somewhat hollow as you would expect. The fact of the matter is that we have to stand in opposition to this, because of the funding. There is absolutely no way that Republicans, responsible Legislators can stand and spend money that we know that we don't have. You've hit on an area that does need some assistance, but if we're going to do this we have to come up with a line item reduction of an equivalent amount in some other area. And until you're ready to suggest those lines...indeed until you're ready to legislate those line reductions, we just can't support ideas of this kind...sort."

Speaker McPike: "Representative White to close."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I look at this Bill as being a cost saving measure because if by chance a child were to born in to this state of ours, and he would suffer from low birth weight, then you're talking about paying an ast...astronomical amount of dollars for its care. And I honestly believe that this is the kind of legislation that is needed, considering the fact that we have been written up across this country of ours in terms of not providing adequate care for pregnant women and for our infants. So, even the governor of the State of Illinois who sits on a committee, and I would like to read that if I may. It says that 'these options were initially advocated by the Southern Governors Associations and which were endorsed by the National Governors Association and the National Commission to Prevent Infant Mortality, of which Govern James Thompson, Governor of the State of Illinois, is a member. So, your governor goes on record in support of this legislation, and I think it's needed, and there's no doubt in my mind that we're going to save a lot of pain

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

117th Legislative Day

May 15, 1990

and suffering, we're going to save a lot of young people."

Speaker McPike: "The question is, 'Shall House Bill 3110 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Representative McCracken. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 63 'ayes', 44 'nos', 7 voting 'present'. Representative McCracken has requested a verification. Representative White, asks a poll of those not voting."

Clerk O'Brien: "A poll of those not voting. Ryder. No further."

Speaker McPike: "Representative Ryder. No, Mr. Ryder votes 'no'. Mr. Clerk, Poll the Affirmative."

Clerk O'Brien: "Balanoff. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang."

Speaker McPike: "Excuse me, Representative McCracken, can Representative Curran be verified? He's over here at the door. Proceed, Mr. Clerk."

Clerk O'Brien: "Laurino. Leverenz. Levin. Martinez. Matijevich. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond."

Speaker McPike: "Excuse me, Mr. Clerk. Representative DeLeo is in the back, Mr. McCracken. Way back in the back. He would like to be verified. Proceed."

Clerk O'Brien: "Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker McPike: "Representative Wojcik."

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

117th Legislative Day

May 15, 1990

Wojcik: "Mr. Speaker, I'm recorded as 'present', would you please
vote me 'no'. Thank you."

Speaker McPike: "Yes. Representative McCracken."

McCracken: "Representative Flowers?"

Speaker McPike: "Say it again."

McCracken: "Mary Flowers?"

Speaker McPike: "Representative Flowers. She's in the rear."

McCracken: "Representative Wyvetter Younger."

Speaker McPike: "Representative Wyvetter Younger? She was just
here. Representative Wyvetter Younger. Remove the Lady
from the Roll Call."

McCracken: "Representative LeFlore?"

Speaker McPike: "Representative LeFlore. Is not voting."

McCracken: "Representative Satterthwaite?"

Speaker McPike: "Representative Satterthwaite. Representative
Satterthwaite. There she is."

McCracken: "I see her. Representative Leverenz?"

Speaker McPike: "Representative Leverenz. Representative
Leverenz. Representative Leverenz here? Remove the
Gentleman from the Roll Call. Representative Mautino.
Right here at the well, asked to be changed from 'present'
to 'yes'."

McCracken: "Representative Laurino?"

Speaker McPike: "Representative Laurino. Mr. Laurino?
Representative Laurino. Remove the Gentleman from the
roll."

McCracken: "Representative Van Dwyne?"

Speaker McPike: "Representative Van Dwyne. Is the Gentleman
here? Mr. Van Dwyne. Remove him from the roll."

McCracken: "Representative Shaw?"

Speaker McPike: "Representative Shaw. Representative Shaw.
Remove Mr. Shaw from the roll."

McCracken: "Representative Giorgi?"

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

117th Legislative Day

May 15, 1990

Speaker McPike: "He's here."

McCracken: "Where?"

Speaker McPike: "Representative Giorgi's in his chair."

McCracken: "Oh, he's right there, okay. Nothing further."

Speaker McPike: "Representative Matijevich."

Matijevich: "How am I recorded?"

Speaker McPike: "Wait, just a minute, Sir. Representative Wyvetter Younge has just returned. Put the Lady on as 'aye'. Representative Van Duyne has returned, put him on as 'aye'. On this Bill there are 61 'ayes', 46 'nos', 5 voting 'present'. House Bill 3110 having received a Constitutional Majority is hereby declared passed. House Bill 3330, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House...House Bill 3330, a Bill for an Act concerning Health Care Services for Pregnant Women, New Mothers and Infants. Third Reading of the Bill."

Speaker McPike: "Representative Currie"

Currie: "Thank you, Mr. Speaker and Members of the House. This is a Bill that is a watered down, a weakened version of recommendations that came from the Governors Task Force on Infant Mortality Problems, the one chaired by our own governor, Governor Thompson. As amended the Bill would provide that the Department of Public Health should organize two pilot programs of home visitation for high risk parents. A recent study by the John Hopkins University people, shows the value of home visits for parents and new babies. The results of that study suggest that the youngsters of the families that enjoy the home visits, were 20...20 percent more likely to meet the responsibilities of their well baby clinic visits. They were less likely to require hospitalization, in fact 30 percent less likely to require hospitalization in the first

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

117th Legislative Day

May 15, 1990

several years of life. And instances of child abuse and neglect dropped by a factor of ten in the households that were part of the home visit program. I would be happy to answer your questions about this proposal and I would appreciate your favorable vote for House Bill 3330."

Speaker McPike: "And on the Bill, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Would the Sponsor yield for questions, please?"

Speaker McPike: "Yes."

Ryder: "Thank you. Representative, pilot project...program involving two counties, is that correct?"

Currie: "Two pilot programs. The Bill is originally introduced would have provided this service across the state. The Department of Public Health pointed out that the cost of so doing would be in the neighborhood of \$2 million. As I am a fiscally responsible Legislator, I amended the Bill so as to make it a less expensive proposition by...by a factor of about 35."

Ryder: "Representative, are you familiar with the term gag?"

Currie: "Pardon me?"

Ryder: "Are you familiar with the term gag?"

Currie: "Dag?"

Ryder: "No, I...have you selected, or who selects the counties?"

Currie: "The Department of Public Health would do the selecting. One would be in a rural and one in an urban county."

Ryder: "Alright, was there a.... Thank you. Is there a fiscal note filed on this as of this point?"

Currie: "There is. As amended the Department of Public Health expects the program would cost about \$170,000. Substantially down from the \$2 million cost that the Bill was originally introduced."

Ryder: "...I have to...I have to admire a 90 percent reduction. I do indeed."

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

117th Legislative Day

May 15, 1990

Currie: "Not bad."

Ryder: "What I'm concerned about if this 171,000 is in the Department of Public Health's budget as of this point."

Currie: "At this point it is not in the budget. But I do believe that this is the kind of program that is critical for us to begin if we care about problems of infant mortality and issues of child development. I think we can find \$150,000 to support this effort, one of the proposals from the National Commission of Governors in response to infant mortality and other infant ills in our society."

Ryder: "Representative, I believe you serve on the Appropriations Committee, do you not?"

Currie: "Yea, but I think...I thought we were supposed to talk about the measures that are before us, rather than other committee assignments of Sponsors of Bills."

Ryder: "Well, I can understand why you'd be a little embarrassed to talk about your fiscal conservatism in the same voice that you're speaking of \$150,000 the Department of Public Health does not have and because of actions taken in the Appropriations Committee, it's not very likely to have. So, with that, Mr. Speaker, to the Bill. I think although the intent is good, as it is with so many of these Bills within the human services area. We run into the significant problem that if we were taking care of all the human services needs now. Then this Bill would most likely save us money. We are not. We are not adequately addressing those needs in fact, we will probably join in a bipartisan effort to cut the appropriation for the Illinois Department of Public Health. As a result, this money not only will not be in the budget, but there will be monies for programs that we passed in years before, that will also not be in this. I laud the Sponsor on her efforts, and her attempts to reduce the financial implications, but we're in

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

117th Legislative Day

May 15, 1990

a position in which we are substantially cutting current budgets, not adding to. And until such time as we have the resources necessary to make those kinds of additions, then we must oppose this Bill."

Speaker McPike: "Representative Matijeovich."

Matijeovich: "Speaker, Ladies and Gentlemen of the House, I rise in strong support for this Bill. As, for example, Virginia Frederick, and Bob Churchill, Bill Pedersen, our Lake County Health Department has been very aggressive in prevention matters and they are targeted for this model program. It is a cost effective program. Whenever we're talking about the health of pregnant women we are also talking about the health of the babies, about the health of children. In Lake County we are doing a great job in that regard, and this measure will go a long way towards showing the whole State of Illinois what can be done through preventive services. I would urgently ask the Members to strongly support this Bill."

Speaker McPike: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. Pay now or pay later. I would suggest that the minimal cost of this program would be covered in the hospital stays that we don't have to pay for if we provide these family visitations to high risk parents. 30 percent fewer hospitalizations in the John Hopkins study. We pay those costs through the public aid Department Budget, not perhaps to the Public Health Department Budget. I think we can find the minimal dollars that are necessary to fund this program and I think it behooves us to make sure we have healthy families and healthy babies in the State of Illinois. I urge your support of House Bill 3330."

Speaker McPike: "The question is, 'Shall House Bill 3330 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all

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

117th Legislative Day

May 15, 1990

voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 71 'ayes', 43 'nos', none voting present. House Bill 3330 having received ...Satterthwaite, 'aye'. 72 'ayes', 43 'nos', none voting 'present'. House Bill 3330 having received a Constitutional Majority is hereby declared passed. House Bill 3147. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3147, a Bill for an Act to amend the Mental Health and Developmental Disabilities Confidentiality Act. Third Reading of the Bill."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. House Bill 3147 is a committee structured Bill from the select committee on mental health. It is...amends the Mental Health and Developmental Disabilities Confidentiality Act. It covers the sunset repeal on the provision as far as the Inspector General being under the Department of Public Health, while we wait for an Auditor General Report. All these items have agreed with the department, and it's been worked out amongst the committee. And we would ask for passage of House Bill 3147 as amended."

Speaker McPike: "Any discussion? Being none, the question is, 'Shall House Bill 3147 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 115 'ayes', no 'nays', none voting 'present'. House Bill 3147 having received a Constitutional Majority is hereby declared passed. Does any Member have a Bill on Human Services, Third Reading? That they wished called, that we passed over? Representative Levin."

Representative Levin: "7"

Speaker McPike: "Mr. Levin, for what reason do you rise, Sir?"

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

117th Legislative Day

May 15, 1990

Levin: "You asked for Bills, 797."

Speaker McPike: "You have to tell us the Bill number."

Levin: "797."

Speaker McPike: "House Bill 797. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 797, 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. The Federal Government a couple of years ago, is part of the Federal Welfare Reforms, requires the states by 1993 to pick up the full cost of eligibility for low income seniors and handicapped for Medicare. What this legislation does is to provide that those individuals become eligible now rather than in 1993. It is legislation that would require the picking up of the premiums for Medicare and co-payments. Right now we are paying through our counties and through Cook County hospital for medical services for low income senior citizens and for the handicapped. This legislation would make 50 percent of those costs federally reimbursable. It...it is very consistent with the recommendations that came out of the Cook County Hospital summit that we ought to be seeking all the federal reimbursements we can, rather than simply picking up the cost ourselves. This suggests that senior citizens and handicapped should not have to wait three years to get the medical services that they badly need. If there are any questions, I would be happy to answer them. Otherwise, I would just ask for your favorable vote. The cost is very minimal. There is a new fiscal note from the Department of Public Aid, because this is being phased in now. The actual overall cost in terms of state dollars is only about five and a half million dollars, the other five and a half million dollars is federally reimbursable. And

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

117th Legislative Day

May 15, 1990

It covers approximately 12,000 people."

Speaker McPike: "Representative Wojcik."

Wojcik: "Would the Sponsor yield for a question?"

Speaker McPike: "Yes."

Wojcik: "Representative, because these funds are not included in the budget, how are you anticipating the revenue to be received?"

Levin: "This would not take effect immediately. It wouldn't take effect until the next fiscal year. And...it would take effect until later, I think the midpoint of the next fiscal year. And we think that there is money that may be available. 'Cause this is something which, as he said, will actually save money. We are paying many of these costs now and we are just not being reimbursed. This would allow us to be reimbursed 50 percent by the Federal Government."

Wojcik: "Representative, when you answered a bit ago, you kind of stumbled saying that the money would be found, it's not going to be this fiscal year, it's going to be next fiscal year, and your...you state that it's going to be five point something million, at that time and that the feds are going to match it at five point something million. I still say it's revenue that has got to be found, and where are we going to find it. We're talking five million here, there's another legislation that went through at 34 million. I'm sure your idea is well intended, but my question on this side of the aisle is where the dollars will come from? Are we talking a tax increase to provide this, or what are we looking at?"

Levin: "Representative, we're dealing right now with House Bill 797. We're dealing with low-income senior citizens, we're dealing with handicapped who today face the problem of not being able to get minimal medical care, of facing a spend

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

117th Legislative Day

May 15, 1990

down that they have to come up with two or three hundred dollars to get medical services. We think that there is money that is in the budget that can be found for this. It does not take effect until the middle of the fiscal year, if this is passed. This is something that as you say is federally mandated to be fully in place in 1993, and we just don't think that the senior citizens and the handicapped can afford to wait to that time."

Wojcik: "Mr. Speaker, to the Bill."

Speaker McPike: "Yes."

Wojcik: "I believe the Gentleman is well intended as normally he is. However, right now we are always looking at the financial crunch of ideas in suggestive programs for handicapped senior citizens, et al. We're having a problem right now, we're cutting back our budgets. I don't believe it's the time to start adding new programs, so I would urge a 'no' vote."

Speaker McPike: "Representative Black."

Black: "Thank...thank you, very much, Mr. Speaker. A question to the Sponsor. Thank you. Representative, you didn't really answer the Lady's question. Let me rephrase it, and see if we can get an answer from you. The department estimates the cost of this legislation to be substantial. I don't think you agree. You said it was modest. They estimate a substantial, millions of dollars, \$11 million. Are these funds available in any companion piece of legislation that you're sponsoring? Yes, or no."

Levin: "Not at the present time."

Black: "Thank you, very much. The next question, because these funds are not included in the departments budget, exactly where will you recommend to the department, where will you recommend that they cut and transfer money to fund this Bill?"

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

117th Legislative Day

May 15, 1990

Levin: "They're look at the existing medical lines, in the middle of the year, and see what the situation is."

Black: "In other words, you have no real plan to fund this Bill, what so ever. Is that a true statement?"

Levin: "We certainly do have a plan."

Black: "What is the plan? I've asked you the plan."

Levin: "The plan is that right now...right now the counties and the states are picking up many of these costs and not being federal reimbursed. This allows us to be federally reimbursed. We have ..."

Black: "Do you...you said you were going to look at some line items in the middle of the year. Thank you, Representative. Thank you, very much. Ladies and Gentlemen of the House, here we go again, promises, promises, promises that we have no means to fullfil. It's time we stop and I urge a 'no' vote."

Speaker McPike: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. It's...it's the same old song. It's the...maybe this politically is something good for you to do, but how many...who is it that supports responsible Legislators who come to Springfield and as they tell me and Troy, when I leave everyday, don't spend any more money than we have. It's really...really there's only one basic group that supports that philosophy, and that's the taxpayers. And I think maybe on occasion you ought to defer to the taxpayers recognizing that you don't want to kill the golden goose. If you want to promote a concept like this, very honorable, I admire that, but at least have the courage to stand up and tell us where you want to take the money from. There is no money tree. I think it's ironic that you indicate that this will kick in in the second half of the fiscal year. Representative, maybe you'd want to sit in on the Appropriation Committee and

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

117th Legislative Day

May 15, 1990

watch as your party comes up with a tremendously unique idea that has little or no merit, that says we are only going to appropriate the first half year's budget. How can you possibly stand here and try to put those two concepts together. We are appropriating no money, thanks to your concept for the second half year of the budget and you want to implement a program that costs some money. If was only one dollar, it would be a bad idea. But this is a seven, or eight, or nine, or ten million dollar idea. And so that makes it seven, or eight, or nine, or ten million times worse."

Speaker McPike: "Representative Levin, do you wish to close?"

Levin: "Mr. Speaker, just asking for an 'aye' vote on House Bill 797. I'm just pointing out that this is a program that the congress has mandated that the states undertake. So, it's not a new program, it's one that is under federal mandate. And we heard in subcommittee testimony from one woman in particular, who's on life saving medications, that she can't wait until 1993, when the federal mandate kicks in, in order to be able to afford to get her medications. For her, and for thousands like her, I urge your support for House Bill 797."

Speaker McPike: "The question is, 'Shall House Bill 797 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 41 'ayes', 56 'nos', and the Bill fails. Representative Lou Jones on House Bill 3347. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3347, a Bill for an Act to amend the Hospital Licensing Act. Third Reading of the Bill."

Speaker McPike: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 3347 amends the Hospital Licensing Act, requires

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

117th Legislative Day

May 15, 1990

the department to provide by Rule 4, a photograph of mother and her newborn to be taken prior to leaving the hospital. The Bill requires that within three days of birth or prior to the of release of the mother of newborn infant from hospital, a photo of the mother and the infant be taken. I ask for a favorable vote."

Speaker McPike: "Is there any discussion? The question is, 'Shall House Bill...Representative McCracken.'"

McCracken: "Thank you. The Illinois Hospital Association is opposed to this Bill. They acknowledge that it is certainly well intended. However, is not necessarily a response to the problem. There would be about 170,000 sets of infants and mothers who would have to be photographed and records maintained and who would have to consent to any future publication because of privacy interests. In short, it's just not the correct solution to the problem. And the Illinois Hospital Association feels that it will be the entity charged with performing these duties. Irrespective of the intentions that we may have in relative to that. I rise in opposition to the Bill for that reason."

Speaker McPike: "Representative Jones to close."

Jones, L.: "Mr. Spea..."

Speaker McPike: "The Bill's on Short Debate. Representative McCracken spoke against it, Representative Jones is going to close. You can explain your vote."

Jones, L.: "Thank you, Mr. Speaker. I have talked...I talked to the Hospital Association, and they're opposing the Bill primarily because of the cost of the Bill. They said it would be between 26 and 32 thousand dollars. I think that's a small amount, because they did agree with me that the Bill was a good Bill, and the last three babies that were taken out of the hospital by mothers, were left abandoned after they left the hospital. It's true that the

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

117th Legislative Day

May 15, 1990

finger prints and the thumb prints, they can identify who the mother is, but when you flash that picture across the t.v. screen, like they do on this new t.v. program, The Most Wanted. Someone might identify that mother and as to date, the last child which was six weeks ago, that was put in a dumpster that the day after the lady left the hospital, has not been identified as of yet. I think \$32,000 is a small amount for us to help the babies of Illinois. Thank you."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Parke to explain his vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also think that the Bill is well intended, but the problem of course is that a three day old infant will change so quickly in a week to two weeks to a month, that these pictures will just be an additional burden on the cost of doing business in Illinois. Though the Bill is well intended, I think we should be voting 'no' on this Bill because of the cost and the change that goes...that babies go through so quickly."

Speaker McPike: "Representative Davis to explain her vote."

Davis: "Mr. Speaker, Ladies and Gentlemen of the House, I think in view of the fact that there are a number of cocaine babies being born today, 345,000 in the State of Illinois. These mothers who are addicted to cocaine are subject to any type of behavior. It is the mother's picture with the child. I think it is a valid piece of legislation, and I think it will help the...the...the Department of Children and Family Services when they find that a mother has been released from the hospital, and immediately abandoned that child. I don't think we're aware of the kinds of behavior that cocaine addicted people are capable of. And one of them is the abandonment of newborn baby."

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Representative Davis. Representative Davis to explain your vote. Representative...anyone else seeking recognition? Representative Parke."

Parke: "Thank you, Mr. Speaker. I inadvertently made a mistatement. It was my understanding that the infant's picture would be taken and it would change, the Sponsor's...notified me that both the mother and the babies' pictures would be taken. So I misinformed the Body and I wish to be corrected in that Body. But however the cost is also a factor and therefore, I still rise in opposition."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 49 'ayes', and 48 'nos'. Representative Jones."

Jones, L.: "Postponed Consideration."

Speaker McPike: "The Lady asks the Bill be placed on Postponed Consideration. House Bill 3515, Representative Jones. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3515, a Bill for an Act to amend the Illinois public aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. House Bill 3515 amends the public aid Code. It changes the methology for establishing income, assistant grant levels. It requires annual cost of living adjustments for all grant amounts equal to the same percentage applied for benefits under federal social security in a Federal Supplemental Security Program. Basically what it's saying is do the same thing for the children what you do for the grandparents. The social security, they get a cost of living increase yearly, and we're asking the same for the public aid. Thank you."

Speaker McPike: "Representative Stephens."

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

117th Legislative Day

May 15, 1990

Stephens: "Would the Lady yield for questions? Representative, would this Bill require an annual increase for all grant amounts, regardless of the financial condition of the state in any given year? Like this year, when we're out of money."

Jones, L.: "No, this is..."

Stephens: "Did you say, no? I'm sorry?"

Jones, L.: "Thank you, Representative. No, this is effective in 1992...1992, it does not affect this budget."

Stephens: "Okay, but if we have similar conditions were we don't have any money, and you guys are passing half your budgets, would this annual increase take effect or not?"

Jones, L.: "It will take effect in 1992, Representative."

Stephens: "Okay, so in 1992 estimating today that it costs \$24.4 million given the typical rate of growth in the State of Illinois, including inflation, et al, and the way we have a burgeoning budget, I would estimate that this is about a \$50 million 1992 appropriation. Would that kick in if we did not have the money or not?"

Jones, L.: "You're assuming."

Stephens: "Alright, let's assume a reduction. Let's assume it goes down by \$12 million, it's still \$12 million if we don't have the money, would they still get the raise?"

Jones, L.: "I'm not assuming, Sir. This is effective in 1992. It is effective 1992, that's what the Bill says, Representative."

Stephens: "Well, but there still has to be an answer to my question. I'm assuming unless..."

Jones, L.: "Yes, yes."

Stephens: "So, even if we don't have the money, we still have the obligation."

Jones, L.: "Yes, we do, Sir. The Bill requires that the public aid grants be adjusted upwardly each year by the same

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

117th Legislative Day

May 15, 1990

percentage those security grants are adjusted. And it's effective 1992."

Stephens: "Well, that might sound like a good idea to you, but I can tell you, that as we try to struggle to manage the budget here in Illinois, the taxpayers want us to put some limits on spending. And all this would do is cause us to either do one of two things, increase taxes, and if you want to do that I guess you have that prerogative, or you can cut services. Would you suggest just one line that you would like to cut in the public aid budget in order to afford this program."

Jones, L.: "Would you repeat that?"

Stephens: "Would you...would you suggest one line in the public aid budget that you want to cut to pay for this program."

Jones, L. "Representative, my Bill is not about cutting. My Bill is about adjusting, so that, the so...the children of Illinois can have the same benefits and the same thing..."

Stephens: "Well, Representative, you can talk about the children of Illinois..."

Jones, L.: "Now, when...you asked...let me...let me finish, then you interrupt, okay."

Stephens: "I've got my answer, and the answer to the question is one that I'm not satisfied with, but I'll accept it. The fact of the matter is if you want to help the children of Illinois, you can't keep taking money away from other lines and that's exactly what it does. You have to live within a budget. I don't know what we can say to you that will make you understand the fact that we do not have a money tree here. We're going to spend or pass through \$24 billion this year, and you just continue to add to that so that by the time the budget gets out of here, it's going to be 25 or 26 or 30 billion dollars, and you're just misleading the state. The public is not fooled by this

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

117th Legislative Day

May 15, 1990

shenanigans. We all understand we have a limited budget, and you can't live within a budget, if you continue to pass programs such as this that cost money, and you don't have the responsibility to cut other lines."

Speaker McPike: "Representative Jones, do you want to answer his questions?"

Jones, L.: "Again, you are assuming. And in answer to your question where we can cut, why don't we cut the line item where the farmers...where the farmers decide. That's a good line to cut."

Speaker McPike: "Representative Black.

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

Speaker McPike: "Yes."

Black: "Thank you. Representative. How many increases have we given in the past decade from 1980 to 1990."

Jones, L.: "From '80 'til now?"

Black: "Yes, from 1980 to 1990."

Jones, L.: "It was 5% in 1980, 5% in '81, 6% in 85 and 7.5 in 1990."

Black: "Okay. So, I think you would agree with four increases in that decade. We've made an attempt to do what we could do within budget restraints. Would that be a fair statement?"

Jones, L.: "I disagree."

Black: "Okay. Well, and I...I can see where reasonable people might disagree on that. Ah...one oth...let me ask you one other question because I'm not sure whether this counts in the 7.5% increase last year. We passed the Residential Assistance...ah...Residential Energy Assistance Program last year and that was an entitlement program to those on AFDC. And I think we appropriated 40...I may be off a few here...\$40 million for that program last year out of REAP. Now, wouldn't that kind of...that energy assistance kind of

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

117th Legislative Day

May 15, 1990

also be a increase in grant amount?"

Jones, L.: "That was not just for AFDC."

Black: "Yeah, but it is an entitlement to AFDC people."

Jones, L.: "Very small. I would not compare it with that, Representative."

Black: "Okay. And I can see where reasonable people would agree. I...I think it was a substantial...ah...increase and you would say not enough. But I think reasonable people would disagree...ah...Thank you for your indulgence. Mr. Speaker, Ladies and Gentlemen of the House to the Bill. You know, I think the Lady obviously is well intended. But I think both...both sides of the aisle better pay attention to what we're doing here. If you put in an automatic cost of living agreement in this department. Then what are you going to do when education comes back the next year and says, 'Hey we want the same thing. We want an automatic increase every year. We want a cost of living increase in the general State Aid Formula at least a minimum increase'. What about...ah...the state road Bills. Forget the Gas Tax. We want a cost of living increase every year or a cost of materials increase every year. I submit to you, Ladies and Gentlemen, we can't budget that way no matter how much some of us might like to do that. You can't keep up with that. I think the only vote you can pass here, because it's based on the COLA Principle, is a 'no' vote."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. Let's talk about this issue from a different budgetary perspective, the budgetary perspective of an individual who happens to be on public aid in the State of Illinois over the last decade and a half. In 1985, following a 5 percent cost of living adjustment for welfare recipients, the welfare check in this state was worth 54 percent of what

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

117th Legislative Day

May 15, 1990

the state itself said was essential to keep body and soul together. During the intervening years, even including the 7.5 percent adjustment of last year, the value of that check has eroded. It is now worth only 47 percent of the state's own standard for minimum dignity. It is a scandal and a disgrace to have people on this House floor suggest that we are already doing our best for families that, by the state's own figures, are not able to provide a life sustaining, a healthful diet, an adequate roof over the heads of their children. We do remember in this state provide adjustments for other people through the public aid budget. In fact, nursing home reimbursements rise by an automatic 5 percent every year whether inflation deems that they ought or not. So, when I hear people carrying on and whining about the problems of the state budget. All I can think is, 'what are we saying to the bulk of the people on our welfare roles, the women and their children, for whom we are permitting inflation to erode the limited value of the check we offer. 47% of what we say it takes to build strong and healthy bodies for those public aid youngsters. It's a scandal!' And the only way to solve that problem is through the measure that Representative Jones offers today. The only humane and compassionate vote, from the perspective of the budgets of the poor, in this state is a 'yes' vote."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too rise in support of this small effort to hopefully have the standards of those who are on public aid add to the standards of a human being. Just this month one of the utility companies will increase its fees just because the season has changed. Now certainly the public aid recipient will also have to pay an additional dollar

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

117th Legislative Day

May 15, 1990

here. And these...the cost of living in itself is not what it use to be in 1989. It's not what it use to be in 1988. And it's a small gesture on the part of the Legislatures, as responsible people, as responsible people, to see to it that those who are less able to care for themselves are at least able to sustain themselves in the manner that a human being would. I urge an 'aye' vote."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think that we're all sympathetic to the needs of those who are on public aid. But, I challenge each one of you to do what we can in order to get people off of public aid rather than to continue to encourage it by giving more and more to those people. I say the way that we need to address this situation, as many have attempted to do, is to encourage those young people who are children to go to school, get an education, be prepared to go into the world of work. So that, in fact, they can break the public aid cycle. This system as it is continuing is a system that is not doing our financial setup in this state any good. I don't think we're going to have enough money if we continue to pursue in this direction. I urge people to encourage their children, friends and neighbors who are on public aid to be participants in the programs that we already have. So that they can, in fact, go into the world of work and again be contributors to our system."

Speaker McPike: "Representative Jones to close."

Jones: "Thank you, Mr. Speaker. You know, I've sit here day after day, and I listen to people make fun of...people putting Bills in about apartheid. It becomes a joke. I listen to people, day after day, that make jokes about poor people, about people on public aid. That you pull yourself up by your 'boot straps', telling them to go get a job. I

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

117th Legislative Day

May 15, 1990

live in a district that at least 70 percent are public aid. I...I'm here to attest to you that I've met a lot of those people. And, a lot of those people are on public aid because they have to. They get off when they can. You do not make it any easier for them to get off. Grant you I...I'm the first one to agree that they should get involved in your programs. But when you have a program like Project Chance that takes you off of public aid and puts you in McDonald's. And then your rent goes up 50 percent, then you have to pay car fare and you have to have your clothes cleaned and you have to have lunch money, then you end up getting back on public aid to survive to take care of four or five children. Something is wrong with our society. All this Bill is asking is that you give these people a cost of living, as you do with the disabled and the Social Security. That's all this Bill is asking. Then you wonder where are you going to get the money? You have a lot of us in here, all but for the grace of God it could be us on public aid. You're lucky! Believe me, you are very lucky! And again I say, we can always take that money from the pharmacists. I ask for an 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 3515 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 51 'ayes', 56 'nos'. The Lady asks Postponed Consideration. House Bill 3599, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3599, a Bill for an Act to amend the Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Chairman, Members of the Assembly. House

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

117th Legislative Day

May 15, 1990

Bill 3599 as amended, amends the Health Facilities Planning Act relating to the issuance of Certificates of Need for health facilities and services. This is an amended Bill that has been worked out with the Citizens Assembly and the Council of Mental Health and Developmental Disabilities in cooperation with the Department of Public Health and also the Department of Mental Health and Developmental Disabilities. It has had a lot of work done as it came about...this legislation came about as the result of House Resolution 622 last year. And where it was brought out it was necessary to do something about the psychiatric beds here in the State of Illinois. So that we are not over bedding, but at the same time in the need areas that we are providing the beds for individuals. Also, the help and need to treat the individuals as outpatients rather than bringing them into the hospitals themselves. Ah...I...I would ask for support of this amended House Bill 3599 and I'll answer any questions."

Speaker McPike: "Representative McCracken on the Bill."

McCracken: "Thank you, Mr. Speaker. I want to thank the Sponsor for giving us the chance to review the relative positions. In fact...Mental Health and Public Health are...not opposed to the Bill any more because of the adoption of Amendment #1...However, the Hospital Association is still opposed to the Bill and I'd like to state briefly why. The Bill would create geographic regions in which a decision would be made whether there are too many or too few beds. If by that department count there are too many beds then no new beds will be granted until that status changes. What the effect is that what may be a very good program cannot add beds because some other unrelated hospital in that same geographic area has beds. But really what this does is ignore the different qualities between hospitals. The

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

117th Legislative Day

May 15, 1990

Hospital Association thinks that it...its hospital members should be judged on the merits of their own programs and not be forced to live with the quality of other programs located in that same geographic area, that is the basis of their objection. And...for that reason I stand in opposition."

Speaker McPike: "Representative McGann to close."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I would like to give some answers to the objections of the Hospital Association which I have provided to my colleagues. Relative to the Bill it would eliminate the ability of individual providers in an area to modify their psychiatric bed capacity. The primary intent of the legislation is to end the continued development of psychiatric bed spaces only in those areas of the state that have a documented oversupply of such beds. At the present time 19 out of 21 planning areas in the state have an oversupply of psychiatric bed spaces as been determined by the Illinois Health Planning Facilities Board, the governing body that handles this matter. Also, we would mention, that placing arbitrary limits on bed capacity is an ineffective way, as noted in the prior answer to the first situation regarding the legislation. The primary intent of the House Bill is to control the unnecessary development of these types of beds. The Department of Public Health understands this matter. The Department of Public Health is in total support of this legislation. I ask for an 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 3599 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Representative McGann to explain his vote."

McGann: "Thank you, Mr. Speaker. We need a couple of more green

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

117th Legislative Day

May 15, 1990

votes up there. I just would like to say that if the Hospital Association could be in opposition. It is self serving for them. If...but the Department of Public Health that looks to help in the Certificate of Need for all beds of the state is 100 percent for it. So I ask for your 'aye' vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 64 'ayes', 48 'nos', 3 voting 'present'. House Bill 3599 having received the Constitutional Majority is hereby declared passed. Does anyone else have a Bill on Human Services, Third Reading, that we passed over, that they wish to call? Next Order of Business is Education, Third Reading. House Bill 3042, Representative McGann. Read the Bill, Mr. Clerk. House Bill 3084, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3084, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen. We heard this Bill earlier and we fell just a little...few votes short...What the Bill is it's a Bill by the Illinois Association of Regional Superintendents of Schools...For many years the regional superintendents where there was a vacancy, the vacancy would be filled by the..."

Speaker McPike: "On the Bill, Representative Ter...is your light not working? Representative McCracken."

McCracken: "Thank you, I thought I turned it on. This was on Postponed Consideration?"

Speaker McPike: "Yes."

McCracken: "Well, can't we call Bills that haven't been called before we go back to Postponed Consideration?"

Speaker McPike: "We could but we..."

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

117th Legislative Day

May 15, 1990

McCracken: "We have this fight every year. The Postponed Consideration Bills are always Democratic Bills. They're always called two or three or four times, and we have to sit and wait while you call your Bills repeatedly. Why don't we just call the Bills and get to the Postponed Consideration when there's time. I'm sure there will be time there always is."

Matijevich: "Whatever the Chair does is alright with me."

Speaker McPike: "Representative McCracken, we can't call these Bills three and four times. You can only call them one time and one time on Postponed. All that the Chair is doing is going straight down this list. And this will be the last time the Bill can be heard. Representative Matijevich, proceed."

Matijevich: "Mr. Speaker, as I said for years the policy was that where there was a vacancy. It would be filled by the...first assistant...Then in the mid-1980's the law was changed where the vacancies were filled by appointments of the chairman of the board...county board with concurrence by the county boards. This Bill is a compromise where the...where there is a vacancy it would be filled by the first assistant if that first assistant has all the qualifications necessary to serve as regional superintendent and if that first assistant has held that position for one year. The association feels, and I agree with the association, that this allows for continuity in office, it allows for professionalism after they...filling out the term of the vacancy. Then that person would have to run just like anybody else does. But, I believe that it would best serve the interest of education if we 'do pass' House Bill 3084 and I appreciate your support."

Speaker McPike: "And on this, Representative John Dunn."

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

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

117th Legislative Day

May 15, 1990

This legislation was considered previously and, if I recall correctly, put on the Order of Postponed Consideration. I don't see anything which is different in the Bill now than before. I respect the Sponsor's intentions but I disagree with him. What we're talking about here is an elected office, the Regional Superintendent of Schools. That's an elected partisanship position. The person is elected either as a Democrat or Republican. When a vacancy occurs in any elected position, I think most people in this room and elsewhere in this capitol complex, would readily agree that the vacancy should be filled by other elected officials. That is the current law. The current law provides, that when there is a vacancy in the position of Regional Superintendent of Schools the vacancy shall be filled by the County Board Chairman. If the Regional Superintendent district consists of one county and if there are multiple counties then the County Board Chairman of those counties get together and form a committee and make the appointment. The important thing is that the position is filled by elected officials. The person going into the vacancy then is presented to the general public as a partisan official and when that person stands for election the public knows what's happening. This Bill would put back a window which existed for a few years, at least in my view, wrongly. Because what it will do is it will provide where a person elected on a partisanship basis creates a vacancy in the Office of Regional Superintendent of the Schools one of the people in that office will automatically by law, without appointment, without any review or consideration by any elected official, automatically succeed to the position of Regional Superintendent of Schools and be able to stand for election. And the impression given to the general public will be that this is

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

117th Legislative Day

May 15, 1990

a bipartisan thing, a nonpartisan thing, and that's not the way it is. If we want to make this a nonpartisan office we can do that. But right now it's a partisan office and should be filled by partisan elected officials. I would urge defeat of this legislation."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill puts the state in position of making decisions that are currently made at the local level. These decisions belong at the local level which is the reason why this Bill was not approved when it was voted upon the first time. Our judgement was excellent the first time we ought to just repeat it. Thank you."

Speaker McPike: "Representative Goforth."

Goforth: "I move the previous question."

Speaker McPike: "The Gentleman moves the previous. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. Representative Matijevich to close."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. As I said, this Bill would maintain the professional/educational quality in the Regional Superintendent's Office. To have a superintendent retire or die in office and then to have a non-educational profession fill the vacancy by appointment of someone to whom they may owe a debt, I believe would harm the goals of education that all of us have. When the law was put in place many years ago that was the reason that the law provided for the assistant so that they maintained that quality of service. This doesn't mean, that as I said, the assistant would permanently hold the office. But, I believe that in the interest of education this is good public policy. And I would urge your vote on behalf of

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

117th Legislative Day

May 15, 1990

House Bill 3084."

Speaker McPike: "Question is, 'Shall House Bill 3084 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Hicks to explain his vote."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of the Bill. It's supported by the regional superintendents...group and also...you know, I'm in a unique situation by the fact that I have two regional superintendents one happens to be a Democrat, one happens to be a Republican. They both stand in support of this type of legislation. And I would urge the green votes to go up."

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

Black: "Well, thank you very much, Mr. Speaker. I simply rise to support the Gentleman's Bill. I can't imagine why anybody would vote against it. That vacancy could go for 60 days and you're talking about an office that has to distribute literally millions of dollars of state aid money to schools, has to register everyone's teaching certificate in a very limited amount of time. You can't have that office vacant. It's a reasonable Bill. The superintendent obviously...the assistant superintendent would obviously be in the same party and the same philosophy as the superintendent. It's a very reasonable Bill and a very special issue and I would urge an 'aye' vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there's 49 'ayes', 57 'nos', 8 voting 'present'. House Bill 3084 fails. House Bill 3119, Representative Parcells. Out of the record. House Bill 3909, Representative Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3909."

Speaker McPike: "The Bill's been read a third time."

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

117th Legislative Day

May 15, 1990

Representative Younge."

Younge, W.: "Thank you, Mr. Speaker and Members of the House. House Bill 3909 would establish the Family Resource Center at State Community College. This is a program of education and training for low income families to get off of public aid and to get into private gainful employment and to...economic stability. The sitter there at the college would have programs involving workshops and conferences all aimed at developing human resources and skills such as: parenting, child care, nutritional skills, home food management, income management, credit and how to apply for a job. This program would very uniquely take 16 paraprofessionals or women who were previously on public aid and orient them at the center and then they would go out and be responsible for each...about 100 other people so that these skills can become a part of a total learning process for the whole community. The Family Resource Center would have a responsibility to work with the community leaders so that there would be general information encouraging these families to move from their present unstable situation to private gainful employment. I ask for your support of this matter."

Speaker McPike: "Representative McCracken."

McCracken: "The reason this is on the calendar and is next is because you make new calendars every night that have nothing to do with the numbers of the Bills, the date of introduction, whether they've been previously voted on. This is another matter of Postponed Consideration while so many other Bills lie waiting. I rise in opposition to this Bill. This Bill lost last night after a thorough consideration on the merits and rather lengthy debate. It costs one-half million dollars to start up. There is an Appropriation Bill for the...and on that, I do compliment

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

117th Legislative Day

May 15, 1990

Representative Younge. At least she has the courage to put up a spending Bill to match the authorization Bill. But it was considered last night and the light of day should shed no new light on this Bill. Let's defeat it again."

Speaker McPike: "Representative Younge to close."

Younge, W.: "Thank you, Mr. Speaker. The reason why this Bill is urgent is that there is already now in the public aid budget monies to train people and to help them get off public aid. But that money is not organized and much of the Appropriation Bill can come from public aid. We have to change what we are doing with people rather than encouraging them to languish on public aid. We ought to encourage them to gain a responsibility for their own lives and move off of public aid into private gainful employment. All of us! All of us have a responsibility to these families. No question but that the family structure is greatly crumbling in inner cities and in the African-American community. When we look at the statistics that one out of four African-American males is somehow related to parole or probation. It tells us that there is deep crisis, deep crisis in our community. And I'm asking you to help me alleviate that crisis by the establishment of a Family Resource Center. This is a Bill that ought to have 118 votes because it would help us, rather than keeping people on public aid, to move them towards stability. It is the only difference, a major difference. There are two major differences between middle class families and families that are in poverty: they are matters of motivation and they are matters of training and knowledge. This center would give these poor families the knowledge! This center would give these poor families the motivation! And I can't see why there is even a debate on this question!"

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Question is, 'Shall House Bill 3909 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. I'm sorry Representative Williams to explain his vote."

Williams: "Thank you, Mr. Speaker. I rise in support of this legislation. What we're talking about is trying to make it possible for people to create families and really learn. Because we talk about all the things that we want. We talk about just saying 'no'. We talk about things that require sound families. We need to vote for this legislation because our families are in jeopardy. We're talking about the over-abuse of drugs. We're talking about the over-abuse of just about all types of criminal activities. And the problem is our families are breaking down. We need this Bill so that we can secure a strong family. Thank you."

Speaker McPike: "Representative Davis to explain her vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen. You know, this piece of legislation is not for a math and science academy. This piece of legislation is not for a civic center. This is a piece of legislation that will hopefully help to make people self-sustaining. It's hopefully...it will help people to understand what it means to take care of one's family and to be on your own. This is not a frill that someone thought of, it is not a reelection piece of something, it's a real serious piece of legislation for a real serious area in the State of Illinois that's in trouble. Now, in my opinion, if we can vote for frills, then we ought to be able to look at serious issue and put a green vote up there. I believe that some things that we don't do in the House of Representatives is going to be just as harmful and dangerous to us, as some of those

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

117th Legislative Day

May 15, 1990

things that we do do."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. Representative...On this Bill, there's 60 'ayes', 52 'nos'. Representative McCracken asks for a verification. Representative Wyvetter Younge asks for a poll of those not voting."

Clerk O'Brien: "Poll of those not voting. McGann and Terzich. No further."

Speaker McPike: "Proceed with the poll of the affirmative."

Clerk O'Brien: "Balanoff. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. Leverenz. Levin. Martinez. Matijevich. Mautino. McNamara. McPike. Morrow. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczko. Stern. Sutker. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker McPike: "Representative McCracken."

McCracken: "Representative Keane?"

Speaker McPike: "I'm sorry...didn't hear."

McCracken: "Representative Keane?"

Speaker McPike: "Representative Keane. Jim Keane here? Remove him from the roll."

McCracken: "Representative Giglio?"

Speaker McPike: "Representative Giglio. Mr. Giglio here? Representative Giglio? Remove him from the record."

McCracken: "Representative Leverenz?"

Speaker McPike: "Representative Leverenz. Mr. Leverenz here? Remove him from the roll."

McCracken: "Representative Laurino?"

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Mr. Laurino. Representative Laurino. Just a minute. Representative Balanoff is down front and Representative Ronan's at his seat. They'd like to be verified. And Representative Currie is down in front. And Representative Shirley Jones and Representative Charlie Morrow."

McCracken: "Representative Laurino?"

Speaker McPike: "Is that who we were on when I interrupted you? Yes, Representative Laurino. Representative Laurino here? He's not here. Remove him from the Roll. Representative Martinez would like to be verified."

McCracken: "I don't see him where is he?"

Speaker McPike: "Representative Martinez is in the aisle right over here."

McCracken: "Yes, alright. Representative Granberg?"

Speaker McPike: "Representative Granberg. Representative Granberg. The Gentleman here? Remove him from the roll. Representative Keane has returned. Return Representative Keane as an 'aye' vote."

McCracken: "Representative Steczo?"

Speaker McPike: "Representative Steczo. He's over here. Representative Granberg has returned. Representative Granberg, 'aye'."

McCracken: "Representative LeFlore?"

Speaker McPike: "Representative LeFlore is not voting."

McCracken: "He isn't voting, alright. Representative Breslin."

Speaker McPike: "Representative Breslin. Is the Lady here? Remove her from the roll."

McCracken: "Representative DeJaegher."

Speaker McPike: "Representative DeJaegher. Representative DeJaegher. Remove him from the Roll."

McCracken: "Representative Sutker?"

Speaker McPike: "Representative Sutker. Mr. Sutker here? Right

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

117th Legislative Day

May 15, 1990

here."

McCracken: "Representative Brunsvold?"

Speaker McPike: "Representative Brunsvold. Representative Grace Mary Stern would like to be verified. She's right down front."

McCracken: "Yes."

Speaker McPike: "Representative Brunsvold. The Gentleman here? He's not here. Remove him from the Roll. Representative Breslin has returned. Representative Breslin votes 'aye'."

McCracken: "Representative Saltsman?"

Speaker McPike: "Representative Saltsman. Down here."

McCracken: "Representative Novak?"

Speaker McPike: "Representative Novak. Is the Gentleman here? Mr. Novak is not here. Remove him from the Roll."

McCracken: "Nothing further."

Speaker McPike: "On this Bill, there are 54 'ayes', 52 'nos', and one voting 'present'. House Bill 3909 having failed to receive the Constitutional Majority is hereby declared lost. House Bill 4024, Representative Satterthwaite. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4024, a Bill for an Act relating to the University of Illinois. Third Reading of the Bill."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. This is a technical Amendment to several Sections of the code, in order to bring statutes influencing the University of Illinois into compliance, with suggestions by the Auditor General. I know of no opposition to the Bill. I'll be happy to try to explain specific parts of it if people have problems. But I believe the Bill is on Short Debate and would simply ask for your support for passage."

Speaker McPike: "Is there any discussion? Question is, 'Shall House Bill 4024 pass?' All those in favor vote 'aye',

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

117th Legislative Day

May 15, 1990

opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 111 'ayes', no 'nays', none voting 'present'. And House Bill 4024 having received...Representative Levin, 'aye'. Representative Rice, 'aye'. Rice. On this Bill, there are 113 'ayes', no 'nays', none voting 'present'. House Bill 4024 having received the Constitutional Majority is hereby declared passed. House Bill 4036, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4036, a Bill for an Act to amend an Act relating to College Savings Program. Third Reading of the Bill."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. House Bill 4036 is here at the request of the Illinois Student Assistant Commission. You will recall that last year we put into effect a Bill, where the Commission can provide for college savings instruments designing programs, that will help those who have not been able to purchase through the College Savings Bond Plan to do periodic investments. We ask in this Bill that you provide parallel to that College Savings Bond Program, a state tax exemption. And also it calls for the withholding from state employees who choose to participate in this program on a periodic basis. Again, I know of no opposition to the legislation and I would simply ask for your favorable vote."

Speaker McPike: "Does anyone stand in opposition? Representative McCracken."

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

Speaker McPike: "Yes."

McCracken: "I've read the Department of Revenue fiscal impact note. They're unable to determine that because they don't know how many people will be participating. How many

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

117th Legislative Day

May 15, 1990

millions of dollars in bonds are currently outstanding?

And does this exemption apply retroactively?"

Satterthwaite: "This does not affect the bonds at all. The bonds already are tax exempt. This would simply say that this program, for the smaller saver, would also be tax exempt. What we're trying to do is to include people who were not able to buy into the bond program. Because of the larger amount of money they would have to invest at any one time."

McCracken: "So this is smaller de...denominations? Is that it?"

Satterthwaite: "This would allow people to make monthly investments..."

McCracken: "Oh, I see. Alright."

Satterthwaite: "...of small quantities."

McCracken: "Okay...thank you."

Speaker McPike: "Representative...Satterthwaite to close."

Satterthwaite: "Simply ask for your support. I think that it will provide another mechanism for people to start saving for the college education of their children."

Speaker McPike: "Question is, 'Shall House Bill 4036 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 112 'ayes', no 'nays', none voting 'present'. And House Bill 4036 having received the Constitutional Majority is hereby declared passed. House Bill 4053, Representative Flowers. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4053, a Bill for an Act concerning cellular radio communications device. Third Reading of the Bill."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 4053 amends the Control Substance Act to make the use of cellular radio telecommunication devices in the

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

117th Legislative Day

May 15, 1990

furtherance of controlled substance and drug trafficking a Class 2 Felony. It also prohibits the students use of, or possession of the cellular radio telecommunication devices on school property at any time. And I would urge for the passage of House Bill 45...4053."

Speaker McPike: "Any discussion on this? Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, as we mentioned in committee and we see a lot of these in the last couple of years. And I don't have any problem on the space, you know, pagers, cellular phones, whatever. But, I always have a concern that maybe the language is redundant. I mean, as I understand it and I know Chicago schools are a little different. But bring me up to speed here. Couldn't the school board ban such devices if they wanted to do so? And I don't...I guess what I'm driving at. Do we need to do it in state law? I thought they could already do this if they felt it was a problem in their school district."

Flowers: "Representative Black, if a student wanted to come in and bring in a radio or whatever. And I guess, yes, the school could do so. But in the mean time they have not done so. So..."

Black: "Well, I always wondered if we should maybe change school boards rather than change law. I don't know, that's..."

Flowers: "I think it would be easier to change the law."

Black: "You know, in some cases you may be right. Thank you for your indulgence."

Flowers: "My pleasure."

Black: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. I guess we can continue to pass all kinds of these types of legislation. Although, I think, technology will

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

117th Legislative Day

May 15, 1990

have us doing so every year. Because last year it was pagers, this year it's cellular phones, God only knows maybe a Dick Tracy radio walkie-talkie next year. I don't...I don't know where we can...how we can keep ahead of technology. I really think the ultimate responsibility from this...for this, really needs to rest with the local school board. The Lady brings a good point. Some of them don't take any action and therefore we do. But, I'm going to cast a reluctant 'no' on the Lady's legislation."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Would the Lady yield for a question?"

Speaker McPike: "Yes."

Preston: "Representative Flowers, I'm just reading from the analysis and it seems to indicate that it requires school boards to prohibit student use or possession of cellular radio telecommunications devices on school property. Would that include in the parking lots of schools?"

Flowers: "Representative, as long as it's on school property, the answer to that is, yes."

Preston: "Here...here's my...my problem with it, as I understand it, and it's a bit personal. My daughter drives to school from time to time and will occasionally use my car. And I have a telephone in my car and she has a parking permit to park at school. And if she parks in the allotted parking place in my car that has this telephone in it. She'll be, do I understand, prohibited by this from doing that?"

Flowers: "That's a very good question but also in the legislation it says, 'exceptions can be made.' So, I'm sure, that if your daughter were to explain to the principal that she is driving her father's car and your car happens to have a telephone in it, there can be an exception made."

Preston: "Well, I'm looking at the Bill and I don't see where

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

117th Legislative Day

May 15, 1990

exceptions are permitted. 'Exceptions may be made by the school board with the approval of the school principal.' I think that takes care of it, thank you."

Flowers: "Thank you."

Speaker McPike: "Representative Rice."

Rice: "Will the...will the...question."

Speaker McPike: "Will the Sponsor yield, yes."

Rice: "Representative Flowers."

Flowers: "Yes, Representative Rice."

Rice: "Are you really, in this Bill, aren't you directing this Bill to people who use telephones to work with beepers to deal with narcotics?"

Flowers: "Absolutely."

Rice: "Is that...is that the greatest thing?"

Flowers: "That is the point of the legislation."

Rice: "In the...in the dis...to the Bill, in the district that I serve in, we have began to deal...that...that district takes in part of the suburban areas. The cellular telephone is being used as a communication piece between the narcotics distributors in the lower...in the southern part of the city to the suburban areas and that certainly not a sign that we're utilizing the technology in the best interest. And I think we need to be honest with ourselves that we need a piece of legislation that talks about these telephones. And those folks that are sincere about it and really need the phones should make arrangements with those principals and those school boards, to allow them, to make them aware that it's emergencies, or such as, for their usage. Because we know that the link between the youngsters in the suburban areas in the southern part of the city is becoming a...situation where it's a toy. And it's a useful business. And we better face it and deal with it and control its usage."

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Flowers tried to respond to some concerns that were raised in committee by introducing an Amendment to this Bill. The person who had raised those concerns was excused that day and was not here to discuss the matter. Representative Flowers has made every attempt to comply with the suggestions in that committee. But, unfortunately, the Amendment would have become so general that it would have caused more problems than simply a narrow piece of legislation such as this now is. Representative Flowers' purpose with this Bill is to help reduce drug abuse. I cannot imagine why anyone would not favor this legislation. I commend Representative Flowers not only for bringing it forward, but for her very cooperative attitude towards anything that was a question or a suggestion during the committee. And I think we should all support this Bill. Thank you."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just want to say that this Bill has picked up about eight Sponsors since you've been debating it on the floor. I think it's an excellent piece of legislation. And, Mary Flowers, I thank you for letting me be one of the Chief Sponsors. Thank you."

Speaker McPike: "Representative Flowers, to close."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I would just urge for the passage of House Bill 53 (sic - 4053). Thank you."

Speaker McPike: "Question is, 'Shall House Bill 4053 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 108 'ayes', 3 'nos', 1...107 'ayes', 4

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

117th Legislative Day

May 15, 1990

'nos', 1 voting 'present'. And House Bill 4053 having received the Constitutional Majority is hereby declared passed. House Bill 4087, Representative Trotter. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4087, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker, Members of this...of this august Body. House Bill 4087 is one of those simple uncomplicated, noncontroversial Bills. What it does, it amends the School Code and asks that as a prerequisite of those individuals who desire receiving a teacher's certificate that they have training in drug and substance abuse. It flew out of committee and hopefully it can fly out of this House today."

Speaker McPike: "Is there any discussion? Representative Cowlshaw."

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

Speaker McPike: "Yes."

Cowlshaw: "My question is, so that we can establish the legislative intent here, if this Bill becomes law is it your intention that every teacher, including those who are currently certified, before their certificate can be renewed must meet the requirements set forth in this Bill?"

Trotter: "No. My intention is that only those new teachers, those new graduates from the universities, be given this requirement, or meet this requirement."

Cowlshaw: "Well, according to the State Board of Education the way this Bill is written, it would apply to all teachers whether they are currently certified or not. And, frankly, you may want to look at that very carefully to be certain that the Bill does what you want. But I think, in fact, if this is important and it is. That every teacher should be

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

117th Legislative Day

May 15, 1990

required to have this training. And perhaps those who are already teaching and have not had this training should be required to have it before they can get their teacher's certificate renewed. You may want to think about that. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 4087 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 110 'ayes', no 'nays', none voting 'present'. And House Bill 4087 having received the Constitutional Majority is hereby declared passed. House Bill 4135, Representative Munizzi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4135, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Munizzi."

Munizzi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4135 as amended allows the schools throughout the State of Illinois to have instruction in criminal justice education. It is determined by the school board as to the length of time of the instruction and may integrate any other kind of instruction into the existing curriculum. The Amendment authorizes the state's attorneys to develop such curriculum in conjunction with the State Board of Education and provide that the instruction may be presented through the use of a video tape which the Cook County State's Attorney has agreed to provide to all high schools in the State of Illinois. I think this is a very important Bill to the young people of our community who are somewhat glamorized by the things that they don't necessarily know are crimes and the penalties that they provide once committed. I'd be happy to entertain any questions and I'd ask for a favorable roll call."

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Representative Cowlshaw, on the Bill."

Cowlshaw: "Thank you, Mr. Speaker. I would like to ask a question of the Sponsor, please."

Speaker McPike: "Yes."

Cowlshaw: "Representative, we discussed this Bill last night, as I'm sure you will remember, and at that time I inquired as to whether because of the fact that the Amendment takes care of removing any mandate upon state's attorneys. But an earlier portion of the Bill is not addressed by the Amendment and that portion has to do with mandates upon the schools which are rather extensive in their details. Yesterday you said that if we could just go ahead and pass this out of here we would try to address that mandate question in the Senate. Your representative from the Cook County State's Attorneys Office was over this morning and we discussed this already. And I think we've arrived at something you could do in the Senate. I just want to confirm that you are willing to do that."

Munizzi: "Yes, absolutely, whatever we can do to make this Bill accessible to everybody so that the kids can get the instruction is great. And I appreciate your cooperation in working with me on this. Thank you."

Cowlshaw: "I think we ought to commend the Cook County State's Attorney for his willingness to do this and not even expect that any money be provided by the state or a local school districts in order for it to be done. Thank you."

Speaker McPike: "Question is, 'Shall House Bill 4135 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Cullerton."

Cullerton: "I just wanted to be fair and bipartisan. Whenever someone pledges to amend the Bill in the Senate we keep a list over here at our desk. And we make sure that the Bills come back as concurrence and knowing Representative

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

117th Legislative Day

May 15, 1990

Munizzi's Senator, Senator Daley is a former Member of the House and I'm sure he'll be the Sponsor. I'm sure that you will find that Amendment and I'm sure that it will come back here to the House."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 112 'ayes', 1 'no', none voting 'present'. House Bill 4135...Cullerton 'aye'. 113 'ayes', 1 'no'. House Bill 4135 having received the Constitutional Majority is hereby declared passed. House Bill 4180, Representative Shaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4180, a Bill for an Act regarding scholarship athletes. Third Reading of the Bill."

Speaker McPike: "Representative Shaw. Returning to Human Services, Third Reading, appears House Bill 3958. Representative Preston, are you a Cosponsor on this? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3958, a Bill for an Act to amend the Children and Family Services Act. Third Reading of the Bill."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is being sponsored by Representative Bowman who is not able to be here today. So, I'm going to try to talk about it. This Bill creates a new independent Case Review Board to implement and oversee the Foster Care Case Review System required by both Federal and State Law. And Mr. Speaker, if our colleagues could please give some attention to this and a little respect for Representative Bowman, I'd appreciate it. This Bill also creates..."

Speaker McPike: "Would the Body please give a little bit of respect to Representative Bowman."

Preston: "Well, Mr. Speaker, right now they're giving me about as

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

117th Legislative Day

May 15, 1990

little as possible. This Bill also creates a 19 Member Advisory Committee to provide input to the board on the Administrative Case Review System. It's very important to have a disinterested or a separate review board, as is required by both Federal and State Law, to oversee the Foster Care System and foster care placements. The Governor will appoint all of the members with the advise and consent of the Senate for three year terms. members cannot be employees of the Department of Children and Family Services nor a private or public agency rendering foster care within the preceding two years. The board must meet regularly with the Advisory Committee and also with representatives of local citizens groups. It provides for staff and hearing examiners, for case reviews and again for the Advisory Committee. This Bill has been developed by the Legal Assistance Foundation of Chicago to assure Illinois compliance with the Federal Adoption and Welfare Assistance Act in relation to administrative case reviews of foster parents. It is required by Federal Law in order to not lose federal funding that we have this outside agency review. I'd be glad to answer questions to the extent I'm able. And this is needed and very timely legislation and I'd urge your 'aye' vote."

Speaker McPike: "Representative Hasara on the Bill."

Hasara: "Thank you, Mr. Speaker. I rise in opposition to this Bill. If indeed there is a problem, with the review system that now exists under DCFS, I would suggest that we work to correct the system rather than creating another level of bureaucracy to do so. It is indeed true that we are mandated by Federal Law to have such a system. We do have a system in DCFS at the present time. I can tell you, as a member of a commission that exists now, it is very, very difficult to become funded. And as we know we can create

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

117th Legislative Day

May 15, 1990

this level of government, in addition to all the levels we already have, but getting funding and making it work correctly is truly a different story. So, instead of creating another bureaucracy, let's try to improve if that is the problem the one that now exists. Thank you."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I also rise in opposition. The department is opposed to this Bill. But let me tell you why I think we should be opposed to it. It's just more bureaucracy. There's a new level of review, there's a new commission appointed, there are new people to be appointed to the commission and they are to oversee these cases. Well, the mechanism is already in place as Representative Hasara has told you. All this is is a bureaucratic response. It is not something that we should be adopting. Actually it could be counter productive and, in fact, may not qualify under the Federal mandates, because of the lack of independence that these case hearing officers have. Apparently there is a requirement in Federal Law for some independence of these reviewing officers and this may not be it. So, I don't think we should assume that this will comply with the Federal mandate. And, in fact, compliance with the Federal mandate, a direct resolution or a consideration of the problem, could result in a far more efficient system rather than this. The hearing officers can place DCFS in a hole between themselves and the court. If a hearing officer differs with a judge who also has jurisdiction over juvenile matters. Where does that leave the department? This is not the right answer. This is absolutely the wrong answer. I rise in opposition."

Speaker McPike: "Representative Preston to close."

Preston: "Thank you, Mr. Speaker. I understand the department being opposed to anything that will take away some of their

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

117th Legislative Day

May 15, 1990

responsibilities. But you should understand this legislation does not duplicate those responsibilities and there is no additional bureaucracy that is created because of this Bill. Rather it is taking that review from DCFS and putting that review in an independent board. That independence is absolutely essential to make the bureaucracy in either case work better. Right now it is not working and if you doubt it all you have to do is attend the hearings that we held on foster care to see to it that where it came out that the bureaucracy there, especially on reviews of placements, is simply not working. Not because people don't want it to work. Not because DCFS is intentionally doing a poor job, that's not it at all, they do a fine job. But there has to be some independent review to see whether DCFS is proceeding the way it ought to proceed. And whether or not the child is being cared for and whether or not there's permanency planning for this child. That's our Federal mandate...it's...in...to be in compliance with that that will determine whether or not we continue to get the terribly needed federal dollars. This Bill is very important and necessary and I urge your 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 3958 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 56 'ayes', 50 'nos'. The Gentleman asks for a poll of those not voting."

Clerk O'Brien: "Barger. Giglio. Hensel. Kulas and Ronan. No further."

Speaker McPike: "Representative Hensel votes 'no'. Representative Preston."

Preston: "Mr. Speaker, I just want to point out that this is

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

117th Legislative Day

May 15, 1990

another one of Representative Bowman's last Bills."

Speaker McPike: "Yes. And this Bill fails. It has 56 'ayes' and 51 'nos'. And House Bill 3958 having failed to receive..."

Preston: "Postpone. Postpone. Postponed Consideration."

Speaker McPike: "The Gentleman puts it on Postponed Consideration. On page 3, of the Calendar, the hour of 12:00 noon having arrived. The subject matter is Tax Relief, Third Reading, House Bill 3493. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3493, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker McPike: "Representative Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 3493 is the first Tax Relief Bill for 1990 that has gotten through committee. The Tax Relief Bill for DuPage County is to do away with the .04¢ Gas Tax that we implemented last year. It also repeals the authority for Lake County and McHenry County. This Tax Relief Bill is not the only answer that people in DuPage County need. We must do a lot lot more. Taxes are skyrocketing in DuPage County. The past two years we have new tax increases on a new court house, new jail house, new airport authority, new DuPage County Water Commission and possibly a convention center. And of course the biggest problem we have is the skyrocketing Property Tax increases. Five years ago senior citizens could no longer afford living in DuPage County. Today, I feel most people can't afford to live in DuPage County. Last October we were lobbied, the DuPage Legislators were lobbied, from the Chairman of DuPage County. Stating that he needed this money for property for the Fox Valley Expressway. Today we're told that it's badly needed for new construction in DuPage County. We must stop we must stop state spending now. Last year we

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

117th Legislative Day

May 15, 1990

spent \$80,000 on a new flagpole for the State Fair grounds. We spent \$3 million for private college. We added a new rest area on Interstate 55 for a cost of \$1 million twenty thousand. Check this one out, a \$120,000 contract to provide quality assurance checks on bathrooms in new parks. \$120,000. This is interesting to last year, the state funded a study on owl vomit for \$180,000. This is certainly a noncontroversial Bill, I know. I've gotten some cheap shots from the Chairman of the Transportation Committee in DuPage County stating that oil companies have an interest in this Bill. The trucking companies have an interest in this Bill. Let me point out two things: the trucking industry normally purchases their gasoline or diesel fuel outside of DuPage County and most of them, 75 percent fuel in other states than Illinois: Wisconsin, Iowa, Indiana. Oil companies, if you don't buy your fuel in DuPage County, you're going to buy it else where. So the fuel companies will certainly make their money that way. The residents in west DuPage County are leaving the county and buying their fuel in Kane County and Will County. Fuel wholesalers have moved out of the county where the state tax...where the county tax...tax is in there such as Bell fuel...more oil company. Last year, 1989 was the year of the tax. Last year we had an increase in state Gasoline Tax, Computer Software Tax, Cigarette Tax, Temporary Income Tax. And maybe this year we'll have a Message Tax and Cigarette Tax increase and possibly even a Restaurant Tax increase. Again people of DuPage County and people throughout this state are fed up with any more tax increases. The people in DuPage County have voted two Legislators out of office and a county board member and chairman out of office because of high taxes. People in DuPage County want their fair share. They want their fair

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

117th Legislative Day

May 15, 1990

share from the Motor Fuel Tax. Roland Burris last month issued a press release...the third quarter balance was the highest end of month balance in road fund history. I feel, and residents of DuPage County feel that we need our share for road money in DuPage County. The budget for new roads and highways is \$32 million in DuPage County. So, maybe we should decrease that to \$20 million instead of \$32 million. Like I said in the beginning this isn't the total answer of property problems or tax problems in the state or our county. But it's an answer to part of the problem. Mr. Speaker, Members of the House. I would certainly appreciate your 'aye' vote on this important matter."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 3493. It's interesting to note that, in the year 1988 and the year 1989, the difference in the levy for the county fund in DuPage County is \$10 million, thirty two thousand, nine hundred seventy two, as a result of the passage of the authority to implement an additional Gas Tax add-on. Now I cite for you that, on June 30th of this...of last year 1989, 38 Democrats and 24 Republicans gave the authority for the implementation of a Gas Tax add-on in the counties of: Kane, Will, McHenry and DuPage. Those counties have the ability to increase their Gas Tax add on if they so desire. I'm proud to say that DuPage County in the best tradition of user fees and in an effort to attach and attack the grid lock problem of our county passed this Gas Tax increase to spread around on a user fee basis funds necessary to attack our transportation problem? But still, in spite of this add on our tax is lower than Cook County. For do you know that in Cook County they receive the major portion of the distribution of Motor Fuel Tax funds? And the rest of the state

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

117th Legislative Day

May 15, 1990

receives a smaller percentage than the County of Cook does? Which gives the necessity for those of us in outlying areas to consider the fact that we need to have the add on for those purposes. So as a user fee this has worked to the credit of County Board Chairman, Jack Kneffer. He promised the citizens of DuPage that he would lower their Property Taxes and did by \$10 million when they implemented this tax. Now what you are doing if you repeal this is you are taking away the authority of the county board to make a decision as to whether or not it wants to implement the additional tax. For those of you from Cook your tax is the highest in the state. This, of course, brings it closer to your county not the same because as you know it's still less than the amount that you implement in Cook County. For those of you in other counties you can make a decision as to which area you would like to do. So I rise in opposition to this Bill. I think that we ought to leave it at the county board level. I think that if our new chairman of our county bill...board, who I believe will be Chairman Eldo Body desires to lower this gas tax, he might want to go in before the county board to lower this on a penny or two or three or four depending upon how he sees it at that time. He's in the best possible advantage to do it. So, I would join with the 38 Democrats and 24 Republicans who on June 30th of 1989 gave the authorization to implement this Gas Tax on a user fee basis so that we could lower our Property Taxes in DuPage County and urge your opposition. So closing comment, I guess each one of you have to make their decisions. Senator Philip did mention that he'll make sure that this dies in Senate Rules Committee. So I think that it's your decision as to how you'd like to vote on this."

Speaker McPike: "Representative Matijevich."

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

117th Legislative Day

May 15, 1990

Matijevid: "Well, Mr. Speaker, Ladies and Gentlemen of the House. I would commend Representative Stange for his action. Because what Representative Stange is saying is that his leadership has made a mistake. Now, I recall last year when this Bill was being considered and Speaker Madigan discussed the Bill with Representative Stern and Representative Van Dwyne and myself. Because we're the only Democrats in the collar counties. I should tell the collar county citizens that they ought to have more Democrats in the collar counties. Because, if you aren't aware, there are two counties that don't have the authorization for the .04¢ increase in the Gas Tax, those happen to be Will County and Lake County where there are Democrats in those counties. We were very adamant. We said, that with the imposition of the increase in the state tax and with this authorization we would be the highest Gas Tax users anywhere. And we think that it is about time that we say 'no' to higher taxes. Now, I was pressured greatly by my county board chairman too and they said like they always say, 'well this is only an authorization. That means we're not...that doesn't mean we're necessarily going to impose it.' And I said to him, 'You know I wasn't born yesterday. I know you're going to impose it and you're going to do it in a hurry. And that's what DuPage County did. So, and by the way I wasn't born yesterday either. When you tell me, Minority Leader Daniels, that this is going to be a reduction in Property Taxes. And I don't think you're fooling any of the voters in DuPage County when you say that also. Representative Stange is doing the only thing that he can do with regards to tax relief. He is telling the citizens of DuPage County, 'You've got high tax Motor Fuel Taxes now. You...we are not getting our fair share from the Federal Government right now. Let us

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

117th Legislative Day

May 15, 1990

first tell the Federal Administration, give us our fair share now. We are...we now have a billion dollars in road improvements in the state. We don't need further taxes on our local taxpayers.' He is saying to the voters in DuPage County, 'We made a mistake.' My leadership, not mine, his leadership made a mistake. Let's correct our mistakes by supporting House Bill 3493. And let's let Senator Philip take the heat. But I don't think we ought to make the decision now let's see what Pate Philip does over there and let's vote 'aye' now."

Speaker McPike: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker. This...Bill doesn't just affect DuPage County. DuPage County like Cook County is a strong county legislatively. They've sent a lot of representation down here. You vote in favor of this Bill and you're downstate Democrat or Republican. What you're doing...asking for, is a tax increase down the road. If you support this Bill and we take that authority away from DuPage County, with their tremendous transportation needs, infrastructure improvement needs, they have no choice but to come back to Springfield. And say, 'Okay, you took away our authorization now let's move through a tax increase.' They'll have no choice. You're going to paint them in a corner. It's a political battle at Cook County and DuPage County will unite and come downstate south of I80 and make the rest of us pay. So, if you care about your district downstate in Illinois. You need to stand in opposition to this Bill."

Speaker McPike: "Representative Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House. There's three...at least three critical points to make in discussing this issue. The first is, if you vote in favor of House Bill 3493, you're really voting against local

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

117th Legislative Day

May 15, 1990

control. You're voting to say that the state Legislature has more wisdom in making decisions for the people of DuPage County than the elected Representatives of DuPage County are. If the people of DuPage County, through their elected Representatives, choose to impose the tax that's authorized only by the state then that's their business. Secondly, and I think Representative Daniels alluded to this but perhaps it ought to be put in four square terms. This really isn't tax relief, this is the removal of meaningful tax relief. What people in DuPage County as every where else are most concerned about is the burgeoning increase of Real Estate Property Taxes. What you do by voting for this Bill is to reverse the actions of the DuPage County Board that provided for some meaningful Real Estate Tax Relief with respect to the levy for roads and road improvements and turn that over to a different form. This is a user fee it's paid by people outside of DuPage County. It's paid by people outside the State of Illinois for that matter. And you're voting, if you vote in favor of this Bill, to remove that tax relief and put the burden back on the taxpayers of DuPage County. I don't think that's what we want to do as a Legislature. And it's certainly not what the people of that area or other counties around the state want to do in terms of the area of tax relief generally. And finally, as Representative Stephens says, 'If you're from downstate Illinois there are no political or other pluses to vote for this Bill.' Because if you don't give the authority of people to tax themselves, to fund their own roads and the road improvement system. They're going to come to us from downstate and expect us to do it. What we always say in here is, 'Big, politically powerful counties Cook and others always come to the Legislature for relief. They

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

117th Legislative Day

May 15, 1990

always come down here and expect us to bail them out.' They didn't do that in this case. They said, 'We want the opportunity to tax ourselves.' We gave them that opportunity, they handle it responsibly, they provided tax relief for people. And now we're turning around and saying, 'No, we really don't mean that. We downstate taxpayers would just as soon take a risk on having the delegation from DuPage County down here.' They have to fund their roads and get it from state tax coffers, rather than from their own taxpayers and from others who provide and use the roads in DuPage County, where it responsibly should rest. This is not a responsible piece of legislation. It isn't intended to solve anything. It's anti-tax relief. It's a removal of local control. And it's an imposition of taxes on downstate Illinois where it shouldn't be. Let 'em fund their own system."

Speaker McPike: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know that many Democrat Members would like nothing better than to oppose higher property taxes on the people of DuPage County, which this Bill will do. But I have to be concerned about the people in my district and their best interests. And I believe that for those of us in Cook County, who have service station owners in our district who are facing drains across the border into all kinds of places because of the high Gas Tax in Cook County, it would certainly be foolish for us to encourage lowering the Gas Tax anywhere around us. Because it would just drive business further away from our own communities. And I'm going to be voting 'no'."

Speaker McPike: "Representative Goforth."

Goforth: "I move the previous question."

Speaker McPike: "The Gentleman moves the previous question. The

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

117th Legislative Day

May 15, 1990

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 Stange to close."

Stange: "Again, thank you, Mr. Speaker. The new county board chairman when he campaigned said, 'I will not go along with the DuPage Gas Tax.' He said he will repeal it if we don't do it for him down here. Four years it came...four years ago he came to this Body to ask for money for the DuPage Water Commission. It just about passed the House except for Lee Daniels. One of the local papers in our area quotes, 'If the proposed Gas Tax appeal is just a proposal some guy is trying to get credit for because of a tax issue.' I somewhat resent that as a cheap shot also. Six years ago, when I came down here, I promised my constituents that I would watch the tax dollars. Four years ago, two years ago, I said the same thing. Ron Stephens says, 'It's going to increase the state Gas Tax.' That's ridiculous. Roland Burris says right here last month that we have \$500 million more in the road fund than the previous year which is the highest in the history of the State of Illinois. If DuPage County wants a Gas Tax let the voters decide. I urge your 'yes' vote on this issue."

Speaker McPike: "Question is, 'Shall House Bill 3493 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Ronan to explain his vote."

Ronan: "Thank you, Mr. Speaker, Members of the House. I hope everyone really pays attention. This is a vote where you're really going to impact transportation policy in this state. I have a lot of respect for the Sponsor of this Amendment but he is dead wrong on the issue. He talks about Roland Burris saying there's \$500 million in the Road Fund. Representative, to do one project, the Kennedy

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

117th Legislative Day

May 15, 1990

Expressway is a \$425 million project. To do Cicero Avenue in Cook County is \$51 million. With two projects in the State of Illinois the road fund is empty. The need in the State of Illinois, as identified by the Department of Transportation, is \$6 billion. That's what the need is. I think if you've driven through DuPage County which I know you have. And I've had the opportunity to do the same. DuPage County is a parking lot. You cannot move north or south. You cannot go east or west. The problems are significant when you deal with transportation policy. When we had the good judgement a few years ago to authorize a new tollway in DuPage County. It was immediately loaded with cars the day it opened. The need is significant. I applaud the leadership in DuPage County for instituting the .04¢ Gas Tax. But we need to do more in this state if we're really going to have a transportation policy that works. I think this is a misguided Amendment. I urge my colleagues on this side of the aisle to vote for a better transportation policy which is a red or yellow vote on this piece of legislation. Thank you very much."

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I don't know that that's entirely true. But the Gentleman was elected and sent here to do what he feels is proper and correct. The fact is people are telling us all over the state, 'Don't tax us anymore. Don't even give a county the ability to tax us anymore.' You're going to end up taxing DuPage residents right out of the county. To shift this...or to say this Bill is going to move and make higher property taxes is ade...ade...absolutely ludicrous. Let the gentleman, that wants higher taxes there, go to Washington to get his roads paved. Talk to Mr. Skinner. Let him find out if he can get his programs into the state budget and have the state

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

117th Legislative Day

May 15, 1990

pick it up. We need broad based taxes otherwise you're just motivating people to buy motor fuel outside the County of DuPage. The way they make the decision to buy motor fuel outside the State of Illinois. I'd urge your 'aye' vote."

Speaker McPike: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker. I rise in support of this courageous effort by Representative Jim Stange. My only regret is that it could not be expanded to Cook County and to the City of Chicago. Where taxpayers are crying out for tax relief. And I urge more 'green' votes."

Speaker McPike: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. In explaining my 'no' vote I want to point out, as has probably already been done before, that this is very detrimental to downstate. All of you from downstate that are voting to pass this Bill you're voting to dip into the road fund available for downstate projects. Remember that. This isn't a vote for tax reduction. It's a vote for a tax increase, if you want roads and transportation facilities downstate. And finally I think it's a little unusual to see so many of our Cook County friends and Chicago friends on this Bill and the Democratic Leadership, most of whom don't live in DuPage County. Possibly they would like to join with us in a Bill to reduce the tax in Cook County. But I doubt it. I think we'd find a much different vote up there on the board. This is a bad Bill vote 'no'."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the best of my knowledge the Sponsor of this legislation is the only public official who has been speaking in favor of this kind of a program. I think it stretches the credibility of this Body if we pass this

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

117th Legislative Day

May 15, 1990

legislation to give a county the authority to do it. And they do do it and then we turn around and take it away. That shows that we don't have any consistent pattern. We're not willing to allow counties to put legislation in place and see if, in fact, it will work. I think it ill behooves us to get into that pattern. And I stand in opposition to this legislation for that reason."

Speaker McPike: "Representative Olson."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. To explain my vote, I find it interesting that some of those people speaking in behalf of this Bill have for the last number of days voted for millions and millions of state dollars to take care of what are perceived to be local needs. And, in another area of this discussion, I'm not so sure that the March primary in DuPage County totally reflected what the Sponsor of this legislation had to say relative to the tax package. Having served the local and State Government, my position is, the closer to home the better you're served. And I would support a 'no' vote on this issue."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this Bill, there are 63 'ayes', 42 'nos'. Representative McCracken."

McCracken: "Verification."

Speaker McPike: "Representative Stange has asked for a poll of those not voting."

Clerk Leone: "Poll of those not voting. Deuchler and Klemm. No further."

Speaker McPike: "Mr. Clerk proceed with a Poll of the Affirmative vote."

Clerk Leone: "Poll of the Affirmative. Balanoff. Barger. Barnes. Breslin. Brunsvold. Bugielski. Capparelli.

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

117th Legislative Day

May 15, 1990

Cowlshaw. Cullerton. Curran. Currie. Davis.
Dejaegher...."

Speaker McPike: "Mr. Clerk, excuse me the Speaker votes 'aye'.
Proceed."

Clerk Leone: "Doederlein..."

Clerk Leone: "Doederlein. Dunn. Edley. Flinn. Flowers.
Giglio. Giorgi. Hannia. Hartke. Hensel. Hicks. Homer.
Lou Jones. Shirley Jones. Keane. Krska. Lang. Laurino.
Leverenz. Levin. Martinez. Matijevich. McGann.
McNamara. McPike. Morrow. Novak. Bernard Pedersen.
Phelps. Piel. Preston. Regan. Rice. Richmond.
Saltsman. Shaw. Stange. Steczo. Stern. Sutker.
Terzich. Trotter. Turner. Van Duyne. White. Williams.
Wolf. Woolard. Anthony Young. Wyvetter Younge. And Mr.
Speaker."

Speaker McPike: "Representative McCracken."

McCracken: "Representative Morrow?"

Speaker McPike: "Representative Morrow. He's right here."

McCracken: "Representative White?"

Speaker McPike: "Representative Jesse White. Jesse White.
Representative White. The Gentleman's not here, remove him
from the Roll."

McCracken: "Representative Giorgi?"

Speaker McPike: "Representative Giorgi's here. Move him back."

McCracken: "Representative Flinn?"

Speaker McPike: "Representative Monroe Flinn. Is the Gentleman
here? Remove him from the Roll."

McCracken: "Representative Richmond?"

Speaker McPike: "Representative Richmond. Mr. Richmond here?
Representative Richmond? Remove him from the Roll."

McCracken: "Representative Van Duyne?"

Speaker McPike: "Representative Van Duyne. Representative Van
Duyne. Remove the Gentleman from the Roll."

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

117th Legislative Day

May 15, 1990

McCracken: "Representative Giglio?"

Speaker McPike: "Representative Giglio. Representative Giglio. The Gentleman's not here. Remove Representative Giglio from the Roll Call."

McCracken: "Representative Laurino?"

Speaker McPike: "Who did you say again?"

McCracken: "Representative Laurino."

Speaker McPike: "Representative Laurino. Representative Laurino. The Gentleman here? Mr. Laurino? Remove the Gentleman from the Roll."

McCracken: "Representative Santiago?"

Speaker McPike: "Representative Santiago."

McCracken: "Oh, he's voting 'present'. I'm sorry."

Speaker McPike: "He's voting 'present'."

McCracken: "Representative Edley? Oh, there he is."

Speaker McPike: "Representative Edley's here."

McCracken: "Representative Bernie Pedersen?"

Speaker McPike: "Would you repeat that? Representative McCracken, would you repeat that?"

McCracken: "Bernie Pedersen?"

Speaker McPike: "Representative Pedersen. Representative Pedersen. The Gentleman's not here, remove him from the Roll. Anything further?"

McCracken: "Mr. Speaker?"

Speaker McPike: "Yes. Anything further?"

McCracken: "Yes. Representative Keane?"

Speaker McPike: "Representative Keane is here."

McCracken: "Representative Flowers?"

Speaker McPike: "Representative Shirley Jones is right here. And she'd like to be verified."

McCracken: "Yes."

Speaker McPike: "Proceed."

McCracken: "Representative Doederlein wants to be recognized."

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

117th Legislative Day

May 15, 1990

Speaker McPike: "Oh, alright. Representative Zickus."

Zickus: "No."

Speaker McPike: "Representative Zickus would like to be changed from 'present' to 'no'. Representative McCracken, anything else?"

McCracken: "Representative Doederlein and Representative Piel."

Speaker McPike: "Representative Doederlein."

Doederlein: "Will you change my vote to 'present' please?"

Speaker McPike: "Yes. Representative Doederlein would like to go from 'aye' to 'present'. Representative Piel."

Piel: "Put me down as 'present' please."

Speaker McPike: "Representative Piel changes from 'aye' to 'present'. Representative Cowlshaw."

Cowlshaw: "Please change my vote to 'no'."

Speaker McPike: "Representative Cowlshaw, Cowlshaw changes from 'aye' to 'no'. Anything further?"

McCracken: "No."

Speaker McPike: "Representative Satterthwaite would like to change from 'no' to 'aye'. Representative Currie."

Currie: "I have an inquiry of the Chair, Mr. Speaker. Am I recorded on this Roll Call? And if I am, could you tell my how I'm recorded."

Speaker McPike: "Yes, you're recorded as 'aye'."

Currie: "Thank you."

Speaker McPike: "Representative Wojcik? Representative Wojcik would like to change from 'no' to 'present'. Representative Matijevich."

Matijevich: "With all these changes going on, how am I recorded on this, Mr. Speaker?"

Speaker McPike: "Mr. Clerk, how is Representative Matijevich recorded?"

Clerk Leone: "The Representative is recorded as voting 'aye'."

Matijevich: "I would like to maintain that profile, and encourage

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

117th Legislative Day

May 15, 1990

that the Sponsor of this Bill is maintains, I'd like to keep my vote as 'aye'."

Speaker McPike: "Representative Mautino would like to change from 'no' to 'aye'. Representative Granberg. Representative Granberg. Would like to change from 'present' to 'aye'. Representative Homer."

Homer: "I would like leave to be verified, Mr. Speaker."

Speaker McPike: "Representative Munizzi. Does anyone else like to change their vote before we take the record? Representative Williams."

Williams: "I just wanted to be verified also. Thank you very much."

Speaker McPike: "Representative McGann."

McGann: "I want to be verified Mr. Speaker."

Speaker McPike: "On this Bill, excuse me, Representative McCracken. No, Representative Richmond has returned. Representative Richmond. Representative Richmond has returned. Representative Richmond. Would you turn Representative Richmond on please, Mr. Clerk? Representative Richmond. Just a minute. Representative Richmond is seeking recognition. Representative Richmond."

Richmond: "Mr. Speaker, how am I recorded?"

Speaker McPike: "Representative, you are removed from the Roll."

Richmond: "Oh I see. Will you please restore me as voting 'aye' please?"

Speaker McPike: "Yes, Representative Richmond will be recorded 'aye'. Alright, is anyone else seeking recognition? No. Representative Richmond."

Richmond: "Could I request leave to be verified please?"

Speaker McPike: "On this Bill, on this Bill, Representative Stange, for what reason do you rise? I'm sorry, Representative Barnes is seeking recognition. Representative Barnes."

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

117th Legislative Day

May 15, 1990

Barnes: "Please vote me 'present'.

Speaker McPike: "Representative Barnes would like to change from 'aye' to 'present'. Representative Stange. Are you seeking recognition sir?"

Stange: "Thank you, Mr. Speaker. Do we have anybody outside, Bernie Pedersen or Mr. Flinn? We only need three more votes here. This is a very, very important Bill for DuPage County. The motorists are fed up. The working people are fed up. We need three more votes. Remember how long it took to vote on the White Sox? Do we have plenty of time yet?"

Speaker McPike: "Representative, Representative Flinn. Representative, Representative Flinn, would you turn on Representative Flinn please? Representative Flinn, for what reason do you rise?"

Flinn: "I move the previous question, Mr. Speaker. Vote me 'aye' please."

Speaker McPike: "Representative Flinn would like to be recorded as 'aye'. On this Bill, on this Bill there are, there are 58 'ayes' 41 'nos' and 9 voting 'present' and 10 not voting. Representative Stange, Representative Stange."

Stange: "Postpone for Consideration."

Speaker McPike: "The Gentleman asks for Postponed Consideration. They'll be put on Postponed Consideration. Representative Tony Young in the Chair."

Speaker Young, A.: "We'll now go to the Order of Insurance. Third Reading. First Bill on the Order is House Bill 569. Out of the record. House Bill 982; Representative Ryder. Representative Ryder. Out of the record. House Bill 1014; Representative Giorgi. Representative Giorgi. Out of the record. House Bill 2839; Representative Sutker. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 2839, a Bill for an Act concerning the

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

117th Legislative Day

May 15, 1990

use of replacement crash parts for damaged vehicles. Third Reading of the Bill."

Speaker Young, A.: "Representative Sutker."

Sutker: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2839 addresses the problem that we have faced perennially in the last four years relating to vehicle crash parts. This is an attempt to solve that problem. In the Consumer's Protection Committee this Bill received a 16 to 0 'aye' vote. And came out on Short Debate. It's a Bill that is a full disclosure Bill, providing information to the consumer, knowledge as to what the estimate declares in his estimation that he gets from his insurer providing for the amount, providing for the manufacturer of the site, providing for the country of origin of the crash part, providing for the distinction in each part as to where the manufacturer was. It also provides for the acknowledgement of the receipt of the estimate by the consumer. It provides for warranties with respect to the manufacturer, the distributor and the installer. It relates to the fitness and quality and standards that are set by the Department of Insurance, with respect to its oversight of crash parts. As set forth in Section 91980 of the Insurance Code. It is a fair method of handling all matters that relates to fair...the crash parts. It's fair to the consumer, to the manufacturer, to the distributor, to the installer, to the body people. It is unfair to none. It provides, Ladies and Gentlemen, an opportunity for all of us to once and for all solve the problem that is related to the crash part industry from top to bottom. It prevents a vertical monopoly on the one hand and provides for competition on the other. I urge the adoption of this law, I think it makes sense. I think it gives us an opportunity to provide for the assurance of all

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

117th Legislative Day

May 15, 1990

parties that use crash parts that they merely have to provide quality that they have to provide fitness for the purposes intended and that they have to maintain proper standards. It is something that the Department of Insurance has emphasized over the years. In a true sense, this legislation incorporates what the Department of Insurance has already done. This gives us an opportunity to catch up with the administrative law which is currently in place. I urge the support of this House Bill 2839 as a means to settle the problem once and for all that has beset us over the last three years. I'm prepared to answer any questions."

Speaker Young, A.: "The Gentleman has moved for passage of House Bill 2839. On that question, the Gentleman from Coles County Representative Weaver."

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

Speaker Young, A.: "Indicates he'll yield for a question."

Weaver: "Representative, have all the problems between the big auto manufacturers and the parts dealers been worked out on this Bill?"

Sutker: "Representative, there is still disagreement on this Bill as there is on every other Bill we've had to date on the subject matter. What has occurred is that there is division among unions, among manufacturers, among insurance companies, the only people that I know of that do not dissent from this Bill or other Bills that have been before us are the consumers. I think this is a consumer related Bill, as evidenced by what occurred in the Consumers Committee. I don't know that the problems will be solved with respect to the different and diverse scoops that are involved in the legislation. I sought to, however."

Weaver: "Let me make sure I have this clear now. An agreement

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

117th Legislative Day

May 15, 1990

has been reached between the labor unions, the parts dealers and the consumer advocates about this Bill. However,...no that's not."

Sutker: "No, that is, Representative Weaver, that is not. There is no agreement currently on this Bill, or any Bill before this House. That's why this Bill is so generic. It's an attempt to solve the problems without using the branding iron approach which is occurred in other Bills in the past. I'm sure the big three which wants vertical integration, which wants a vertical monopoly, will not find this acceptable. But the fact is, this Bill is not unfair to them. It provides that the crash part must show the country of origin. It provides that the crash part must indicate the manufacturers names. It provides that the estimate must fairly state how much it will cost. It provides that fitness and quality and performance is part of the package. It alludes to the Insurance Code which has been light years ahead of us in setting forth what we should have provided previously on behalf of the Insurance Department. I can say to you however, Representative Weaver, that there will be total agreement on this or any other Bill. Maybe we have to get in a big room and I think have a constant dialogue on it. The way to begin it is to bring this Bill out and pass this Bill in the House so that we can have comprehensive understanding with the Senate and the House and I would be glad to offer my good offices to be a part of it."

Weaver: "Well, thank you. Mr. Speaker to the Bill. I, while I may have been mistaken in my impression that a deal had been worked out, I still think that I'm gonna support this Bill because as the Representative's indicated, it's a first step in the right direction. I suppose if you've gotta favor anybody in this state with a Bill of this type,

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

117th Legislative Day

May 15, 1990

we really ought to take care of the small guy and the consumer first and then worry about the big three and I think this Bill is well worth supporting. Thank you."

Speaker Young, A.: "Further discussion? The Gentleman from McDonald, Representative Edley."

Edley: "Chairman, Ladies and Gentlemen of the General Assembly. I have a definite conflict of interest in this legislation and I will be voting 'present'. But I must tell you that this is a fair piece of legislation. Fair to all producers. It doesn't brand one brand inferior. It makes all of them meet a certain qualities standard. And lets the free marketplace decide which product the consumer will purchase. This is a good Bill. Unfortunately I'm gonna have to vote 'present' because I'm in the auto parts business. Thank you."

Speaker Young, A.: "This Bill is on Short Debate. Are any of the lights on in opposition to the Bill? The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I wish the, I realize this is Short Debate but probably haven't had any series of Bills, this and the other Bill that's pending on this where we've been contacted more by constituents and lobbyists and I didn't hear the initial explanation where we dealt with how we're gonna identify these parts. Who has to be notified? Do we have to sign a slip saying we know where the part came from? Could that be explained?"

Sutker: "Representative, the computer system now is so sophisticated that it can be put on the estimate within 10 or 15 minutes. I recently had an accident and within 20 minutes I had a complete description of every crash part that was intended to be used on my vehicle. And they're doing it now in some instances. At least the company that

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

117th Legislative Day

May 15, 1990

I went to did it. It is an easy problem in our current state of technology."

Ewing: "Well, now have you ever had an accident in Pontiac, Illinois?"

Sutker: "I haven't had an accident in Pontiac, Illinois, Representative. I'll see what I can do about it on my way home."

Ewing: "Would you come back? Drive through town and we'll try to fix you up. But I'm wondering, if you went to one of our auto repair shops if they'd have a computer? I'm wondering what are they going to do about meeting these standards?"

Sutker: "I don't believe that there's a problem with respect to that. They're doing it now under the Insurance Code, Representative. The Insurance Code provides for what we are now trying to implement in law. A generic term about quality and performance and fitness and standards that are not related to anything but the use to which the crash part is intended. It is currently being done under the system that we now have. The only problem is, it's being done half hazardly and it should be part of a general law. And the law does refer to what the insurance industry now knows that it does and to what the Insurance Code now states it is. And if you'll check the Insurance Code, I'm sure you'll find that the reference to it, in this legislation, is what particularly makes this legislation worthwhile."

Ewing: "Do, does the person getting their car fixed have to acknowledge certain information given to him?"

Sutker: "Yes. The Bill provides that he be, that the consumer be provided with information so that he knows what he is receiving and he acknowledges that he's in the receipt of that information. And that's in part what the Bill provides in the estimate."

Ewing: "Do you anticipate that this is going to increase the cost

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

117th Legislative Day

May 15, 1990

of having your car fixed?"

Sutker: "I anticipate it will decrease the cost. Decrease."

Ewing: "Thank you."

Speaker Young, A.: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield for a short question?"

Speaker Young, A.: "Yes he will."

Sutker: "Yea."

Klemm: "Representative Sutker, in the Consumer Protection Committee we had some questions about some warranties, to insure that the consumer is protected throughout the entire process. Did you ever add an Amendment that would give that extra insurance?"

Sutker: "Yes. I want to acknowledge, Representative Klemm that an Amendment was enacted and in part it was adopted because of the questions you proposed in the Consumer Protection Committee. And that Amendment does provide, not only for warranties by the manufacturer, which the original Bill held, but warranties by the installer and the distributor as well. And I thank you for that additional information."

Klemm: "Well, we wanted protection added for the consumer and I appreciate your putting it on. It's a fine Bill. Thank you very much."

Sutker: "Thank you."

Speaker Young, A.: "The Gentleman from Madison, Representative McPike."

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

Speaker Young, A.: "Yes."

McPike: "I'm trying to find out how this works. I go to my local body repair shop, he has no parts. He does body repair. And I ask him for an estimate on a damaged fender. He calls the auto supply dealer that he deals with and they tell him what fender they're going to put on my car? I'm

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

117th Legislative Day

May 15, 1990

looking for an estimate from my local guy. So they identify a fender that's from Germany. And so he gives me an estimate and it says your fender is going to be put on and it's going to be a fender from Germany. Is that how it works?"

Sutker: "Yes. He will tell you the manufacturers, under this Bill, he would tell you the country of origin, and he would also tell you the manufacturer."

McPike "Alright. Now my insurance tells me I have to get two estimates. So I go across the street to the other garage, they call the auto repair shop and they say now how many fenders do you have in stock? They say we have three, but we've already reserved the one from Germany for another car. So they tell you, well we'll give you a fender at the same price but this one is from France. So now I have two estimates. I have one fender from Germany and one from France."

Sutker: "You can make the choice as to which one you chose."

McPike: "I can make the choice. Now my neighbor that we both have had the same accident. We run into each other and he has the same car, and he has a fender damaged to. We both have it."

Sutker: "Was that in Pontiac?"

McPike: "Well it doesn't make any difference. He calls for a, he takes two estimates. The guy has three fenders in stock. He gets two estimates. Well the first one is alright. He gets a fender from Taiwan. Now the auto repair shop, he's got three fenders in stock but he's set these aside now. He doesn't know if he's gonna sell any of these fenders at this point. But he set them aside. The guy goes for his second estimate, he calls the same auto repair shop and he says, I'm sorry, I've only got three fenders. I can't give one to you. Now what happens?"

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

117th Legislative Day

May 15, 1990

Sutker: "I think you ought to go to another body shop."

McPike: "Now, here's my point. Look at how complicated this is. I'm getting these estimates, I really have no idea which fender's going to be put on my car. No idea. My insurance company doesn't know because they don't know which estimate I'm going to use. I can get paid for the high estimate. I'm sorry, I can get paid for the low estimate and I chose to go on my own and have it done by the high estimate the difference. The guy at the auto parts store he doesn't even know what he's even selling. He's making estimates every day, all day long, and he's, what's he doing? Setting aside parts for these estimates? I don't believe that's how they do business? I don't think they set aside a part and say, I can't sell that part because I made an estimate on that part two weeks ago. So I, it seems to me like you're going to complicate this so much, not just for the consumer and the insurance companies but for the auto parts dealer who's trying to sell his parts, and instead of this he has a whole list of estimates with these parts reserved, for a sale that he has know idea if he's going to make. I think it just makes the whole system so complicated it makes it unworkable."

Speaker Young, A.: "Representative Sutker to close."

Sutker: "Well, yes Mr. Speaker, Ladies and Gentlemen. Contrary to what the last Speaker just stated, this really makes it much simpler. He illustrated how much more simple it will be for the consumer. Finally, the consumer will know what, where the country origin is for the particular part. Finally the consumer will finally know who the manufacturer of the particular part is...part is. Finally the consumer will know with whom he is dealing and whether or not the automobile rebuilder is worth dealing with. And the last Speaker illustrated why this is needed. This legislation,

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

117th Legislative Day

May 15, 1990

Ladies and Gentlemen, is really very simple. It is a disclosure Bill which is clear across the board, equal and fair to all. It's equitable to every level in the industry. It is fair to the manufacturer, it is fair to the distributor, it is fair to the installer and above all for the first time the consumer will know with what he is dealing. I urge an 'aye' vote. This is good legislation."

Speaker Young, A.: "The question is, 'Shall House Bill 2839 pass?' All those in favor vote 'aye' those opposed vote 'no'. Voting is open, this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 77 voting 'yes' 30 voting 'no' 8 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Davis."

Davis: "I merely wanted to explain my vote. I wanted to say to the voters, I guess it's too late, Mr. Speaker. But I just wanted to state that the unions are opposed to this Bill and it just surprises me that so many people would vote 'yes'."

Speaker Young, A.: "House Bill 1014, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1014, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Giorgi: "Mr. Speaker, I'd like to ask leave of the House to move this Bill back to the Order of Second Reading for the purpose of some Amendments."

Speaker Young, A.: "The Gentleman asks leave to return House Bill 1014 to Second Reading for the purposes of Amendment. Hearing no objections, leave is granted. Second Reading."

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

Speaker Young, A.: "Representative Lang."

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

117th Legislative Day

May 15, 1990

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 relates to specific problems that my constituents have been having and many of your constituents have been having relative to drastic and frequent and constant increases in premiums for accident and health insurance. My constituents report to me that they get a premium notice for their health insurance and two months later they get a new premium notice with a higher rate. And two months later they get a new premium notice with a higher rate. People in our districts, particularly senior citizens, need to be able to budget their funds and budget their income and budget their time to arrange for payment of health insurance, which is quite costly. Accordingly, Amendment #3 would require that premium rates for accident and health insurance may not be increased more frequently than one time in each six month period. The reasons for this are as of I've stated. This is not an attempt to regulate the insurance industry. This is not an attempt to regulate insurance rates. This is only an attempt to set aside a period of time that someone who's paying these premiums can be sure that his premium will be solid for that period of six months. So an insurance company under this Amendment might set their rates anywhere they like but only change them once every six months. Recently in one of my local newspapers, the Lerner newspapers, they had an editorial endorsing this proposal. And although they said clearly in the editorial that they're not interested in regulating private business, they go on to say that this doesn't really regulate the insurance industry because it doesn't regulate insurance rates. I ask for your support, I'd be happy to answer your questions."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #3 to House Bill 1014. On that question,

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

117th Legislative Day

May 15, 1990

the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was soundly defeated in the Insurance Committee and now he's putting it on as Amendment. I asked him specifically if he could give me copies of all these letters of these people, that are that are poor people on fixed incomes. He had none. When we asked if he can name the insurance companies doing so, according to him, he couldn't answer by giving us even one. All he is trying to do is put the IPAC legislation in Amendment form. It is going to rise, raise the cost of doing business in Illinois. This is not necessary. This Bill, this Amendment to this Bill is just going to further complicate the insurance issue. I would ask that we will vote 'no' or 'present' on this Bill because it will serve no purpose and in fact if you check your own mail, you will find that there are not people in your districts asking for this. This is a brainstorm of his, and I do not think it has merit and it should not be passed out of this General...it should not be put on this Bill."

Speaker Young, A.: "The Gentleman from Cook, Representative Terzich."

Terzich: "Representative Lang, basically what you're simply stating is that if there's a rate quoted, that that has to have a six month rate guarantee. Is that about it?"

Lang: "That is correct. I just want the rate locked in for six months. They can raise it if they want to after that time."

Terzich: "Well, on the Amendment. I really don't see any difficulty with this. It is isn't restricting the insurance industry from adjusting their rates. It's simply guaranteeing that the rate have a six month guarantee. And certainly all that is is a cut-off point. There shouldn't

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

117th Legislative Day

May 15, 1990

be any additional cost either to the consumer or to the insurance industry and I seek your support on this Amendment."

Speaker Young, A.: "The Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also serve on the Insurance Committee. When this Bill came in we discussed it at length. One of the questions we asked was whether there was some kind of explanation from the insurance company that was supposed to be the outfit that was doing this and the truth is he couldn't explain, he hadn't talked to the insurance company. I mean normally if there is some little glitch or problem that's kind of isolated, which this surely is. I mean you would at least inquire as to why this happened or what the situation was, and so on. I suspect that the real question here, Ladies and Gentlemen of the House is is there a problem? I mean I can't imagine. All we try to do here and in Washington is micro-manage the private sector, micro-manage every blasted thing in our lives and here we are, trying to tell all insurance companies that they just, they just can't do this or they can't do that. And so Ladies and Gentlemen of the House, I think this is something that there isn't no demonstrated need, let's just keep our hands off the private sector when it isn't necessary. I urge a 'no' vote."

Speaker Young, A.: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. This Bill is not about managing the insurance companies. This Bill, this Amendment is about what's good for consumers and what's good for your constituents. They have a right to know that for a period of time their health insurance premium is going to remain constant. And for that reason I ask that you vote their

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

117th Legislative Day

May 15, 1990

interest and vote 'green' on this Amendment."

Speaker Young, A.: "The question is, 'Shall Floor Amendment #3 be adopted?' All those in favor vote 'aye' those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk...Representative Hartke to explain his vote."

Hartke: "Thank you very much Mr. Speaker. You know I think that this is a reasonable request. If you're on a fixed income and your continually getting insurance premiums and they're going up and up and up, there's really no way to plan and so forth and this is a very simple request. It's not a rate increase, it's not defying the rate, it's stabilizing that rate so you know what you're going to be paying for your health insurance. It gives some stability to the system and I think that there ought be more green votes up there. I think it's a very good concept and should be enacted."

Speaker Young, A.: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 52 voting 'yes', Representative Parke?"

Parke: "Yes, I'd like verification of the Roll Call please."

Speaker Young, A.: "Representative Parke asked for verification of the affirmative vote. Representative Lang asked for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Bugielski and Leverenz. No further."

Speaker Young, A.: "Representative Parke asks for a Poll of the Affirmative Vote."

Clerk O'Brien: "Balanoff. Black. Breslin. Brunsvold. Capparelli. Cullerton. Currie. DeJaegher. DeLeo. Dunn. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Hultgren. Lou Jones. Keane. Krska. Kulas. Lang. Laurino. Levin. Martinez.

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

117th Legislative Day

May 15, 1990

Matijevich. McGann. McNamara. McPike. Munizzi. Phelps.
Preston. Richmond. Ronan. Saltsman. Santiago. Shaw.
Steczo. Stern. Sutker. Terzich. Trotter. Van Duyne.
White. Wolf. Woolard. Anthony Young. Wyvetter Younge.
And Mr. Speaker."

Speaker Young, A.: "Questions of the Affirmative Vote?"

Parke: "Yes. Representative Lou Jones?"

Speaker Young, A.: "Representative Jones. Lou Jones. Is the
Lady in the chamber? How is she recorded Mr. Clerk?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Young, A.: "Remove her. Representative Santiago asks
leave to be verified. Leave is granted."

Parke: "Representative Homer?"

Speaker Young, A.: "Representative Homer. Representative Homer.
Is the Gentleman in the chamber? He's in the side door."

Parke: "Thank you. Representative Kulas?"

Speaker Young, A.: "Representative Kulas. Representative Myron
Kulas. Representative Kulas. Is the Gentleman in the
chamber? Yes, the Gentleman is at the telephone in the
rear."

Parke: "Representative Ronan?"

Speaker Young, A.: "Representative Ronan. Representative Ronan.
Is the Gentleman in the chamber? How is Representative
Ronan recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him from the Roll."

Parke: "Representative Keane?"

Speaker Young, A.: "Representative Keane. Representative Keane
is in the chamber at the Well."

Parke: "Representative Giglio?"

Speaker Young, A.: "Representative McNamara asks leave to be
verified. Leave is granted. Representative Morrow asks
leave to be verified as voting 'present'. Representative

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

117th Legislative Day

May 15, 1990

Giglio. Is Representative Giglio in the chamber? How is Representative Giglio recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him."

Parke: "Representative McGann?"

Speaker Young, A.: "Representative McGann. Is Representative McGann in the chamber? How is Representative McGann recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him."

Parke: "Representative White?"

Speaker Young, A.: "Representative White. Representative White. How is Representative White recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him."

Parke: "Representative Levin?"

Speaker Young, A.: "Representative Levin is in his chair."

Parke: "I have no more."

Speaker Young, A.: "Representative Rice votes 'aye'. Representative Davis votes 'aye'. Representative Santiago goes from 'yes' to 'present'. Representative Lang."

Lang: "I can't take you off anyway it's too late."

Speaker Young, A.: "Do you wish to a verification Representative Lang? Representative Lang requests verification of the negative vote. Poll the negative votes Mr. Clerk."

Clerk O'Brien: "Ackerman. Barger. Barnes. Churchill. Countryman. Cowlshaw. Daniels. Deuchler. Didrickson. Doederlein. Edley. Ewing. Frederick. Goforth. Hallock. Hasara. Hensel. Hoffman. Johnson. Kirkland. Klemm. Kubik. Leitch. McAuliffe. McCracken. Noland. Novak. Bob Olson. Myron Olson. Parcels. Parke. B. Pedersen. W. Peterson. Petka. Piel. Pullen. Regan. Ropp. Ryder. Satterthwaite. Sieben. Stange. Stephens. Tenhouse.

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

117th Legislative Day

May 15, 1990

Wait. Weaver. Weller. Wennlund. Williamson. Wojcik.
and Zickus."

Speaker Young, A.: "Representative Churchill asks leave to be
verified. Leave is granted. Questions of the negative
vote? Representative Lang."

Lang: "Thank you, Mr. Speaker. Representative Stange."

Speaker Young, A.: "Representative Stange. Representative
Stange. Is the Gentleman in the chamber? How is
Representative Stange recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Young, A.: "Remove him from the Roll."

Lang: Representative Hoffman?"

Speaker Young, A.: "Representative Novak changes from 'no' to
'aye'. Representative Hoffman. Is Representative Hoffman
in the chamber? How is Representative Hoffman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Young, A.: "Remove him from the Roll Call.
Representative Stange has returned to the chamber. And
votes 'no'."

Lang: "Representative Edley?"

Speaker Young, A.: "Representative Kulas."

Kulas: "Change me to 'present' please."

Speaker Young, A.: "Goes from 'aye' to 'present'. Representative
Stern asks leave to be verified."

Lang: "Representative Edley?"

Speaker Young, A.: "Representative Williamson asks leave to be
verified. Leave is granted. Representative Edley. Is
Representative Edley in the chamber? How is Representative
Edley recorded?"

Clerk O'Brien: "Gentleman is recorded as voting 'no'."

Speaker Young, A.: "Remove him from the Roll. Representative
Hoffman has returned to the chamber. He votes 'no'.
Representative Ryder asks leave to be verified. Leave is

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

117th Legislative Day

May 15, 1990

granted."

Lang: "Representative Wojcik?"

Speaker Young, A.: "Representative Turner goes from 'present' to 'aye'. Representative..."

Lang: "Representative Wojcik?"

Speaker Young, A.: "Representative Wojcik. Is the Lady in the chamber? Representative Wojcik. How is the Lady recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'no'."

Speaker Young, A.: "Remove her from the Roll. Representative Novak asks leave to be verified. Leave is granted. Representative Wait asks leave to be verified. Leave is granted. Representative Hoffman asks leave to be verified. Representative Kirkland asks leave to be verified. Further questions of the negative vote Representative Lang?"

Lang: "Representative McCracken?"

Speaker Young, A.: "Representative McCracken. Is Representative McCracken in the chamber? How is Representative McCracken recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Young, A.: "Remove him from the chamber."

Lang: "That'll do it."

Speaker Young, A.: "Representative Parke, for what purpose do you seek recognition?"

Parke: "Since I am in the Minority on the vote, do I have the opportunity to verify?"

Speaker Young, A.: "Parliamentarian informs me that you have had your verification, Representative Parke. When Representative Wojcik returns to the chamber..."

Parke: "Representative McCracken. Representative McCracken."

Speaker Young, A.: "Representative McCracken returns to the chamber and votes 'no.' And Lou Jones returns to the chamber and votes 'aye'. Is that it? On this question,

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

117th Legislative Day

May 15, 1990

there are 50 voting 'yes', 49 voting 'no' and Representative Leverenz votes 'aye'. Then this question there are 51 voting 'yes', 49 voting 'no', 9 voting 'present' and the Amendment is adopted. Further Amendments?"

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

Speaker Young, A.: "Withdraw Amendment #4."

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

Speaker Young, A.: "Representative Lang withdraws Amendment #5."

Clerk O'Brien: "Floor Amendment #6 offered by Representative Terzich - Mautino."

Speaker Young, A.: "Representative Terzich on Floor Amendment #6. Withdraw."

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

Speaker Young, A.: "Representative Lang on Floor Amendment #7."

Lang: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #7 deals with an issue we've discussed before in the House but never had a thorough hearing on because it usually has come late in the Session and people haven't been here. This relates to policy simplification. As many of you are aware, people don't understand the insurance policies they read. As an attorney, I see people everyday who come to my office and say I've had this accident. I don't know if my policy covers me. I have this disability. I don't know if my policy covers me. And many times I don't know if their policy covers them either because of the way they're written. We need to have insurance policies for the consumers' benefit that they can understand. We need to have insurance policies that people can read and determine whether they're covered and what

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

117th Legislative Day

May 15, 1990

they are covered for and the limits of that coverage. And so Amendment #7 will create a situation where the Department of Insurance can create those guidelines. It would require approval of policy and casualty insurance forms and it will require prior policy simplifications so that your constituents and mine can understand their insurance policies and deal with them appropriately without needing to hiring a lawyer or without needing to bother their insurance broker every 15 minutes about a question they may have. I'd be anxious to answer your questions."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #7 to House Bill 1014. On that question the Gentleman from Cook, Representative Parke."

Parke: "Thank you. Would the Sponsor of this Amendment yield for a question?"

Lang: "Be happy to."

Parke: "Thank you. Aren't you a lawyer?"

Lang: "That's the very first question you asked me the last time I had his Bill."

Parke: "It was germane then, and it's germane now. Your answer is yes."

Lang: "Yes, I'm a lawyer. I'm trying to take business out of my own hands."

Parke: "You of all people should understand that this Amendment is on there, is trying to be put on this Bill in a way that is not fair to the consumer. It's completely opposite of what you're trying to say. The legal documents of an insurance policy is just that. It is a legal document. It is drawn up by the law departments, by lawyers to make sure that all the t's are crossed and the i's are dotted to make sure that that person who is giving money in good faith to that insurance company is covered. So there's no questions on behalf of the consumer as to whether or not this is a

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

117th Legislative Day

May 15, 1990

legal document. Because this Amendment goes on, does not guarantee one iota that a person who feels that they are not being represented by the staff, by the word of that contract is somebody who does not have any opportunity to go to a lawyer. He or she will then go to a lawyer regardless. Now this Body has soundly defeated this Amendment before, and I ask that this Body soundly defeat it again. It is not necessary. It is an additional way of just creating more problems and more confusion in the marketplace. The current policies again, are legal documents. They must be that way. They are drawn up in a legalize by lawyers and they will be always interpreted by lawyers and they will always be interpreted in the courts. This is another Amendment to this Bill that is going to further confuse the initiative and I might point out respectfully, that this may be well intended but I will point out the cost of redoing all the policies, the millions of insurance policies that are written annually and the forms that will be having to be changed will become so costly that it will be passed on to the very consumers you and I are concerned about. Please vote 'no' on this Amendment. It is further confusing the issue."

Speaker Young, A.: "The Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Insurance policies are contracts and they need specific language in order to protect the rights of both the consumer and the company. There's a long, incidentally this is folks, this is just another IPAC Bill, you have to give them credit. They've got a lot of endurance. They've been promoting this misguided legislation for several years now. But in any bet, there's a long history of how courts have interpreted the language of insurance policies in this

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

117th Legislative Day

May 15, 1990

state. Whenever you put writing in a contract, and there's a claim, there are going to be disputes as to what it means, no matter how simple it is. In fact, the simpler it is, the more confusing it might be. If we adopt this Amendment we'll be hurting the very people of this state we're obligated to protect. Because we will be guaranteeing the fact that the language in the policy will be vague and less specific in stating what a person is covered for. Most importantly, why we are considering, why we are considering legislation that only serves to confuse the consumer and which will result in depriving him or her of basic rights which are now clearly stipulated not only in the policy, but by the buyers guide and other material which by Illinois law and regulation that must be furnished to all applicants for insurance. This is just another simplistic micro-managing proposition. It will not accomplish what it, they say it will accomplish. It will just make it worse. It'll mean just more disagreements, more lawsuits, more going to court to straighten out what the language really means and it's not needed. And I urge a 'no' vote."

Speaker Young, A.: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. You know, I'm not an attorney, but by the time I finish reading my insurance policies I sometimes wonder why my i's are not crossed and my t's are not dotted. They're really difficult to understand and to read. And I think simplification, yet having the correct language is important. And I stand in support of this Amendment."

Speaker Young, A.: "The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. We

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

117th Legislative Day

May 15, 1990

ought to call this Amendment the loophole Amendment. This Amendment does exactly the opposite of what the well intentioned Sponsor wants it to do. Simplification of language simply leaves loopholes on both sides. It leaves loopholes for the insurance companies that dodge claims and on the other hand it leaves loopholes for the insured. So what it does do though, it certainly will bring in a lot more people to court and it will raise your insurance premium sky-high, and that's what we're trying to stop in this state. I'd vote 'no'."

Speaker Young, A.: "Further discussion? Representative Lang to close."

Lang: "Thank you, Mr. Speaker. I find it incredibly interesting that all of the opponents who spoke to this Bill are all in the insurance business themselves. Apparently there's some reason why, apparently there is some reason why the people in the insurance business don't want this Amendment to pass. Maybe you can figure that out. I cannot. One of the speakers discussed the fact that insurance policies clearly stipulate the rights and liabilities of the parties, nothing can be farther from the truth. When I have an 85 or 90 year old lady come into my office and ask me if she's covered for such and such and I can't tell her we both have a problem. This Bill will keep people from needing to hire lawyers. This Amendment will allow the Department of Insurance to create appropriate language and when we talk about legalize, the fact that I'm a lawyer should indicate to you that I know that legalese is unfair to the consumer. And when I write a contract in my office, I write a contract that my client can understand. And so it should be with insurance. People have to buy insurance, we need insurance, we need the insurance industry, but the consumers in our state, your constituents and my

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

117th Legislative Day

May 15, 1990

constituents have a right to get an insurance policy that they can read and an insurance policy that they can understand. I urge you to consider that strongly and I urge you to vote for this Amendment."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #7 to House Bill 1014. All those in favor vote 'aye' those opposed vote 'no.' Voting is open. Have all voted who wish? Representative Parke to explain...have all voted who wish? Have all voted who wish? Representative Lang, for what purpose do you seek recognition?"

Lang: "If this fails to receive the appropriate number, Mr. Speaker I ask for a verification of the negative."

Speaker Young, A.: "Have all voted who wish? Mr. Parke, for what purpose do you seek recognition?"

Parke: "If this does receive the required number I would ask for a verification of the Roll Call."

Speaker Young, A.: "Okay. Have all voted who wish? Mr. Clerk, take the record. On this question, there are, on this question Representative Parke requests a verification of the Affirmative Vote. Representative Lang requests a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Black. Capparelli. Edley and Rice."

Speaker Young, A.: "Representative Parke requests a Poll of the Affirmative Vote. Representative Novak asks leave to be verified. Leave is granted."

Clerk O'Brien: "Poll of the Affirmative. Balanoff. Breslin. Brunsvold. Bugielski. Cullerton. Currie. Davis. DeJaegher. DeLeo. Dunn. Flinn. Flowers. Giglio. Giorgi. Hannig. Hartke. Hicks. Homer. Hultgren. Lou Jones. Keane. Krska. Lang. Laurino. Levin. Martinez. Matijeovich. McGann. McNamara. McPike. Morrow.

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

117th Legislative Day

May 15, 1990

Mulcahey. Munizzi. Novak. Phelps. Preston. Richmond.
Saltsman. Santiago. Satterthwaite. Shaw. Steczo.
Stern. Sutker. Trotter. Turner. Van Duyne. White.
Williams. Wolf. Woolard. Anthony Young. Wyvetter
Young. And Mr. Speaker."

Speaker Young, A.: "Questions of the Affirmative Vote
Representative Parke."

Parke: "Representative Dunn?"

Speaker Young, A.: "Representative Dunn. Representative John
Dunn. Is the Gentleman in the chamber? How is he
recorded?"

Clerk O'Brien: "The Gentleman if recorded as voting 'aye'."

Speaker Young, A.: "Remove him."

Parke: "Representative Turner?"

Speaker Young, A.: "Representative Turner is in the aisle."

Parke: "Representative Keane?"

Speaker Young, A.: "Representative Keane. Is Representative
Keane in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him from the Roll."

Parke: "Representative Giglio?"

Speaker Young, A.: "Representative Giglio. Is Representative
Giglio in the chamber? How is Representative Giglio
recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him."

Parke: "Representative McGann?"

Speaker Young, A.: "Representative McGann is at the side door."

Parke: "Thank you. Representative Wolf?"

Speaker Young, A.: "Representative Wolf. Is Representative Wolf
in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voted 'aye'"

Speaker Young, A.: "Remove him."

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

117th Legislative Day

May 15, 1990

Parke: "Representative Van Duyne?"

Speaker Young, A.: "Representative Van Duyne is in his chair."

Parke: "Representative Morrow?"

Speaker Young, A.: "Representative Morrow. Representative Morrow. How is Representative Morrow recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Young, A.: "Remove him. Representative Williams asks leave to be verified. Representative Keane returns to the chamber."

Parke: "I have no others."

Speaker Young, A.: "Representative Keane votes 'aye'. Representative Leverenz votes 'aye'. Representative Granberg votes 'aye'. Representative Giglio has returned to the chamber and votes 'aye'. On this question there are 53 voting 'yes', 52 voting 'no', 3 voting 'present' and the Amendment is adopted. Further Amendments?"

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

Speaker Young, A.: "Representative Lang on Amendment #8."

Lang: "Thank you, Mr. Speaker. While I'm on a roll, we'll try another one. This is a Bill that was before the House sometime ago and disappeared from view, but it's still a good Bill. This Amendment would require that a consumer guide be published by the Department of Insurance listing different prices in different categories of coverage from Medicare, homeowners, life insurance and automobile insurance. And would require that the company submit to the Department of Insurance what they charge for these types of coverages for various limits and that the Department of Insurance publish such a list so the consumers can comparison shop and get the best coverage for the best price themselves. And I ask your support."

Speaker Young, A.: "The Gentleman has moved for the adoption of

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

117th Legislative Day

May 15, 1990

Floor Amendment #8 and on that question, the Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Young, A.: "Indicates he will yield."

Hultgren: "Representative does the department already do this, and the reason I raise that question is I seem to remember just within the past two or three weeks seeing notice that the department had published some comparative rates. I would not suggest to you that it was necessarily in all four of these categories, but I believe what I saw, might have been in automobile and home owners insurance."

Lang: "Mr. Speaker, I can't hear Representative Hultgren over here, could we get a little quiet in here?"

Hultgren: "Let me restate my question. Is it possible that the department may already be doing this? And the reason I ask that question is because I seem to recall seeing just within the past couple of weeks, on the official documents list that we receive from the Secretary of State that in fact the Director of Insurance had filed comparative information with the state librarian. I don't recall that it was necessary as comprehensive as the list that you have here. But I think that it did have homeowners and auto insurance coverage."

Lang: "To my knowledge, they aren't publishing such a guide, doing it as comprehensive fashion as the Amendment would suggest. Should this be duplication or redundant we can correct that in the Senate."

Hultgren: "Thank you."

Speaker Young, A.: "The Lady from Lake, Representative Frederick."

Frederick: "Thank you, Mr. Speaker. Would the Sponsor yield for a question, please? Representative Lang, can you tell me about how long a booklet a buyers guide would need to be to

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

117th Legislative Day

May 15, 1990

cover all these aspects of insurance?"

Lang: "I have no idea. I'm not familiar with the publishing business."

Frederick: "Actually, Representative, I have been involved as a buyers guide for one category of insurance, long term care. We spent a year preparing this booklet and it's about 12 pages. Now if you are going to cover all the categories you list, we're looking at a guide that will probably be 60 to 75 pages long which seems to me to be placing an inordinate burden on the Department of Insurance. Do you think it would possible to cut back your request list to maybe one or two categories of Insurance instead of five or six?"

Lang: "Well firstly, I don't think the 60 or 70 page book is necessary, but even if it were, if the purpose is to protect consumers in this state and to allow them to comparison shop for insurance which we all need, we all need various types of insurance, then I believe it would be worth that effort. But should there be sufficient votes to pass this into the Senate, I would be happy to work with anybody to try and limit this in some way, if that was your desire."

Frederick: "To the Bill, Mr. Speaker. I reluctantly have to oppose this Bill. First of all I think a booklet of the length that would be required to publish all the categories of insurance and all the criteria that you need to list, would not really be a benefit to the consumer. I think it would be more confusing to the consumer. And for this reason, I oppose Amendment #8."

Speaker Young, A.: "The Gentleman from Cook, Representative Terzich."

Terzich: "Yea, Representative Lang, do you want the Department of Insurance to post comparative prices for insurance

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

117th Legislative Day

May 15, 1990

products?"

Lang: "That is correct."

Terzich: "Well, I'm sure you are aware that there isn't any product in the United States, or for that fact, probably in the world that isn't touched by inflation, and they're all subject to change without notice. How would you plan on some, keeping something current? And why should the Insurance Department get into the department...get into the insurance business in itself?"

Lang: "You simply list in the pamphlet, Representative, the prices are subject to change without notice. I believe that any responsible consumer knows that prices of anything go up and as the as the guide would be published from year to year the prices, rates would be appropriately changed."

Terzich: "Are you aware of the number of insurance products there are?"

Lang: "I'm aware of it. I'm aware it's voluminous. I'm aware there's a lot of them. I'm aware of anything you want to tell me on the issue. But the issue is not the difficulty of the Department of Insurance in preparing the document. The issue is not the pain involved for the insurance companies to put it together. The issue is not the problems the insurance brokers may have and the amount of money they may lose in commissions. The issue here is are we gonna protect the consumer. This is one area that the consumer expects and demands more help from the General Assembly end and that's the purpose of this Amendment."

Terzich: "Well, on the Amendment. You know this is really, I really cannot appreciate this Amendment. Number one is that you're putting the insurance, the Department of Insurance in the insurance business that would cost a substantial amount of money. It would also have to give someone, the, assume the liability and responsibility to

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

117th Legislative Day

May 15, 1990

produce such a thing and also you're basically saying is that whoever is purchasing this product is not smart enough to go out and ask for comparative bids or quotes from the many aspects of insurance and I would think that this is a very bad Amendment and I urge a 'no' vote."

Speaker Young, A.: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Lang: "Surely."

Speaker Young, A.: "Indicates he will yield."

Leverenz: "Exactly what are you asking? Is it the Department of Insurance?"

Lang: "The Department of Insurance would publish a consumer guide listing various prices, various insurance premium rates for each company that sells these coverages under certain limits."

Leverenz: "Does any State in the Union do that currently?"

Lang: "It's possible. But I don't know."

Leverenz: "Would you give us some idea of what it might cost to put the Department of Insurance into a business much like a stock brokerage that would have to publish ticker tape symbols every week or everyday.?"

Lang: "Was that a question or a statement, Representative?"

Leverenz: "That was a question."

Lang: "Sounded like a editorial statement."

Leverenz: "What does it cost the Department..."

Lang: "I have no idea what the cost would be."

Leverenz: "What is the genesis of this Amendment?"

Lang: "My understanding is it's an IPAC Amendment but I wasn't here when IPAC wrote this Amendment. I've taken it on because I think it's a good cause."

Leverenz: "How often will they have to issue this brochure or booklet or something the size of the state statute?"

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

117th Legislative Day

May 15, 1990

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

Leverenz: "How big would the book be?"

Lang: "That question was asked previously, I don't know the answer."

Leverenz: "I didn't hear that answer and I just thought I would ask again. Mr. Speaker, to the Amendment. I understand this Amendment was offered in the form of a Bill in committee. It would be absolutely absurd, I would think, to have the Department of Insurance publish a booklet for which people will get as they do now with the enclosures, for example you get in your license plate an application or your gas bill, things about industry and would be treated as junk mail. I think it would be absurd for us to be giving money to the Department of Insurance simply to pump out more junk mail and I think that is up to the consumer to do his own shopping."

Speaker Young, A.: "Representative Lang to close."

Lang: "Thank you very much, Mr. Speaker. I think it's been debated sufficiently. I would like to add this though. Currently the Illinois Cost Care Containment Counsel publishes a guide each year for costs of hospitals statewide for various types of services, certain surgical procedures, what the cost of a bed is, semi-private room, private room, the book's not very thick. And that covers hospitals on a statewide basis. I think the same could be done here. I think it would be fairly easy to put these charts together and for the protection of our constituents I would ask that you consider this strongly and vote for this Amendment. Thank you."

Speaker Young, A.: "The Gentleman moves for the adoption of Floor Amendment #8 to House Bill 1014. All those in favor vote 'aye' those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr.

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

117th Legislative Day

May 15, 1990

Clerk take the record. On this question there are 45 voting 'yes', 60 voting 'no', 4 voting 'present' and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9 offered by Representative Terzich - Mautino."

Speaker Young, A.: "Representative Terzich on Amendment #9."

Terzich: "Yes, Mr. Speaker and Members of the House. Amendment #9 simply provides that the extension of benefits on any group health policy written in the State of Illinois would be applicable to all employees upon termination of the...of a contract and what has happened is that there are some contracts that are issued in the state that do not provide for extension of benefits upon termination of the master contract and the Amendment simply states that if the person is disabled on the date of termination, that the carrier of that..."

Speaker Young, A.: "Excuse me, Representative Terzich. Representative Parke, for what purpose do you seek recognition?"

Parke: "Yes, I inquire of the Chair. I believe that this is out of order."

Speaker Young, A.: "Representative Parke, for what reason do you think that the Amendment is out of order?"

Parke: "The Section, the title, the previous Amendments have changed the Sections to the title."

Speaker Young, A.: "While the Parliamentarian studies the Amendments in the Bill, Representative Terzich do you want to continue explaining the Amendment?"

Terzich: "Yes, I do. And what it simply does is that it simply provides the that the contracts that are issued, if the person incurs the claim while insured under the contract that that person would be insured under the extension of benefit provision and that all contracts issued in the

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

117th Legislative Day

May 15, 1990

state would provide for that extension. There's no cost to anybody and it's simply having the carrier that incurred the claim assume the liability so long as that person is eligible."

Speaker Young, A.: "Representative Terzich."

Terzich: "Yes, Mr. Speaker. Apparently the Amendment as drafted by the staff does cause some problems so therefore, I will...you know, take it out at the present time."

Speaker Young, A.: "Withdraw Amendment#9. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "There has been a request for a fiscal note as amended. The Bill will remain on Second Reading. Representative Giorgi. The next Bill is House Bill 2870. Representative Hultgren. Read the Bill Mr. Clerk. For what purpose does Representative Peterson seek recognition?"

Peterson: "Yes, Mr. Speaker. We would like to ask that this be taken off Short Debate?"

Speaker Young, A.: "Do you have the requisite number of associates who share in that request? Okay. This Bill will be removed from the Order of Short Debate. Representative Hultgren on House Bill 2870."

Hultgren: "Mr. Speaker. This passed out of committee by a unanimous vote but there's obviously some misunderstanding that has arisen since that time. So maybe we ought to take it out of the record right now."

Speaker Young, A.: "Out of the record. Representative Mautino, for what purpose do you seek recognition?"

Hultgren: "He took it out of the record?"

Speaker Young, A.: "Yes, the Bill was taken out of the record. House Bill 3061, Representative Jones. Representative Shirley Jones. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 3061, a Bill for an Act to amend the

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

117th Legislative Day

May 15, 1990

Illinois Insurance Code. Third Reading of the Bill."

Speaker Young, A.: "Representative Jones."

Jones, S.: "Mr. Speaker, House Bill 3061 amends the Illinois Insurance Code. Provides that the insured may elect to purchase insurance coverage for the parents of the insurer or insured. Spouse under policy or accident and health insurance that cover the insured as well as the insured's immediate family."

Speaker Young, A.: "The Lady moves for the passage of House Bill 3061. On that question the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have high respect and regard for the Sponsor of this Bill. However, the Bill will expand the cost of doing business in the State of Illinois because any grandparent, any parent, any aunt, any uncle, any spouse, can be covered under the Employers Health Insurance. What this does is that it is what we call adverse selection. It means that if there's an uncle working somewhere in a plant and has a health condition that can't get insurance, the insured of this company then can put them on their health insurance policy without having employment. Really not being a pure dependent under the form that most of us understand as dependents. She understands there is a problem, and we all sympathize with that but if you want the employers, the small businessmen and women who have the small group policies and we're not talking the big companies because they're they have their self insurance pools, we're talking about the small insurance business man and woman having people come on their health insurance plans that are vaguely related either an uncle or an aunt or even a grandparent then must be put on their health insurance policy. We will find that the cost of doing business in

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

117th Legislative Day

May 15, 1990

this state will just rise through the ceiling. The idea is well intended. The Sponsor I'm sure is trying to solve a problem with the constituents too, but this is not the way to solve the problem. This is overkill. And I respectfully ask that the General Assembly vote 'no' on this piece of legislation."

Speaker Young, A.: "The Gentleman from Cook, Representative Pedersen."

Pedersen, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I know the Sponsor of this Bill came to us twice in Insurance Committee. I know her heart's in the right place and we understand that. But this really destroys any semblance of group insurance. It's just, it's so flawed, that it's really hard to know where to start. All I can say is that you know you can't try to cover people who can't get insurance by adding...adding into some relatives insurance policy. I...would increase the cost for the people in the group and it really defies all...descriptions. So I would just urge a 'no' vote."

Speaker Cullerton: "Representative Cullerton in the Chair. Further discussion? The Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Again, this Bill does exactly the opposite of what's intended. This will rise the cost of group insurance, another mandate, another mandate of benefits going on, forcing employers to self-insure and removing all mandates. Right now we have 60 percent of the insurance in the State of Illinois self-insured. Very shortly that will go to 85 percent. They'll eliminate all these fringe benefits that we've been putting on and the people won't have the coverage anyway. They'll just get rid of the individual insurance people in the state and the competitive nature of

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

117th Legislative Day

May 15, 1990

it and they'll go to self-insurance and remove the mandates. Vote 'no'."

Speaker Cullerton: "Further discussion? The Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. And one of the reasons I do is because I just received a phone call today from a father who worked for the Lottery Control Board or the Lottery Board whose child recently developed epilepsy. And since that time they no longer want the responsibility of insuring this child. And I do believe that as employed people that we have just as much concern for our relatives, our children as we do for ourselves. I think it's an excellent piece of legislation and I urge an 'aye' vote."

Speaker Cullerton: "Further discussion, the Gentleman from MaCoupin, Representative Hannig."

Hannig: "Will the Sponsor yield?"

Speaker Cullerton: "She indicates she will. Representative Jones."

Jones, S.: "Yes I will."

Hannig: "Representative, when I look at House Amendment #1 it appears to me that it makes this Bill permissive. Is that correct or not?"

Jones, S.: "Yes. It's correct."

Hannig: "And so it would just provide that under our statute that they could do this if they so chose but it would not mandate it?"

Jones, S.: "Right."

Hannig: "Yeah, under those circumstances, to the Bill Mr. Speaker. I would briefly say that I don't see any reason to put this provision on our, on our books on our statutes. If employers want to do this I feel like this is

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

117th Legislative Day

May 15, 1990

appropriate and certainly we should encourage them to do so. But we're not really mandating anybody to do anything with this Bill. So I would ask that we vote 'yes'."

Speaker Cullerton: "Further discussion? There being none the Lady to close, Representative Jones."

Jones, S.: "Yes, Mr. Speaker. I urge an 'aye' vote on this, on this Bill. On House Bill 3061. And it's really not, it's a mandate Bill and also it's a permissive Bill and also it's no cost to the company at all. It's up to the employer, employee to accept this insurance. And I urge an 'aye' vote. Thank you."

Speaker Cullerton: "The question is, 'Shall House Bill 3061 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? Mr. Clerk, please take the record. On this question there are 47 voting 'yes', 56 voting 'no', 5 voting 'present'. And this Bill having failed receiving the required Constitutional Majority is hereby declared 'failed'. Representative Regan. House Bill 3304. Do you wish the Bill to be called, Sir? Representative Regan. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3304, a Bill for an Act in relation to legislative proposals. Third Reading of the Bill."

Regan: "Thank you, Mr. Speaker and Members of the House. House Bill 3304 simply puts a little bit of fact and figure into mandating more insurance coverages. It asks that we give specific reasoning, specific social cures, does the mandate do what we think it will do or doesn't it? And then we bring the social impact, the financial impact and the medical effectiveness to the committee to be heard. I urge its passage."

Speaker Cullerton: "The Gentleman moves for the passage of House

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

117th Legislative Day

May 15, 1990

Bill 3304. On that issue is there any discussion? The Gentleman from Lake, Representative Matijevich."

Matijevich: "Will the Gentlemen yield for a question?"

Speaker Cullerton: "He indicates he will."

Matijevich: "Would you, Representative Regan, tell us in practical terms how this will work? In other words, who will determine the social implications, what person is going to determine the social impact that, for example the Department of Corrections determines correctional impact and we know that fiscal impact statements. Who's going to make the determination of social impact?"

Regan: "Well, there's many social agencies Representative, that look for the welfare of the people. The Cost Containment Counsel could be one with the financial effectiveness. What it simply means that the social impact is, doesn't really do, isn't really needed."

Matijevich: "Did you answer me? I wanted to know who is going to determine the social impact. Who's going to write the reports? Answer that. I know what you're getting at. But answer those two questions."

Regan: "Well, I said, there is many social organizations that come out that protect the interest of the consumer. And any one of those can be picked. The Insurance Department can chose anyone of them. It's up to their judgement."

Matijevich: "And now and I said give me in practical terms how this is going to work. You don't mean to tell me that the Department of Insurance is going to be searching out people to find out the social impact. You didn't tell me that did you? Who's going to write their?"

Regan: "Here's the answer to that."

Matijevich: "Alright."

Regan: "Whoever's proposing this mandate because it's needed must provide a report of how it's needed and why it's needed."

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

117th Legislative Day

May 15, 1990

Matijevich: "Whoever what? I didn't get the first part of that, Bob? Go a little slower."

Regan: "Whoever requests this mandate. For example, if the Optometric Society comes and says we need this type of eyeglass cover they must supply a report to indicate why."

Matijevich: "Well let's say that a Sponsor of legislation feels that something, you know, is needed."

Regan: "Well, he can go to whoever that mandate effects, get a report, a social report as to how important it is."

Matijevich: "You mean to tell me now you are reversing what we do with regards to impact statements. You mean, you mean, you mean to tell me that I as the Sponsor now am going to have control over the impact statement. We haven't done that with any other types of impact statements."

Regan: "Well, anybody can write it but it must it must meet the specification to the Bill."

Matijevich: "Mr. Speaker. Let me speak to this Bill. Here we got another case that I think that I know what the Sponsor wants to do. But I don't think in real terms he has told how, exactly how this legislation is going to work. All that he is trying to do, Ladies and Gentlemen of the House, is trying to put the brakes on any type of legislation that in any way can be beneficial to the citizens of the State of Illinois. I think that legislation ought to rise or fall on its merits. Not to put, put some type of procedural road block in front of that legislation just to block it. Now Ladies and Gentlemen of the House, and I tell this very seriously, the insurance industry has enough clout in this Legislature without putting into the statute book some procedural road blocks to harm the citizens of the State of Illinois. I would urge everybody, this type of Bill ought to be a Roll Call vote if people would understand it in the legislative districts, in target areas

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

117th Legislative Day

May 15, 1990

and so forth. Because if you vote for this Bill you are voting against the best interest of ordinary citizens. If you vote for this Bill you are voting for the special interest of the insurance companies. Take it or leave it. That's the way it is. I urge a 'no' vote on this Bill. Insurance Companies can defeat practically anything in this House that they want to. But they don't need this Bill to do it. I urge a 'no' vote."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Anthony Young."

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

Speaker Cullerton: "Indicates he will. Representative Regan."

Young, A.: "Representative, the previous speaker raised some questions in my mind, had me kind of confused about this Bill. Could you explain to me the parts that would require a Member of the General Assembly to seek a study?"

Regan: "Yes. If anyone comes to indicate that they would like another health insurance benefit placed on, which raises the cost of health insurance by the way, that's the answer that we're trying to get at here."

Young, A.: "Well just a second Rep..."

Regan: "We really have to know whether or not it's going, how much it's going to cost, and is it really needed. And that can come from a statement from whatever organization brought it to the attention of the..."

Young, A.: "Representative, so I can be clear. If I want to introduce legislation in this area, introduce a Bill, do you mean that I have to get somebody else's approval to introduce a Bill in this area. Is that what this Bill does?"

Regan: "No. You simply have to do a little homework. That's all. You get a statement, for fiscal impact you have to do now on other issues. And you get a social impact statement

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

117th Legislative Day

May 15, 1990

that tells you exactly why it's needed. And then you introduce it to the committee."

Young, A.: "But the Bill cannot proceed until I have this report from somebody designated by the insurance agent. Is that correct?"

Regan: "That's correct. No, it's not from the insurance department. I was in error there. It's from the association requested or from anybody that you think this is benefiting. Whatever organization is requested."

Young, A.: "Who determines what organization I have to get this report from. Do I determine it?"

Regan: "Yes."

Young, A.: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. I think this is a ridiculous requirement. There's no requirement of the Member of this General Assembly to seek such a report on a Bill that any other area. We often file too many mandates down here, and when that's done people stand up on the floor and say this is another mandate that shouldn't be passed. We shouldn't open up the door to put this kind of requirements on ourselves for the benefit of special interest groups."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise in support of the young man's Bill. I think there are few things that are left out that probably can be put on in the Senate. Such as the Department of Insurance coming up with the answer to these mandates. We already have prison mandates so this is not something new to this body, this legislation that is introduced. In fact I think the one of the Minority Spokesman on that side puts a mandate on pretty much every Bill that comes over that costs the state money. I think this issue of insurance is

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

117th Legislative Day

May 15, 1990

a very important one. I think the Department of Insurance is able to handle the necessary information that will be required on legislation that is provided. I think that this is a good Bill and to the Sponsor, I think there may be one or two things that need to be added on in the Senate and I urge an 'aye' vote on it."

Speaker Cullerton: "Further discussion the Gentlemen from Cook, Representative Rice."

Rice: "I'm somewhat a little appalled at this. But I'd like to share something. When primary elections take place, that's the special interest groups that send me here. When the general election takes place, it's usually by a mandate that I'm back again. So I really don't need any to represent any special group. Thank you."

Speaker Cullerton: "Gentleman from Will, Representative Regan to close."

Regan: "Thank you, Mr. Speaker, Members of the House. All this Bill is trying to address is the cost of health insurance in the State of Illinois. It's sky-rocketed for two reasons. The cost of medical bills have sky-rocketed. That has to be reflected in the premium, and then what we do here with mandates reflects the premium. The more mandates we put on group insurance and individual insurance the higher the premium. The more the individual insurers go to self insurance. They eliminate the state. The Department of Insurance has absolutely no control over a self insured medical plan. 60 percent of the plans are self-insured in Illinois today, each mandate we put on, a larger percent goes to self-insurance strictly because the cost is unbelievable for health insurance. All this is trying to do is that if you got a great idea, prove it. An 'aye' vote please."

Speaker Cullerton: "The question is, 'Shall House Bill 3304

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

117th Legislative Day

May 15, 1990

pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 53 voting 'yes', 53 voting 'no', 3 voting 'present'. Representative Regan, do you wish Postponed Consideration? The Gentleman asks the Bill be put on Postponed Consideration. Next Bill on this Order is House Bill 3324, Representative Mautino. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3324, a Bill for an Act to amend certain Acts in relation to employees of the State of Illinois. Third Reading of the Bill."

Speaker Cullerton: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to the Bill became the Bill. Currently all that does now is establish the bond authorization for the rural bond bank at 100 million dollars. It does nothing else and I ask for your support."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 3324. And on that is there any discussion? There being none. The question is, 'Shall House Bill 3324 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? Mr. Clerk, please take the record. On this question there are 113 voting 'yes', none voting 'no' and none voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. Representative Mautino, House Bill 3468. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3468, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. Third Reading of the Bill."

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

117th Legislative Day

May 15, 1990

Speaker Cullerton: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Last Session we adopted House Bill 957. It was signed into law. That affected the pre-existing condition for individuals with insurance coverage in this state. What that means is that someone who is in an insurance policy and that individual for some reason uncontrolled by him or her where the company was either bought out or the employer changed insurance carriers, we mandated that all individuals who were covered under previous policy would be covered under the new policy. That in effect was called the 'no loss no gain'. For that specific reason, some individuals were doing what we called dumping into the Comprehensive Health Insurance Program. The CHIP program. What this legislation does is that it provides that the six month pre-existing condition exclusion shall apply to former employees who enrolled in CHIP within 60 days of their employment termination. The intent of this legislation is to discourage employers from dumping employees with chronic serious health conditions into our program, even though they are covered under the existing program that they had at their place of employment. We have currently capped the applications and the policy holders to 4500. This legislation addresses the question of dumping. It will be beneficial in two effects. First, it will remove the existing financial incentives for employers to terminate employees with chronic health conditions. And second, it will reduce the number of new enrollees in CHIP since we have determined that we've capped the enrollment at 4500. I ask for your support on House Bill 3468."

Speaker Cullerton: "The Gentleman moves for the passage of House Bill 3468. On that is there any discussion? The Gentleman

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

117th Legislative Day

May 15, 1990

from Cook, Representative Terzich."

Terzich: "Yea, Representative Mautino. Are you stating that this would put a, a person has to apply for the CHIP within 60 days from termination of a group insurance policy?"

Mautino: "Correct."

Terzich: "And it doesn't wait..."

Mautino: "That's the current situation now because the enrollment is capped already."

Terzich: "Alright. And you also mentioned that the CHIP's Program is now at it maximum of 4500?"

Mautino: "That's correct."

Terzich: "How does a person get into the CHIP's Program now that they're axed out?"

Mautino: "We have approximately 700 individuals who have applied on the priority list through the Mutual of Omaha program and we have a normal reduction in applicants 30, between 30 and 70 a month. Based upon premium factors as well as the fact that some of them do die."

Terzich: "So based on that, do you have a number of people now that probably couldn't even be insured even if they wanted to for at least a year, maybe two years?"

Mautino: "Well, the only alternative to your question, Representative Terzich, is to increase the funding authorized by the General Assembly to cover those individuals who if you want to raise the cap. Because every person you put in there you know they're going to have hospitalization health care cost. So you gotta make a choice. You either keep the cap at 4500 or you increase the appropriation by about 12 million dollars. One or the other."

Terzich: "Well, it's my understanding that a lot of these people that have gone into the CHIP Program have been dumped by group insurance carriers that terminated their insurance."

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

117th Legislative Day

May 15, 1990

Is that correct?"

Mautino: "That's exactly what this legislation addresses. And that puts a stop to that practice."

Terzich: "And also do you think that if there was an extension of benefits that these people that were disabled when their insurance was terminated that the insurance companies should be liable for that claim if it was incurred while they were insured?"

Mautino: "Well, I don't know if the CHIP's would be liable but that was your Amendment #9, and it was the best Amendment on that other Bill."

Terzich: "No, I'm saying that...that's...so therefore it may have helped if the if these here insurance carriers that the claim was incurred would pay the claim, right?"

Mautino: "You got it. Yes."

Terzich: "Well, Mr. Speaker on the Bill. This is an unfortunate Bill, really when you come down to it. Because the General Assembly set up a program, the Comprehensive Health Insurance Program to cover people who are uninsurable, could not purchase insurance, and subsequently, all the group carriers in the State of Illinois start dumping all of their uninsurable risks into the CHIP's Program. It is not available to future people. This type of legislation has to come in. Unfortunately I don't think it's going to do much good because there's going to be a lot of people out there that will not get into the CHIP's Program and simply this is just a patriotic vote and I don't think that there should be any 'no' votes on the Bill."

Speaker Cullerton: "The question is, 'Shall House Bill 3468 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? Mr. Clerk, please take the record. On this question there are

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

117th Legislative Day

May 15, 1990

113 voting 'yes', none...114 voting 'yes', 100...none voting 'no', none voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. Representative Peterson, William. 3740. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3740, a Bill for an Act to amend sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3740 amends the Illinois Insurance Code to modernize the Investment Authority for insurance companies. It makes numerous clarifications with regard to currently authorized investment vehicles and creates limited expansion in regard to others. It imposes a new ceiling of 20 percent in the aggregate for high risk high yield obligations. The current ceiling is 75 percent. This Bill is supported by the department and the insurance industry. I ask for your support of House Bill 3740."

Speaker Cullerton: "The Gentleman moves for the passage of House Bill 3740. The question is, 'Shall House Bill 3740 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? Mr. Clerk, please take the record. On this question there are 110 voting 'yes', none voting 'no', none voting 'present', and this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3966, Representative Balanoff. Representative Balanoff. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3966, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Balanoff."

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

117th Legislative Day

May 15, 1990

Balanoff: "Mr. Speaker, House Bill 3966 this Bill is the real crash parts disclosure Bill. The Bill simply informs consumers whether they're getting a manufacturers original equipment crash part or a non original equipment crash part. It is the consumer's right to know this fact. The Bill does not prohibit the sale of any crash part, it merely informs the consumer, then the consumer can make the choice. The Bill would work like this. When a person take their car to be repaired after an accident, the insurance company or body shop must inform the consumer if non original equipment crash parts are to be used in the repair process. That's it. The consumer can say yes or no. But with this information at least the consumer can make an informed decision. The Bill defines an after market crash part as any replacement part for the exterior of the car, sheet metal or plastic parts. There has been much, much misinformation about OEM and non-OEM parts. In fact, many of us have received the fact sheet similar to this from the automotive wholesalers. Well not one part shown in this brochure is a crash part. With OEM parts you get parts made from the original dye guaranteed to fit properly. With non-OEM parts you are not assured of the same high quality. As a consumer and all and you as a consumer, and I as a consumer and all consumers have the right to choose what parts is installed on their vehicle and to be informed of the terms any warranty which accompanies the replacement part. 95 percent of manufacturers original equipment crash parts are made in the United States and Canada. So this Bill is good for American jobs. Finally House Bill 3966 is supported by the United Auto Workers, by the Vehicle Manufacturers Association, by Ford, Chrysler, General Motors, the Automotive Service Association which is the body shops, by

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

117th Legislative Day

May 15, 1990

State Farm Insurance, by AllState Insurance, by the National Association of Independent Insurers the American Insurance Association, Alliance of American Insurers, the Illinois State Federation of Labor, the New Car Dealers and many others and I'd be happy to answer any questions."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 3966. On that is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much, Mr. Speaker. Will the Sponsor of this piece of legislation yield for a few questions?"

Speaker Cullerton: "He indicates he will. Representative Balanoff."

Black: "Thank you. Representative, you were ticking off all the people who support the Bill. And I heard the United Auto Workers and I heard Ford and I heard Chrysler and I heard General Motors. Well boy, that's a surprise because these are original equipment manufactured parts. How many labor unions wrote in favor of a Bill that already passed out of here; 2927, do you have any idea?"

Balanoff: "...This is my..."

Black: "Yes, I think it was 19. If you want to read off a list I won't bore you here, if you want to read off a list of labor that supports it I've got 19 labor organizations that support the Bill we've already passed. Okay. Now, let me ask you another question, the Bill you're carrying the Bill you're carrying, hasn't this been before us before like the last five years?"

Balanoff: "No. I...I...It has not been before us this year, and I'm carrying the Bill this year."

Black: "No, no I didn't ask you this year, I said before like the last five years."

Balanoff: "I don't know I wasn't here nine years ago, so I can't tell you."

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

117th Legislative Day

May 15, 1990

Black: "That's a shame. Well, let me, let me tell you it has been before us and I think has been defeated six different times."

Balanoff: "And it's been before us nine and that means it passed three times."

Black: "...Six different times I think this Bill been before us and been defeated. Hey, you mentioned Ford Motor Company. Are all of the original dye and stamping plants owned by Ford Motor Company located in the United States of America?"

Balanoff: "Ninety-five percent of all crash part are made in the United States and Canada."

Black: "Ninety-five percent of all crash parts...that isn't the question I ask you. Does Ford Motor Company all of their stamping plants that make good door quarter panels, are all of those factories located in the United States of America?"

Balanoff: "In the United States or Canada."

Black: "There isn't one in Taiwan by any chance is there?"

Balanoff: "There's an outside chance that a small part of them may be but, the majority the vast majority are made, 95 percent are made in the United States and Canada."

Black: "Very, very candid answer. I suppose we could get into the situation that...if your Bill passes I wonder how many, I wonder how much of that percentage will then be outsourced when they don't have the competition? Let me ask you one last question."

Balanoff: "Yes."

Black: "The Bill that we've already passed out of here requires that notice to the consumer contain a statement that the parts in question are in compliance with the Department of Insurance Regulations. Now such regulations prohibit insurance companies from specifying to the use of crash

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

117th Legislative Day

May 15, 1990

parts unless they are at least equal in like kind and quality to the original part in terms of fit, quality and performance. Does your Bill have the same regulation in it?"

Balanoff: "My Bill requires that non-OEM parts..."

Black: "No, no just answer the the question. Does your Bill have that regulation in it?"

Balanoff: "No, my, my Bill requires that non-OEM parts are specified if they are to be used in the repair of a vehicle so that consumers have a right to know."

Black: "If you just answer the question you could enlighten all of us. You don't have the Department of Insurance regulation in your Bill."

Balanoff: "Well, I would tell you that my Bill requires that the best parts be used in the repair of a car."

Black: "In other words your telling me that OEM parts are vastly superior to non-OEM parts?"

Balanoff: "What I'm saying is when it comes to the shell parts of the car, the body parts, the sheet metal parts. They are made out of the same dyes. They will fit properly they will be warranted correctly and I would say in my case yes I would think that is the case."

Black: "Well, thank you very much, Representative. I appreciate your indulgence. Mr. Speaker, Ladies and Gentlemen of the House. We passed a Bill out of here that I think moves the process forward. We're attempting to solve a problem that we've had here every year that I've been here. Maybe with 2927 we can finally reach some agreement on the issue. The Gentleman's Bill, while well intentioned, simply would give a monopoly to the big three and I suppose that maybe that's not a bad idea. I have a General Motor's plant in my district, and if it were an stamping plant maybe I'd feel little differently. But I go back to a committee meeting

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

117th Legislative Day

May 15, 1990

of several years ago when I asked a gentleman representing General Motors, if all of these stamping plants were located in the United States of America and employed UAW workers and he said he didn't think so. I don't think that's changed. I submit to you we've already passed a Bill that addresses this question, we don't need this one."

Speaker Cullerton: "Further discussion? The Gentleman from McDonough, Representative Edley."

Edley: "Chairman, Ladies and Gentlemen of the General Assembly. As with the previous Bill I have a conflict here so I will be voting 'present'. This is a Bill that I think we voted down at least three times last Session. It's a Bill that's promoted by the big car makers to give them an advantage in the marketplace...I'm not supporting the Bill but I...felt that it's necessary to...make that differentiation on them. Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, thank you, Mr. Speaker, Member's of the House. It's not too often I get the occasion to rise on behalf of a Bill as Joint Sponsor with Clem Balanoff. As a matter fact, this might be a historic occasion at that. But I rise in response of this Bill because it's a very simple Bill. I too like many others who have been here a while have in fact debated this issue over the last eight years in the General Assembly. It's been before us many times before. But I think in a nutshell this Bill right now really simplifies the issue. The question for all of is 'do we want to have the consumer have as much information as possible?' And if so, this Bill gives that. The second question is, 'do we believe that with that information the consumer will then use his knowledge to make the right choice?' And we believe the Bill will ensure that as well."

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

117th Legislative Day

May 15, 1990

This Bill you can call I would say a Buy America Bill, 'cause this Bill will promote a policy which I believe will insure that these parts are made in America for Americans and used in American vehicles. It's a good Bill and it benefits most American industry, most American unions all and all it's good for our country and I believe also for our economy. It's beneficially overall to the consumer. It's the best Bill out there. I know it's been around a long time before. It's the right thing to do, and I urge you to vote for this Bill."

Speaker Cullerton: "The question is, 'Shall House Bill 3966 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? Have all voted who wish? Representative Balanoff, one minute to explain you vote."

Balanoff: "No, just, you know, we're fine. I don't know. I don't need to explain my vote as long as we have enough."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 65 voting 'yes', 38 voting 'no', and 8 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Giorgi, House Bill 4025. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 4025, a Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 4, 4025 amends the State Employees Group Insurance Act of 1971 and allows appointed public officials to get under the program. In this case, it specifically includes the sanitary district trustees in all the sanitary districts of Illinois. I urge your

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

117th Legislative Day

May 15, 1990

support of the Bill."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 4025. On that is there any discussion? There being none the question is, 'Shall House Bill 4025 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 111 voting 'yes', 1 voting 'no', none voting 'present', and this Bill having received the Constitutional Majority is hereby declared passed. Is there anyone who has a Bill on Second Reading on this Order of Business, Insurance, that wishes to take the Bill to, have the Bill called and move it to Third? Representative Leverenz on House Bill 3683. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3683, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. Are there any Bills on Second Reading on the Order of Transportation that any Sponsor may wish to move to Third? Representative Lang. Mr. Clerk, please read House Bill 2867."

Clerk O'Brien: "House Bill 2867, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Lang on Amendment #1."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 becomes the Bill. Amendment #1 requires all

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

117th Legislative Day

May 15, 1990

school busses manufactured after the effective date of the Bill to have seat belts. We've had this Bill previously each time it's received more votes. Last time it received 56 votes. We've heard all the arguments before. The best argument for the Bill now is in the last year there was a school bus accident in the city of Chicago and the only child on that bus that was injured badly was a child not wearing a seat belt. All the other children according to the bus driver were wearing seat belts. You can point to the National Transportation Safety Board Study. It's an ineffective study. That study that we discussed on the floor last year is flawed. It's flawed because the study didn't take into account collisions with the school bus from the side. It only took into account school bus accidents from the rear. The argument was made that because we raised the seat backs and padded them that when the busses hit, children hit the seat in front of them and because it's padded they're okay. They're compartmentalized. And fact they aren't compartmentalized in any kind of side or angled type of collision and children go flying into the aisles as human missiles. Beyond the obvious safety factors, on the school bus itself, it seems to me ludicrous to tell a child in our own car that they must wear a seat belt for their own safety and then say to them when they're on their school bus but don't do it on the school bus. We want to create the habit in these children for their own safety throughout their lives that if they wear their seat belt they'll be more protected. And even if it were not the case the children would be safer on a school bus with a seat belt. It surely is not arguable that their, the issue of whether or not their safer in a car with a seat belt. And we shouldn't be picking and choosing when they should wear a seat belt when

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

117th Legislative Day

May 15, 1990

they shouldn't wear a seat belt. We have to ingrain this habit in them at an early age. So we need seat belts on school busses to avoid injury in the bus, also to make sure that they wear their seat belts in their own vehicles. And as a reminder, let me tell you who's in favor of this Bill. The American Medical Association, The American Academy of Pediatrics, the American Academy of Orthopedic Surgeons, the Center For Auto Safety, the National PTA and the Illinois PTA. There's a lot of people that think this is a good Bill. The people that don't, I understand your position. You've read a Canadian study that has indicated that children are not safer with seat belts. The study, as I've indicated as flawed. The National Transportation Safety Board Study for the same reason is flawed and the people that were on the task force for the NTSB were all people that had an axe to grind. They were people who were on school boards who were trying to save a few dollars. They were on people that own school bus manufacturing companies who had an axe to grind. There was no consumer advocate for children on that task force. There was no consumer advocate for children in Canada when they did the Canadian studies. And so for the safety of our children on the busses and in their future life in their own motor vehicles I ask you to vote 'aye' on this Amendment. Would be happy to answer your questions."

Speaker Cullerton: "The Gentleman moves for the adoption of House...Floor Amendment #1 to House Bill 2867. On that is there any discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Speaker. To the Amendment. Representative Lang there's absolutely no question about your intention with the Amendment. You're, you're trying to save lives and increase safety and I think that's very

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

117th Legislative Day

May 15, 1990

commendable. However, I think we need to look, take another look at the statistics and I believe that the statistics will show that there are more children injured by school busses by being backed over and run over and bumped into, than by any injury inside the vehicle. The fact is that compartmentalization is a proper way to deal with the safety issue of school busses. Seat belts probably will cause more harm, Representative, than they will cause good. The fact of the matter is 30 or 28 children in a school bus trapped in seat belts and that's school bus under comes, undergoes some tragedy such as running off the road into a body of water or a fire or something like that, the one adult on board or maybe if you're lucky in a school district that has an aide on that school bus, you've got 36 kids and two adults trying to get them all off the seat belts will do nothing to improve the situation and as a matter of fact probably will cause great delay in dealing with an emergency. I think as commendable as your concept is, I think we just need to look at the evidence. Children on school busses are riding safely today. The real dangers of school busses, and maybe we need to address this issue, is how they get hurt getting backed over and run over as they're being picked up or let off at their local schools or at their home. Representative, I have to stand in opposition to Amendment #1."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Kulas."

Kulas: "I move the, I move the previous question."

Speaker Cullerton: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', all opposed vote 'no'. And the Motion fails. So there's two people that seek recognition. They don't talk very long I can tell you. Representative Olson."

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

117th Legislative Day

May 15, 1990

Myron Olson from Lee."

Olson, M.: "Thank you, Mr. Speaker for leading me into a short question. Would the Sponsor yield? Representative Lang, when this comes to pass, if indeed it becomes the law, what is the estimated cost to equip a bus with the seat belts and the roof hatch that you described?"

Lang: "First I'd like to remind the Assembly that this is only for newly manufactured school busses. No retrofiting would be required. Retrofitting would be an amazingly high expense that we would not indicate that would be appropriate to school boards. It's been estimated to me that if a school board was to buy one bus, one bus, it would be about 1200 dollars to put the seat belts in. But I remind you that most school boards over a period of time buy many busses. And through the art of negotiation I believe that they'll be able to drastically cut into that figure."

Olson, M.: "Has the State Board and the Association of Administrators taken a position on this measure?"

Lang: "Not to my knowledge."

Olson, M.: "Thank you very much."

Speaker Cullerton: "Further discussion? The Gentleman from DuPage, Representative Hensel."

Hensel: "Will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

Hensel: "I have a question on who is going to make sure that all these kids have their seat belts on? That they are on all the time they're in the bus? Are we going to have teachers or is the bus driver going to have to see to that?"

Lang: "There was some consideration given to putting in this Bill a requirement that the school bus driver require the children to put the belts on before the bus moves. However that is not in the Bill. We felt that an appropriate, it

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

117th Legislative Day

May 15, 1990

seems to me not an enforcable situation. The fact is that in school districts across this country where school busses have seat belts we've found that through education in the classroom and at home, that most students will put on the seat belt if given the opportunity to do that. There's nothing in the Bill that requires that the students wear the belts. But we believe strongly based on information from other states, that if the belts are there and the children are asked to wear the belts, most will."

Hensel: "Then why don't just pass a Bill that says it would be up to the individual school district when they order a new bus that they could at least have the seat belts installed at that time? I can see school districts that if they don't want to spend that extra money would keep using their old busses and that would be considerably less safer to students than to have them without seat belts."

Lang: "The answer to your question is of course that the lives of the students their safety and their health is more important than that particular decision. A school board that would say that a few hundred dollars is more important than the lives of the children on those busses is not a school board that should be advancing policy for the State of Illinois. It's up to the General Assembly to advance policy for the State of Illinois. Not individual school districts."

Hensel "Well you just said that it's up to the school board to determine whether they want to moniter and even use the seat belts even if they're installed on the bus. So I don't think that makes any difference. Then you're still allowing it up to the school boards to make the decision. And if they want to buy new busses why don't they have the right to determine whether they want to have them installed or not? It's not a matter of money then."

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

117th Legislative Day

May 15, 1990

Lang: "Is that a question?"

Hensel: "Well, to the Bill. As a former school bus driver I can see checking 67 little kids walking on the bus making sure that their seats are in. It'd probably only take about two and half hours to get those little children to school. And I can't understand why, as one former Representative said, it just doesn't make sense. I think there are more kids run over by kids running in front of busses, jumping in front of them or being pushed in from of them. I think it's a bad Bill."

Speaker Cullerton: "The Gentleman's moved for the adoption. I'm sorry. The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill really amounts to is a property tax increase. Because school districts in Illinois are gonna have to go out and increase property taxes to pay an additional 1200 dollars a bus to install seat belts which have never proven to be effective in saving lives and injury to students in Illinois. The Illinois Association of School Bus Contractors have supported seat structure and other modifications to busses to make them safer but it's been proven that seat belts are impossible to use and do not save lives. There's never been any evidence that they do. I urge a 'no' vote on this Amendment. This is an impossible Bill and it's one that will result in a property tax increase for all school districts in Illinois."

Speaker Cullerton: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. First there's the cost. Let me remind the Assembly that there's a Transportation Fund in the State of Illinois and the State will reimburse school districts 70 or 80 percent of the cost of these school bus improvements. Secondly, let me remind the Assembly that wherever safety is added to a vehicle insurance rates go

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

117th Legislative Day

May 15, 1990

down. So I think we can presume that where seat belts are installed on school busses, much of the cost of that will be absorbed by lower insurance rates on the operation of those busses. Again, the studies referred to by many relative to the safety of the school busses have been flawed studies. They've studied rear end impact, they've studied head on impact, they have not studied side impact. Or any kind of angled impact. These studies ignore the effects of lateral and roll over collisions. And in a lateral or roll over collision a child will not go forward into that padded seat back in front of them. They will go into the aisle. And presumably a child on the other side of the aisle will also go into the aisle. And human missiles bouncing against each other is not safe. I think you understand it's not safe, and I think you also understand, Ladies and Gentlemen of the Assembly, that it's not reasonable to tell a child in your car at seven in the morning they must wear their seat belt but tell them at three in the afternoon they don't have to wear their seat belt. If we want to teach them to be responsible if we want to teach children to take care of their own lives and be responsible for their actions, then we have to trust them to be able to do this. I urge you to help me to save children's lives, to save children from injury and bodily harm and by, and do this by voting green on this Amendment. Thank you."

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

Parke: "Thank you, Mr. Speaker. I rise in opposition because quite frankly there was a, a study that was done last year by the National Research Council that Representative Lang

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

117th Legislative Day

May 15, 1990

has dismissed out of hand, said in fact the best way to save children's lives is to raise the height of the front seat by 20 inches to 24 inches. This is the better way of protecting our children rather than passing a Bill, a Bill that requires seat belts."

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

McNamara: "Thank you, Mr. Speaker. I think it's very important to take a look at the safety and the lives of children and the message we're giving to those kids. First of all, to not provide seat belts on the vehicle that brings them to and from school is absolutely the wrong way to go. We must supply those seat belts so those children who have been taught at home to wear their seat belts at least have the ability to do it. They should be afforded this safety opportunity. It applies only to future busses, I think that we should get more green votes up there and put this good Amendment on."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 41 voting 'yes', 66 voting 'no', 4 voting 'present'. The Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. On the Order of Insurance or Insurance if you prefer, there are two Bills on Second Reading which the Sponsors have requested to be called. House Bill 3624, Representative Steczo. Can we have the Clerk please read the Bill? 3624."

Clerk O'Brien: "House Bill 3624, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Cullerton: "Any Motions with regard to Amendment #1?"

Clerk O'Brien: "No Motions filed."

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

117th Legislative Day

May 15, 1990

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Amendment #2 by Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 is the Amendment we discussed yesterday. And provides State Mandates Act exemption language and I would move for it's adoption."

Speaker Cullerton: "The Gentleman moves for the adoption of Amendment #2. And on that is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "It's hard to know whether to oppose the Amendment because it, the Amendment reports to take care of the criticism made of the Bill. But I think it doesn't, because Amendment #1 in fact will result in higher cost to our municipalities a cost they do not want to pick up. And this mandates exemption notwithstanding those cost will still be experienced by the municipalities. So do as you wish but we should be opposing the Bill on Third Reading."

Speaker Cullerton: "So the Gentleman moves for the adoption of Amendment #2. All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. House Bill 3941 on Second Reading, Representative Satterthwaite. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3941, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Cullerton: "Any Motions filed with respect to Amendments #1 and 2?"

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

117th Legislative Day

May 15, 1990

Clerk O'Brien: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. Amendment #3 is a technical correction. Some of the HMO's were concerned that asking for racial information might be in violation of federal law and for that reason we're taking that provision out of the Bill. I move for the adoption of Amendment #3."

Speaker Cullerton: "The Lady moves for the adoption of Amendment #3. On that is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', all opposed say 'no'. 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 Cullerton: "Third Reading. House Bill, Representative Giorgi for what purpose do you rise?"

Giorgi: "Mr. Speaker during the debate on House Bill 3966 I was down there advising Balanoff on some things and failed to vote so I would like to indicate that I would've voted on House Bill 3966 had I not been busy with Balanoff."

Speaker Cullerton: "The record will so indicate. House Bill 4032, Representative Matijevich. This is also on the Order of Insurance Second Reading. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 4032, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

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

117th Legislative Day

May 15, 1990

Matijevich - Saltsman."

Speaker Cullerton: "Representative Matijevich."

Matijevich: "Amendment #1 would exempt a Bill from the State Mandates Act. And I move the adoption of Amendment #1."

Speaker Cullerton: "The Gentleman moves the adoption of Amendment #1. And on that is there any discussion? Representative McCracken."

McCracken: "This is another Amendment that appears reasonable on it's face but in fact will cost your municipalities more money. I stand in opposition of the Amendment."

Speaker Cullerton: "Representative McCracken. The Gentlemen moves for the adoption of Amendment #1. All those in favor say 'aye', all opposed say 'no'. In the opinion of the chair, the 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Representative Matijevich, there's been a request for a state mandates impact note filed by Representative McCracken. In light of Amendment #1, I believe he's withdrawing that request. So the Bill can move to Third Reading. Now on the Order of Transportation, Second Reading. Are there any Sponsors that wish to have the Bills moved to Third Reading? That will be, Representative Santiago, Goforth or Hicks. There being no requests we can go to Transportation, Third Reading. Representative Weller, on House Bill 493. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 493, a Bill for an Act in relation to the cancellation of a minors driving privileges. Third Reading of the Bill."

Speaker Cullerton: "Representative Weller."

Weller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 493 as amended is the result of an

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

117th Legislative Day

May 15, 1990

effort by my student advisory committee to come up with a preventative measure to discourage teenage drug use and teenage drinking. Basically what House Bill 493 does is that it cancels the driving privileges of a person under 18 or denies the driving privileges of a person under 18 who has been convicted of an alcohol or drug related offense. This legislation passed the Constitutional Officers Committee eight to zero. I'd appreciate an 'aye' vote, and would be happy to answer any questions."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 493. On that is there any discussion? There being none. The question is, 'Shall House Bill 493 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? Have all voted who wish? Representative Williams, one minute to explain your vote."

Williams: "Yes, I just want everyone to be sure that what we're doing here is, believe we're actually denying the right of anyone to actually, even if this is right, to even take driver's ed if they convicted of a certain crime prior to their 18th birthday and I would hope that we kinda let this fly through here but those of you that have any sort of belief in young people and their right to reform themselves. Give them a chance, vote 'no' or 'present'."

Speaker Cullerton: "Have all voted who wish? Representative Dunn, one minute to explain your vote."

Dunn: "Thank you, Mr. Speaker, Ladies, Gentlemen of the House. I would just like to indicate to the Members that we have provisions in the Constitution of the State of Illinois and the Constitution of the United States of America referring to equal protection, equal access, under the law, equal treatment. We talk a lot about not discriminating against

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

117th Legislative Day

May 15, 1990

one person, one minority, one class. What this legislation does is, is treat young people more severally than you or I. If you're under 18 and as I understand this legislation, I don't have all the Amendments in front of me, but I believe it's still in this form, if you're under 18 and have a conviction you lose your license. Middle age people aren't treated that way, seniors aren't treated that way. On the basis of equity we should pull some green votes off this Bill, slow this Bill down. It's not good legislation. Should be defeated."

Speaker Cullerton: "Representative from McLean, Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. One of the things that young people appreciate most is having an automobile and being able to drive it. And what this Bill does, it sends a strong message that society is attempting to do something that they ought to learn themselves and that is not to deal with drugs or alcohol. The fact is we are now once and for all saying that society is strong enough committed to help to preserve the health and the well-being of young people. And we want to send this message this Bill does that to an area that has a lot of concern for those people and that is driving. I think this is the right way to go on this area."

Speaker Cullerton: "One minute to explain your vote, Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just think that we are doing what we pay judges to do. If a teenager or young person violates the law, if they're drinking and driving, if they're using drugs and driving, I just believe that that judge should be able to give that person the sentence, a stiff sentence as stiff as he or she deems necessary. I don't think that the

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

117th Legislative Day

May 15, 1990

Legislature should simply say you're gonna lose your drivers license. I think that these students should know that if they're violating driving laws, they should be told you're going to a court of law, the judge is going to meet out the sentence just as he does with adults. And I think we send a very wrong message when we take that decision away from a judge and he says to that young person who has committed this violation and he says I'm merely doing what the law says but if I had the power I would send you away for along time. Let's leave..."

Speaker Cullerton: "Mr. Clerk, please take the record. On this question there are 88 voting 'yes', 5 voting 'no', 20 voting 'present', and House Bill 4093 (sic 493) having received the Constitutional Majority is hereby declared passed. Representative Matijevich House Bill 2964. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2964, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2964 is a Bill promoted by the Brotherhood of Locomotive Engineers and the United Transportation Union. It exempts train crew members and locomotive engineers from a requirement to display a drivers license to a law enforcement officer in connection with the operation of a locomotive or train. In the past there have been situations where local law enforcement officers have taken engineers or crewmen's drivers licenses for purposes of writing tickets and as a bond requirement for violations in connection with the operation of a train. The case is really a case against the management. But there have been instances where the train engineer or crewmen have received a violation or a punch on their motor vehicle driving record. In the committee, the State Police testified that

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

117th Legislative Day

May 15, 1990

the reason for holding a license, requiring a license was merely for identification. And it was shown in the committee that the crewmen or locomotive engineers do have adequate identification without the use of their driving license. This is legislation that has also been passed in other states to protect and not having driving license punches on one record when it had nothing to do with the operation of a motor vehicle. I would urge the passage of House Bill 2964."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2964. On that is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I know this is not your intention but was it raised in committee that the drafting of this Bill might unintentionally exempt train crew members all together from needing a drivers license for any purpose?"

Matijevich: "No, that was not brought up in committee and the way it's drafted I don't think that that's possible. Because of a...because of a language of where it says a locomotive or train being operated upon rails in regards, in connection with the operation of a locomotive or a train. It doesn't say anything about the operation of a motor vehicle."

McCracken: "Okay. I think, I mean I have no objection with the idea of the Bill. We do believe there is a problem, however. Can we just run it over to your staff person and discuss it?"

Matijevich: "Sure."

McCracken: "Okay. Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Macon, Representative..."

Matijevich: "Excuse me, Mr. Speaker. Tom. Why don't we just

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

117th Legislative Day

May 15, 1990

read the legislative intent? Ask me the question and, because I think that the language is here, with the question that I think would clear up any legislative intent."

McCracken: "Well you'd be surprised what courts ignore."

Matijevich: "I realize that."

McCracken: "Maybe you're right. It isn't your intention that these persons be exempted from either having a license in their possession and/or having a license in order to operate a motor vehicle, is that right?"

Matijevich: "No. The intent of the intent of the Bill and I, I think the language also ought to be clear that we in no way intend that a locomotive engineer or crewman that cannot have a drivers license taken away in any type of operation of a motor vehicle. This is merely a prohibition of taking away their drivers license in the operation of a train or a locomotive."

McCracken: "Okay, thank you."

Matijevich: "Thank you very much, Tom."

Speaker Cullerton: "Further discussion? The Gentleman from Macon, Representative, nobody wishes to seek recognition on that. Do you want to close Representative Matijevich? The question is, 'Shall House Bill 2964 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? Mr. Clerk, please take the record. On this question there are 114, 115 voting 'yes', none voting 'no', none voting 'present'. House Bill 2964 having received the Constitutional Majority is hereby declared passed. Representative Keane. House Bill 2967. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2967, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

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

117th Legislative Day

May 15, 1990

Speaker Cullerton: "Representative Keane."

Keane: "Thank you, Mr. Speaker. House Bill 2967 has been amended to take out or to allow Naperville to extend for six months the time line for filing of an impact fee plan and I would ask for its favorable consideration."

Speaker Cullerton: "The Gentleman asks for the passage of House Bill 2967. And on that, is there any discussion? There being none the question is, 'Shall House Bill 2967 pass?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Capparelli wishes to be voted 'aye'. Have all voted who wish? Mr. Clerk, please take the record. On this question there are 113 voting 'yes', none voting 'no', 1 voting 'present'. House Bill 2967 having received the required Constitutional Majority is hereby declared passed. Representative Hannig, House Bill 3014. Excuse me, before we proceed with this Bill I would ask any lobbyists who are on the Floor to please retire from the Floor. They're not allowed out on the Floor. Representative Hannig on House Bill 3014."

Clerk O'Brien: "House Bill 3014, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. This Bill provides for special registration plates for members of the volunteer fire departments. Now House Amendment #1, which was given to me by the Secretary of State and which we adopted, would provide that the Secretary of State shall prescribe the requirements in the documentation necessary to obtain the special plate and it also provides that this Bill would become applicable then in 1992, January 1st, 1992. Basically the Bill would provide some recognition to members of communities who

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

117th Legislative Day

May 15, 1990

serve at no cost to taxpayers as volunteer fireman. Now we have in most rural communities any number of people who volunteer for these positions. They naturally are at risk anytime they have to fight a fire, they are certainly important members of the community and serve an important part of the community and basically we here would be giving them some recognition and I believe that this would be something, some way at least of saying thank you to these people and I'd ask for a 'yes' vote."

Speaker Cullerton: "The Gentleman moves for the passage of House Bill 3014. On that is there any discussion? There being none the question is, 'Shall House Bill 3014 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? Mr. Clerk, please take the record. On this question there are 108 voting 'yes', none voting 'no', 2 voting 'present'. House Bill 3014 having received the required Constitutional Majority is hereby declared passed. Representative Saltsman, House Bill 3050. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3050, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. Last year the Legislature passed House Bill 1317 which eliminated the age standard for classification of auction vehicles as junk or salvage. It permitted the buyer to make that determination. This Bill passed the House with 113 votes. It passed the Senate with 59 votes. It was discovered in another section, the vehicle code prohibited the State Police from complying. This Bill as amended contains that language and it was worked out by the industry, the State Police and the Secretary of States office, they are all asking favorable

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

117th Legislative Day

May 15, 1990

support. This is an Agreed Bill and I appreciate your favorably support."

Speaker Cullerton: "The Gentleman moves for passage of House Bill 3050. Is there any discussion? There being none, the question is, 'Shall House Bill 3050 pass? All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. is open. This is final passage. Have all voted who wish? Representative Young, one minute to explain your vote. Anthony Young."

Young, A.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise on a note of personal privilege and would like to direct your attention to the balcony where you see the fine students from Saint Catherine Saint Lucy school on the Oak Park, Chicago Border in Chicago."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present'. House Bill 3050 having received the Constitutional Majority is hereby declared passed. House Bill 3099, Representative Klemm. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 3099, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Klemm. Representative Breslin in the Chair."

Speaker Breslin: "Representative Klemm. Representative Breslin in the Chair."

Klemm: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 3099 allows the continuation of arterial roads that have been used for many, many years in townships and in the community to be retained as arterial roads even if an area were to be annexed or consolidated in a municipality. The reason for this is obviously that a road that's been used and payed for by the taxpayers and a main

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

117th Legislative Day

May 15, 1990

arterial road that goes from say one community to the next should certainly be kept open at all possible cost. The provision of the Bill says that if a city or municipality wishes to close the roads, that they can certainly do that with discussing an agreement with the township road commissioner and of course any other roads that were not arterial, by that I mean main highways, could be closed at any time. And it's what we're trying to do is have a cooperation between two governmental entities to try to keep the motoring public, keep the roads open and be able to have them transport their products and people from place to place without an arbitrary indiscriminate closing of the highways. I do ask for your support on, on..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3099. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being no opposition, the question is, 'Shall House Bill 3099 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 4 voting 'no' and 0 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3138, Representative Cullerton. Clerk read the Bill."

Clerk O'Brien: "House Bill 3138, a Bill for an Act to amend the Child Passenger Protection Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker...Madam Speaker and Ladies and Gentlemen of the House. This Bill passed unanimously out of the committee this year as well as last year. The Bill passed the House last year with a well over 80 votes as I recall. Something's happened since then...that's of

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

117th Legislative Day

May 15, 1990

interest. There's a lady in Bloomington, Illinois whose name is Kristen Micoledy who had a two year old daughter who always was in the car seat that she had in the back seat when she drove the vehicle. And one day her job called for her to drive here to Springfield from Bloomington and she asked her mother, the daughter's grandmother, to drive the vehicle to take her somewhere and the daughter was, according to Mrs. Micoledy was fussing in the back seat of the car and the mother, the grandmother decided to stop the car, take the baby out of the car seat, put the baby in the front side on her lap. About a mile later the car was hit by another car and the daughter was killed. Now Kristen Micoledy chose in her grief to focus her attention on what the law was and is right now in Illinois with regard to putting babies in car seats and she discovered that it didn't apply to the grandmothers. That it was only designed to cover the parents. And so she's come to Springfield and she's lobbied very diligently not only in the House but also in the Senate. The purpose of the Bill is to clean up this Bill, The Child Passenger Safety Act that we passed a number of years ago. Since we passed it of course, every state in the nation has passed a Child Passenger Safety Act and we recognize now that the way these car seats work is that they follow the child. When you drop a child off at an event and if you're not going to be the one to take that child home you take the car seat out of the back seat and you leave it with the child, so that whoever does pick up the child they would have that car seat available. We do however recognize that there could be an emergency where you don't have the car seat and we put an exception here where we're saying except in cases of medical emergency they don't have to comply. Remember also that the purpose of the Bill is really

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

117th Legislative Day

May 15, 1990

educational. If you get a ticket for not having your child in a car seat, it's a \$25.00 fine. And if you just come in to court and show that you now have a car seat or a receipt for a car seat there's no, it says right in the statute, there's no offense. There's no conviction there. But what this Bill will do will be to, through its publicity, show that we care about all of our children. Make sure that those children who are three years of age or under, that's all it applies to, are in a car seat and that everyone, no matter whether they be the parents, but anyone who's driving that car should be responsible for that child. So I'd be happy to answer any questions and I'd appreciate an 'aye' vote.

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3138. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Are either of you in opposition? No. The question is, 'Shall House Bill 3138 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker and Members of the House. I actually speak somewhat as a convert I suppose, having opposed these kind of mandates before. But in this particular situation I think we have established a law which is a very effective law and the fact is that we really didn't go all the way when the Bill was first passed. I stand in support of it now because it obviously is clear that young people need to be protected. Not only with their parents but with whomever is driving in the automobile. And this is certainly a case in point and I want to commend the young lady, Kristen, for her efforts in attempting to see change come about through effective lobbying in government."

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

117th Legislative Day

May 15, 1990

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 1 voting 'no', and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3140, Representative Leverenz. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3140, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. House Bill 3140 would provide that in the application of a used car, dealer license and an applicant that owns more than 15 percent of the corporation would have to disclose their interest. I hope for your 'aye' vote to pass the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3140. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Mr. McCracken, do you rise in opposition?"

McCracken: "Just for a brief question. How did this arise? Is there a problem now?"

Leverenz: "Not yet."

McCracken: "With the identity of owners or something? No. So there's no problem?"

Leverenz: "No. There is no problem. You wouldn't want to cause one now would you?"

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall House Bill 3140 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting, 111 voting 'aye', 1 voting 'no', and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby

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

117th Legislative Day

May 15, 1990

declared passed. House Bill 3243, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3243, a Bill for an Act in relation to the cancellation of drivers license. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. This is a continuing effort to encourage young people to appreciate the value of getting an education at least through completing high school. The fact is that if you compare whether or not an employer would hire a young person that has been a dropout for one that at least completed high school, I can almost assure you 100 percent of the time, that an employer will hire that student that had the ability to stick with school and at least finish high school. This is an effort as amended that would allow the removal of a drivers license from that student who is a dropout unless he or she was involved in a job that required 30 hours of work a week, or if in fact they were actually engaged in getting their G.E.D. so that they would receive a high school degree. This is a Bill that once again encourages the importance of education so that we are attempting to say a possession that many youngsters enjoy and feel as a number one priority. That opportunity to drive an automobile is not as important, frankly, as receiving a good education. I urge your support or would be happy to answer any question."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3243. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Mr. Dunn, are you in opposition?"

Dunn: "I certainly am."

Speaker Breslin: "Proceed, Sir."

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

117th Legislative Day

May 15, 1990

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This is not the first time we've had this legislation before us. Nor is it the second time. And if it doesn't pass, it probably won't be the last. Those who are persisting in this legislation I suppose will continue to persist until either they're proven wrong or they succeed. I...I'm the father of four children. Three of them are over age 16 and one is under 16 and hopefully the baby will not be a dropout. I don't think she will. So I'm blessed in that regard. But not every family is blessed that way and not every individual is blessed that way. And people dropout of school for a lot of reasons. A principle reason of which...a principle reason for dropping out is despair. Lack of hope. Lack of self-esteem. A feeling of no self worth. I'm not important. I don't count. I am no one. They hear that over and over again if not verbally, in a subconscious way because of their surroundings, because of their environment, because of the failure rate of their peers, because of what they see happening to those around them. Now society, now the State of Illinois, now this Legislature, now the people they should look up to, the elected officials of the State of Illinois are going to add to that environment of despair and deprivation. We are going to say to those people who drop out of school, and yes some do drop out of school because they are arrogant and think they know too much and they don't need school, but most people drop out of school because of a variety of circumstances. Accumulation of a long period of time of negative impact upon them by society. This legislation sends one more negative signal. It says if you're unfortunate enough to drop out of school, you can't be treated like any other member of society. You can't have a drivers license. You can't go flip burgers.

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

117th Legislative Day

May 15, 1990

You can't go work at the gas station. You can't mow grass in the cemetery. You can't have any kind of job unless you can get one for 40 hours a week. And I don't know where the Sponsor of this legislation, maybe it's 30 hours a week. I don't know where the Sponsors look for summer jobs, but we have in my area an awful lot of people who are adults. Middle age with drivers license can get to work, and they can't get more than 20 hours a week. Employers pay them 20 hours a week and no more because they don't have to pay benefits. No one is going to hire dropouts right out of school for 30 or 40 hours a week or more just to see to it that they get their drivers license. This is a very, very negative approach. It's a bad signal to send. And once again, it is a signal that says, we treat our children worse than we treat our middle age people, our adults worse than we treat Members of the General Assembly. If a Member of the General Assembly drops out of this place and resigns, you don't lose your drivers license. And maybe you should, I don't know. But you don't have that happen to you. But if you're 16 years old and you drop out of school because you're, you're down, you're self-esteem is gone, or you've failed some courses, no one's given you hope, the prospects of being a professional athlete you've seen gone by the way. There's nothing left for you so you drop out of school and now you can't even flip burgers. This is a shameful piece of legislation. It should be defeated. The impotence for this comes from the State of Virginia. And in the State of West Virginia which is a much, much smaller state than ours, there have been some figures come in. They're on a preliminary bases. There were about a thousand students who dropped out of school and about 500 of them were reinstated. But of those reinstated about half of those were in a G.E.D. program and

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

117th Legislative Day

May 15, 1990

I bet the figures were just the same in the State of Illinois and if a thousand people drop out, about 25 percent of them will enroll in a G.E.D. class. About a 172 of them turned 18 so they've, when you're 18 you can get the license. And about 19 transferred out, their was even one death, I don't know why. There was one death in West Virginia. Whether it was related to driving or not I don't know. The statistics are not conclusive. But the message is, the message is negative. We at home, all of us who have raised children try to be positive with our children. We know that telling them you're grounded, you can't go out this weekend, you have to do this and have to do that negatively doesn't work. The kids insulate themselves from that. It doesn't work, it doesn't do any good. Incentives are what we should give children. Incentives to have pride, self-esteem, hope for the future, to be productive citizens, so that when we are senior citizens we can look back and see these youngsters coming along leading productive lives instead of being still the dregs of society. We need to elevate these people, not beat them down. This legislation is bad. I urge a 'no' vote. Please vote 'no' on behalf of the youngsters. The future of the State of Illinois. Vote 'no'."

Speaker Breslin: "Ladies and Gentlemen. This Bill is on the Order of Short Debate. I'm going to recognize the Sponsor to close and then I'll recognize you one minute to explain your vote if you wish. Representative Ropp to close."

Ropp: "Thank you, Madam Speaker and Members of the House. For those young people who want to see a brighter life, a greater opportunity because they have received an education this is a way to do that. To provide that incentive. This is that carrot. That carrot that provides for them the assurance of getting a good education so that they can be

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

117th Legislative Day

May 15, 1990

able to move into the job market and be taxpayers rather than to be putting in the area where they are receiving services from the state. In the States of Florida, West Virginia, and others, the program has worked out very successfully. In the State of Illinois, there are 35 thousand young people that are considered dropouts. This is an attempt to get those people back into schools so that they can be gainfully employed, having received a good education. I welcome your favorable support."

Speaker Breslin: "The question is, 'Shall House Bill 3243 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Novak, one minute to explain your vote."

Novak: "Thank you Madam Speaker, Ladies and Gentlemen of the House. I guess it's gonna be kinda hard to follow the act of Representative Dunn, but I have a tendency to agree with him. I think we should either have all 'present' or 'no' votes up here. This is a very simplistic black and white answer to a very complex problem we face in our society."

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

Hannig: "Yes, thank you, Madam Speaker, Members of the House. If you look at, if you look at growing up you'll find that it's not something that just happens when you turn 16. Actually, we start conferring upon people at age 16 certain rights and certain responsibilities. And all the way up to the age 21 they gradually assume more and more of these rights and responsibilities. But between those ages there's really know reason that we can't set restrictions upon these people. We've already done so by saying they can't drink until they're 21, they can't vote until there like 19 and what's wrong with saying they can't have a drivers license unless they attend school. It's really a

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

117th Legislative Day

May 15, 1990

good proposal and I'd ask for a 'yes'..."

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

Sutker: "Madam Speaker, I see that the good sense of the House is prevailing. So I don't think any more...anything more need be said."

Speaker Breslin: "Very good. The Lady from Sangamon, Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Madam Speaker. Today in the mail I received a letter from a young woman in my district asking us in this Body to pass this Bill. The closing paragraph says similar Bills have been passed successfully in other states. Statistics show that in the first semester more than half of the dropouts in West Virginia had returned to school. What are you going to do about the dropout problem if you're not willing to support something like this? We must act now."

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

Hicks: "Thank you, Madam Speaker. You know, I'm against this Bill. But I'm voting green because I think it's time that we look at the problem and try to find some type of solution to the problem. We don't have a solution problem right now. If in fact it'll bring half of the dropouts back to the schools where they oughta be then I'm for it. I'm gonna vote green even though I'm opposed to it. I just want to see it passed and I'm willing at this point and time to do whatever is necessary to make sure the kids get back in school."

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

Ropp: "Well Madam Speaker, Ladies and Gentlemen of the House. I sometimes wonder why we spend a lot of time in the

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

117th Legislative Day

May 15, 1990

Legislature when we have so many problems that we can actually address. When in fact we really just pass them by and not really address them. The fact that so many kids are dropping out of school and we say well that's okay. The fact that of these 35 thousand, if we could get half of them back into school. If we could get just a few of them back in..."

Speaker Breslin: "Excuse me. Proceed, Sir."

Ropp: "Well, I was gonna just say that this particular Bill will not be the answer to every piece of legislation dealing with dropouts. But it's an important measure and it's one that really means dollars in their pockets because they have an education. I don't think we understand the value of these people as taxpayers versus being people who we will ultimately provide many of our state services. The other thing. Of our prisons, of our prisons in the State of Illinois where we build one every year, 85 percent of those people are dropouts. 85 percent of the people in our prisons are dropouts. Ladies and Gentlemen, I don't want to build another prison every year. Apparently, 70 do."

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

Weller: "Thank you Ladies and Gentlemen of the House. I rise in support of this and urge a positive vote. Some people say this is too simple of a solution. Some people say that this is just too simple. Well the fact is, it works because it's simple. If you look at the statistics in the State of West Virginia, and frankly West Virginia is a progressive state, regardless of what some people say, experience has shown the threat of suspension to be highly effective when applied to high school students considering dropping out of school. Drivers licenses of West Virginia high school students are suspended when they drop out.

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

117th Legislative Day

May 15, 1990

Reinstated when they turn 18. Since the law took effect in 1988, there's been a 30 percent decline in the dropout rate. Yes, this is simple, but it works. Ladies and Gentlemen, let's try something that's simple and works. Please vote..."

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

Flinn: "Madam Speaker, I believe this is a lost cause. Why don't we get on the business of the House."

Speaker Breslin: "I think you're right. Have all voted who wish? The Clerk will take the record. On this question, there are 36 voting 'aye', 69 voting 'no', 9 voting 'present'. This Bill having failed to receive the Constitutional Majority is hereby declared lost. House Bill 3274, Representative Leverenz. Clerk read the Bill."

Clerk O'Brien: "House Bill 3274, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. House Bill 3274 would make it proper and legal that those organizations such as REACT using the amber or yellow oscillating lights would be in the code, and this would eliminate a problem that exists. I'd ask for your 'aye' vote to pass the Bill."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 3274. On that question, the Gentleman from Vermilion, Representative Black."

Black: "Thank you very much...The Amendment is on the Bill?"

Leverenz: "The Amendment is on the Bill. The Amendment is on the Bill. It is on the Bill and the...fire departments no longer have a question."

Black: "I think it eliminates whatever...thank you."

Speaker Breslin: "Is there any further discussion? There being none, the question is, 'Shall House Bill 3274 pass?' All

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

117th Legislative Day

May 15, 1990

those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 5 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3334, Representative Parcels. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3334, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a Bill that is somewhat technical in nature. It takes care of two areas of the law. One dealing with stolen vehicles where the VIN number, the vehicle identification number has been altered or removed. Right now the Department of State Police has to store that vehicle at great expense, as a matter of fact, recently four vehicles cost 50 thousand dollars. This would actually save a great deal of money, because now the car could be gotten rid of, disposed of, after proper pictures and so on are taken of it and they could dispose of it before the criminal case has ended. Up until now they've had to store it until the criminal case is over and sometimes that's three or four years. That's one area of the law. And the other area of the law that is discussed is that it provides a portable breath test administered to a driver involved in a personal injury or fatal accident, does not relieve the driver of other implied consent laws of the Vehicle Code regarding chemical tests for the presence of drugs or alcohol. We passed a Bill last year which didn't go quite far enough to say that they still had the responsibility for taking other DUI tests back at the

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

117th Legislative Day

May 15, 1990

station and this would say that this does not relieve them of that responsibility. And I'd ask for your 'aye' vote."

Speaker Breslin: "The Lady has moved for the passage of House Bill 3334. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Mr. Regan are you in opposition? Representative Countryman, are you in opposition?"

Countryman: "I think so, yea."

Speaker Breslin: "Very good. Representative Countryman."

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

Speaker Breslin: "She will."

Countryman: "You indicated that there was a portable DUI test that was authorized by this Bill. Can you explain that portable DUI test?"

Parcells: "That was authorized last year. The portable test."

Countryman: "Was that a new machine?"

Parcells: "Yes, that they can carry..."

Countryman: "So they can go out of the Police Station? What does this Bill have to do with that test?"

Parcells: "It, well, this just says that this does not relieve the driver of the test that would be, which are more accurate, which would performed at the station so that the driver is not relieved of his responsibility to take a test just because he's taken the portable test. He must then also take a test back at the station if it is so deep that it's..."

Countryman: "Can that portable test then be used as evidence against them?"

Parcells: "Yes, it can. No, the portable one cannot. The one back at the station can."

Countryman: "Only the one back at the station. This is not authorized the portable tests to be used in court in any way. Is that correct?"

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

117th Legislative Day

May 15, 1990

Parcells: "That is correct."

Countryman: "Thank you."

Speaker Breslin: "Is there any further discussion? There being none, the question is, 'Shall House Bill 3334 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3368, Representative Hicks. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3368, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. House Bill 3368 as amended with Amendment #1 provides that a personal license of an automotive recycler may exchange his salvage certificate for a certificate of title which is not state rebuilt when proof is submitted with the application for certificate of the title. The salvage certificate was obtained because of a claim of total loss and theft and that a vehicle was recovered without any damage to the vehicle. I'd be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3368. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall House Bill 3368 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 8 voting 'no', and 2 voting 'present'. This Bill

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

117th Legislative Day

May 15, 1990

having received the Constitutional Majority is hereby declared passed. House Bill 3400, Representative Hicks. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3400, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. House Bill 3400 amends the Vehicle Code and provides the owner of a leased fleet of 15 or more vehicles subject to vehicle emission inspection may apply to EPA for a permit to establish and operate a private official inspection station. Current law is 25 we're simply changing it from 25 to 15 for fleet. Be happy to answer any question."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3400. On this question is there any discussion? Is there any discussion? There being none, the question is, 'Shall House Bill 3400 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 60 votes are required for 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. House Bill 3494, Representative Tenhouse. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3494, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Tenhouse."

Tenhouse: "Yes. This would just simply split the category as far as trailer license of the current B Classification which goes from three thousand to eight thousand pounds. Would split it from three thousand to five thousand, another class from five thousand to eight thousand. The reason for that is to create some confusion because at present time no

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

117th Legislative Day

May 15, 1990

law enforcement officials there's some discrepancy there because it's difficult for them to determine whether or not people should be equipped with break away brakes as far as their licenses. Trailers. I urge passage."

Speaker Breslin: "The Gentleman, Representative Tenhouse has moved for passage of House Bill 3494. And on that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. Madam Speaker, if I could ask the Clerk, was there a fiscal note filed on this Bill because our analysis shows the state losing some money here. So I wonder if there, if you could tell me whether or not there was a fiscal note?"

Speaker Breslin: "No fiscal note was requested or filed."

Cullerton: "Alright. I guess Representative McCracken was supposed to that. He must have...Representative maybe you can answer the question then. How much money will the state lose if we pass this Bill?"

Tenhouse: "It will depend. At the present time we're going to, actually we'll be, the ones in the B category will be dropping from 44 to 28 dollars. On those that take a light category, it, how many of those that will take place it is tough to know. Right now the Secretary of States office say there are 46,947 vehicles under the B category. Most of those will pass into the higher category. The Secretary of States office, I talked to them shortly, a short time ago. They don't think there will be very many vehicles initially that will go down into that lower category."

Cullerton: "Well wasn't this issue raised in committee when you presented the Bill?"

Tenhouse: "No, it was not."

Cullerton: "You did present it?"

Tenhouse: "Yes, I did."

Cullerton: "Well, that's better than Noland I guess. Did you,

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

117th Legislative Day

May 15, 1990

did you request that your first Bill be one that cost the state money? I mean could you have any opinion...I mean wouldn't you prefer to Sponsor a Bill that makes money for this state rather than cost money."

Tenhouse: "Yes I would prefer to sponsor a Bill that lowers the cost to the consumer rather than raising it I guess."

Cullerton: "And what does this one do?"

Tenhouse: "It will actually lower the cost for those people who go into that lighter category. Because their vehicles will not be so..."

Cullerton: "But there are people that drive trailer flats around, right?"

Tenhouse: "Well, they're not going to be very big trailers if they only have a 5000 pound gross vehicle weight."

Cullerton: "Well, who are we aiming this Bill at? We're trying to make it easier...we're trying to lower somebody's pay...what somebody pays to the state. Who are the beneficiaries of this? If the state's going to lose money, somebody's going to make money."

Tenhouse: "I would say, farmers and people with smaller...larger boat trailers."

Cullerton: "Farmers? This is another Bill for the farmers? Don't you think we've done enough for them? They don't pay any property tax anymore."

Tenhouse: "Is that a question or a statement?"

Cullerton: "Well now, you're not a farmer yourself, are you?"

Tenhouse: "Yes. I am."

Cullerton: "Well now, so now we got your first Bill..."

Tenhouse: "But I don't have a B license."

Cullerton: "You have your first Bill. You have a potential for a conflict of interest, maybe, if you went and got one of these Class B licenses and...and the state's going to lose some money. And this is your first Bill. This is going to

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

117th Legislative Day

May 15, 1990

be the one, if you pass it you're going to want everybody to sign it. Let's hope nobody asks you what it does. Just give me an idea...how much money? How much money is this going to cost?"

Tenhouse: "My concern...my real concern is...It'll be tough to really ascertain that until the number of vehicles that'll move into that light category are hard to call. It shouldn't be very much money, quite honestly. And it's going to be going not into general revenue, but it'll be going into the road fund."

Cullerton: "Doesn't go into general revenue?"

Tenhouse: "No. It does not. It's road fund money."

Cullerton: "Goes where?"

Tenhouse: "Road fund."

Cullerton: "Road fund. So, we'll just have a little less money to build some more downstate roads?"

Tenhouse: "That's right."

Cullerton: "Okay. Well, if this is the one you want to go with, it's up to you decide how it's going to work out."

Tenhouse: "Thank you."

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

Olson, M.: "Sponsor yield?"

Speaker Breslin: "He will."

Olson, M.: "Representative Tenhouse, has the Governor personally spoken to you about this Bill?"

Tenhouse: "No, he has not."

Olson, M.: "Well, it's traditional on first Bills, the Governor calls you, because the executive branch is ultimately responsible for the imple...he hasn't called you?"

Tenhouse: "No. He has not."

Olson, M.: "Is this Bill in such a nature that it would get through the Joint Committee on Administrative Rules when the agency promulgates the rule?"

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

117th Legislative Day

May 15, 1990

Tenhouse: "I don't know."

Olson, M.: "I...sorry I didn't hear you."

Tenhouse: "It affects the Secretary of State, not the Governor."

Olson, M.: "Alright. Are you familiar with the Joint Committee on Administrative Rules?"

Tenhouse: "Not really."

Olson, M.: "Well, that's a prerequisite for people who come here, because we pass the Bills, but they make the rules, that you better comport with it in your legislation. Are you comfortable with what you are doing?"

Tenhouse: "Are you supposed to be comfortable?"

Olson, M.: "Are you totally comfortable?"

Tenhouse: "No. I'm not totally comfortable."

Olson, M.: "I mean, I'm with Representative Cullerton. This is your first Bill."

Tenhouse: "Yes. That's correct."

Olson, M.: "And you're seeking to make a good impression at home. Obviously. Is the press covering this today?"

Tenhouse: "It's very doubtful."

Olson, M.: "Is the Whig Herald here?"

Tenhouse: "The Herald Whig...some people may say they're backward, so you could call it the Whig Herald."

Olson, M.: "Herald Whig...well, that's alright. I've always been a little backward. I know it's hard to get to Quincy from here. I just want to make sure that what you're doing makes you comfortable, and that you'll get at least sixty votes. Thank you very much."

Speaker Breslin: "Representative Tenhouse, would you like to close?"

Tenhouse: "Very quickly. Yes. I would urge passage of this legislation. And unlike Representative Noland, who wished that his mother had been here, I'm kind of glad that she is back home."

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

117th Legislative Day

May 15, 1990

Speaker Breslin: "The question is, 'Shall House Bill 3494 pass?'

All those in favor vote 'aye'. All those opposed vote 'no'. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question. Representative Preston wants to vote 'aye' on this first Bill. Change Representative Preston to 'aye'. And Novak 'aye'. And Homer 'aye'. And Balanoff 'aye'. 114 voting 'aye'. This Bill having received the Constitutional Majority is hereby declared passed. Congratulations, Representative. House Bill 3695, Representative Olson. Clerk read the Bill."

Clerk O'Brien: "House Bill 3695, a Bill for an Act pertaining to Vehicle Emission Controls. Third Reading of the Bill."

Speaker Breslin: "Representative Olson."

Olson, M.: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House, 3695 is one of two Bills, the other being Senate Bill 2150, which deals with the extension of the sunset, that is of the Vehicle Emissions Testing Program. This Bill came to us last year, was rejected in the Senate. As this Bill stands, it is pristine in nature, and if necessary would become a vehicle for the ultimate resolution of this issue. Senator Philip's Bill coming from the Senate has included Cook County and the other four collar counties into his equation, which I think meets the objection of anyone that had in this House last year. I would move for the adoption of House Bill 3695."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3695. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Mr. Dunn, do you rise in opposition? Are you in opposition? No. Do you have questions to ask or something? No. Representative Dunn."

Dunn: "Well, I just want to comment. The Sponsor said this is

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

117th Legislative Day

May 15, 1990

pristine legislation. I didn't know there was anything
pristine about him, and so, I'm going to vote for this
Bill, just to be on record for a pristine act on his part."

Olson, M.: "And this...skiers like this Bill as well,
Representative."

Speaker Breslin: "The question is, 'Shall House Bill 3695 pass?'
All those in favor vote 'aye', all those opposed vote
'no'. Voting is open. Sixty votes are required for
passage. Have all voted who wish? Sixty votes are
required. Have all voted who wish? The Clerk will take
the record. On this question there are 104 voting 'aye', 6
voting 'no', and 2 voting 'present'. This Bill having
received the Constitutional Majority is hereby declared
passed. House Bill 3858, Representative Cullerton. Clerk,
read the Bill.'

Clerk: "House Bill 3858, a Bill for an Act to amend the Illinois
Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. Ladies and Gentlemen of
the House, House Bill 3558 (sic - 3858) amends the Vehicle
Code. We passed a couple of years ago a...a Bill that says
the people that rent motor vehicles shall hold a...I'm
sorry...that no person who rents motor vehicles shall be
held liable for any damages to the rented vehicle that
exceeds \$200, except in certain circumstances. Like when
they don't...when they're driving under the influence, or
they're drag racing, or something like that. What's
happened as a result of that is that when someone who rents
a car and they get in an accident, it's the rental
company that has to go after the person responsible for the
accident, that being the third party. So all we're asking
with this Bill is that the person who rents the car
cooperate with the rental company in giving the

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

117th Legislative Day

May 15, 1990

information...basic information about the accident that...that occurred. We specifically put in the Bill language that says that they should use reasonable efforts to obtain the name, address and insurance company's name, if applicable, of the other drivers involved in the accident. If there are any witnesses they should do that as well...get a name. This is all designed with the intent of helping the rental company then go after the third party who was responsible. Now, we've been discussing with Representative Klemm a further Amendment to possibly even facilitate this...even further, by suggesting that the rental company itself provide when they rent you the car...provide a form that you should fill out if you get in an accident. And this would be, I think, the fourth Bill that we're going to pass out of here that where we're going to keep a note that there's going to be an Amendment offered in the Senate. So, I'd be happy to answer any questions, and I'd appreciate a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3858. This Bill is on the Order of Short Debate. Do any of you rise in opposition? Representative Countryman, you're in opposition? Representative Countryman just nod your head yes or no. Yes. Representative Countryman?"

Countryman: "Thank you, Madam Speaker. I...I just want to let them know we are keeping a list over here. He said that the Bill is going to be amended in the Senate. And he's got a list over there of people who are going to be amended...Bills that are going to be amended. So, we're going to keep a list over here and make sure that this Bill comes back on the Concurrence Calendar. Thank you."

Speaker Breslin: "Now, were there any in opposition? For a question Representative McCracken."

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

117th Legislative Day

May 15, 1990

McCracken: "Thank you. People...people are wondering over here. Is it true that you would sponsor a Bill for the benefit of those nasty insurance companies and/or car rental companies? Would you characterize this Bill as in their interest?"

Cullerton: "I think it's in the interest of the car rental company. I don't know about the insurance industry."

McCracken: "Are all the car rental companies for this?"

Cullerton: "I would think they would be. I would hope so."

McCracken: "If they knew about it, they'd be for it probably."

Cullerton: "Well, they'll probably have plenty of time to make that decision."

McCracken: "Okay."

Speaker Breslin: "Representative Klemm, are you in opposition?"

Klemm: "Just a question of the Sponsor."

Speaker Breslin: "Question of the Sponsor. He'll answer a question."

Klemm: "Representative, is that the Amendment that you're talking about in the Senate...the one that you and I talked about the card and the information for the driver..."

Cullerton: "Right. I think it is a good suggestion. We have the rental car company provide a form in case someone's in an accident, they can fill that form out and that provides all the information that's necessary."

Klemm: "Alright. Thank you very much."

Speaker Breslin: "The question is, 'Shall House Bill 3858 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required for 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', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3903. Read

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

117th Legislative Day

May 15, 1990

the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3903, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bugielski now asks leave to return this Bill to the order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filled, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1."

Speaker Breslin: "Who are the Sponsors?"

Clerk O'Brien: "Offered by Representatives Ronan - Kubik - Bugielski."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. Members of the House, with the Amendment we're adding to House Bill 3903, we're doing something...here in the General Assembly to deal with the issue of impaired drivers. We're making some changes in the...vehicle law to switch the medical advisory board, which currently exists in the Department of Public Health. We want to shift that over to Secretary of State's office. We also want to expand the definition of impaired drivers, so that it's easier for physicians to make recommendations to this board to keep these people off the road. We also expand the definition so that state's attorneys are also eligible to make recommendations to this advisory board to have people get restricted drivers licenses. I'd be glad to answer any questions concerning this legislation. I think it's important that we move on this matter because of the tragedy that occurred about ten days ago in Riverside, and that's why it's a bipartisan effort to hopefully clarify this Section of the Motor Vehicle Code."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 3903. On that question is there

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

117th Legislative Day

May 15, 1990

any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bugielski now asks leave for immediate consideration of this Bill as amended. Is leave granted? Are there any objections? Hearing no objections, leave is granted. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3903, a Bill for an Act concerning the safe operation of motor vehicles. Third Reading of the Bill."

Speaker Breslin: "Representative Bugielski."

Bugielski: "Thank you, Madam Speaker. As you heard the Amendment becomes the Bill and the Amendment is going to...to make legislation to scrutinize more closely drivers whose medical conditions may jeopardize their ability to safely operate a motor vehicle and I ask for your 'aye' votes."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3903. On that question is there any discussion? There being none the question is, 'Shall House Bill 3903 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3933. We think we may have blown a fuse here. Give us a few minutes. Representative Cullerton, for what reason do you seek recognition?"

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

117th Legislative Day

May 15, 1990

Cullerton: "Madam Speaker, while we're waiting for the board to be repaired. I wondered if we could clarify something. There has been some discussion over here on this side of the aisle. There's apparently some uncertainty as to whether or not one of our Members became married over the weekend...and if...if we're not sure whether or not this happened. If someone did become married, we, of course, we would want to congratulate them...if they didn't we'd like to know that as well. Because that could be relevant down here in Springfield, whether or not you're married or not. So,...I think maybe Representative Williamson might be able to straighten us out. I'm told that she has some knowledge with regard to this."

Speaker Breslin: "Representative Williamson, do you have any knowledge with regard to this affair?"

Cullerton: "Wait a minute, Madam Speaker. Madam Speaker, let me clarify my question."

Speaker Breslin: "Yes."

Cullerton: "I don't...I was talking about whether somebody got married or not."

Speaker Breslin: "I know. Proceed Representative Williamson. What do you know about the affair?"

Williamson: "Thank you, Madam Speaker. There seems to be some strong rumor on this side of the aisle that one of our colleagues ran away this weekend and got married. And perhaps Representative Weaver could clarify that statement for us."

Speaker Breslin: "Representative Weaver, can you tell us about the affair?"

Weaver: "Not on your life."

Speaker Breslin: "And it was getting so good there. Did anybody else get married recently that they would like to tell us about it? Representative Williamson."

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

117th Legislative Day

May 15, 1990

Williamson: "Madam Speaker...well perhaps my seatmate didn't run away and get married this weekend, but he's been smiling for the last few days, so I'm sure that he did have a nice weekend."

Speaker Breslin: "Ladies and Gentleman, we are going to test the system now. This is just a test. Proceed, Mr. Clerk. The House will come to order. We will proceed on the Order of Transportation - Third Reading. House Bill 3933. Representative Peterson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3933, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson, W.: "Thank you, Madam Speaker. Members of the House, House Bill 3933 amends the Highway Code and it allows the Highway Commissioner with approval of the town board to have a pecuniary interest in a lease contract up to an aggregate of \$1000 per fiscal year. It applies to townships with a population under 15,000. I would ask you support for House Bill 3933."

Speaker Breslin: "The Gentleman has moved passage of House Bill 3933. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall House Bill 3933 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 114 voting 'aye', none voting 'no', 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3939, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3939..."

Speaker Breslin: "Representative Cullerton."

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

117th Legislative Day

May 15, 1990

Cullerton: "Thank you, Madam Speaker. Ladies and Gentlemen of the House..."

Speaker Breslin: "Wait. He hasn't read the Bill yet, excuse me."

Clerk O'Brien: "House Bill 3999, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Bill only effects two locations in the entire state. Comisky Park and Wrigley Field. And I'll read to you from the Democratic analysis. The analysis says 'the Sponsor's district includes Wrigley Field, the home of the finest baseball team in America'. Here's what this is about. You know the charter busses that come up to Wrigley Field bringing all the Cub fans, and in some cases Cardinal fans, when the people get out of the bus and they go in to watch the game, the bus drivers leave the busses running and noxious fumes emanate themselves from these busses and they as a result irritate the neighborhood. And as you know we have a very nice ball park that's right...sits right in among the neighbors close to the people who are living there. So, this is a reasonable request. It just says that they...and the only reason why they are doing this is so they can keep the air conditioner on. It wastes energy and it just...you know they are just doing this so they can keep their air conditioner on. There's no air conditioning inside the park, except for the sky boxes. I mean the people that are on the bus have to sit out in the sun, so why should the bus drivers get to have their air conditioning on? So they get to be air conditioned for a...I guess we put in there they can keep it on for an hour, but after that, my god, there should be no reason to keep your bus running longer. So, I'd be happy to answer any questions, and I'd appreciate an 'aye'

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

117th Legislative Day

May 15, 1990

vote. This is for my district, obviously."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3999. And I hate to disappoint you, but this Bill is on the Order of Short Debate. Does anyone rise in opposition? All rise in opposition. Representative Ryder...was the first to have his light on. Representative Ryder."

Cullerton: "Well, let's take it off Short Debate...take it off Short Debate."

Ryder: "Representative Cullerton, I do have a couple questions, if I might ask. Is there a time limit as to the months of the year when this ordinates? This is a city ordinance, right? You're asking the General Assembly to adopt a city ordinance?"

Cullerton: "No. We're asking the General Assembly to adopt a state law, which would effect only Chicago only between the months of April and September."

Ryder: "Well, first of all it seems like it should be a city ordinance, but I understand your approach there. I think the part that I find most intriguing is that as a Cub fan you've find finally given up. Because the World Series is in October, and it's obvious from this that you have no plans for any World Series ever being in Chicago."

Cullerton: "No. You're wrong."

Ryder: "It says September, Sir."

Cullerton: "Well, we're not going to allow any charter busses in from downstate, with those Cardinal fans for the World Series in October."

Ryder: "Representative, no self-respecting Cardinal fan would go to a World Series that involves the Cubs."

Speaker Breslin: "The question is, 'Shall House Bill 3999 pass?' All those in favor vote 'aye'. Opposed vote 'no'. Voting is open. Representative Stephens, one minute to explain

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

117th Legislative Day

May 15, 1990

your vote."

Stephens: "Well, thank you, Madam Speaker. This foolish conjecture about the Cubs being in a World Series is out of hand. The fact is is that this is an attempt to get downstate Cardinal fans from southern Illinois, who travel all that way up there to spend their good earned...hard earned money watching the Cubs get beat and you're trying to pick on us, just because we've got a bus sitting outside and those fumes won't stop just because you've shut the busses off, Representative. And I object to this Bill and I think we ought to soundly defeat it. I don't know, I didn't think we had that many Cub fans here, I'm just amazed. I guess there's a few White Sox fans here too."

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

Olson: "Yes. I wanted to ask a question of the Representative. Perhaps he can just give me a hand signal. Does this apply to both busses that show up at those games?"

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

Matijevich: "Only to enlighten Representative Ryder. He might know that at the World Series games and All Star games they don't come in busses, they come in limosines."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 94 voting 'aye', 13 voting 'no', and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 4029, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4029, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker. Members of the House, this Bill

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

117th Legislative Day

May 15, 1990

in an attempt to assure those people who drive mopeds have adequate training and learn the rules of the road are required to have a drivers license."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 4029. This Bill is on Regular Debate. Does anyone rise...Representative Leverenz on the question."

Leverenz: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Leverenz: "Is there a prerequisite that you must graduate from high school to have one of these licenses?"

Ropp: "No, but it would be a good idea."

Leverenz: "Why don't you take yourself out of the record?"

Ropp: "For what reason?"

Leverenz: "Well, to put that provision in the Bill, wouldn't you think that that would be proper? Just in keeping your Bill in line with all of your other good ideas?"

Ropp: "we'll add this in the Senate."

Leverenz: "We're promised that all the time. Could you explain the Bill? Briefly, what it does again?"

Ropp: "You just have to have a drivers license to operate a moped."

Leverenz: "A moped. How many cc?"

Ropp: "I honestly don't know."

Leverenz: "This provides a special class of license. We've got A's and B's, a motorcycle...we've got two classes of motorcycles now...and you're going to make a..."

Ropp: "L and M."

Leverenz: "That's a cigarette...Well, how many cc would you have to have purchased to have one of these?"

Ropp: "I don't know."

Leverenz: "All you have to do is have a drivers license to know how to operate one of these. Why do you want to go out and...whose good idea was this? Where's the genesis of

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

117th Legislative Day

May 15, 1990

this baby?"

Ropp: "A constituent in my district who..."

Leverenz: "Does he sell them, or teach the class?"

Ropp: "I think he's probably teaching the class, but he's more concerned about the safety of people who are driving them."

Leverenz: "Well, would a 'Whizzer' be classified in this?"

Ropp: "I do not believe so."

Leverenz: "But it is a motor on top of the front wheel...therefore it might be classified as a pedacycle."

Ropp: "Would you classify it as a pedacycle?"

Leverenz: "Oh, I don't know. You've got the Bill. I'm simply asking you. Changing subjects, does the Secretary of State endorse this? Does he want to give out more drivers licenses with his name on it?"

Ropp: "In my analysis it says that the Secretary of State has not made any determination."

Leverenz: "Is there any late breaking story whether he is for this or against this?"

Ropp: "Not to my knowledge."

Leverenz: "Is this only in you county?"

Ropp: "I suppose there are mopeds all over the state."

Leverenz: "And would they be able to operate without a license plate? Or do they have to have a special license plate?"

Ropp: "I think they have to have license plates, obviously."

Leverenz: "What is the cost of...this is training and license, or just training? What do you require under the Bill?"

Ropp: "Have an adult drivers license."

Leverenz: "How long is the training class?"

Ropp: "I don't have the specific length of time, but it at least will be enough time to learn the rules of the road, and how to operate a vehicle with some degree of safety."

Leverenz: "But you're providing a special course, is that not correct?"

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

117th Legislative Day

May 15, 1990

Ropp: "Well, it doesn't say a special course, no."

Leverenz: "Well, you have to have a special course now to get a license to drive a motorcycle...what are you going to do differently than what you already have?"

Ropp: "Well...it's not...Well, it is not mandated...It is not mandated that you have that course. It's highly required and...is encouraged, but to my knowledge it is not mandated that you have to have..."

Leverenz: "Oh, absolutely, it is."

Ropp: "It is for a motorcycle? Then it would be just a little bit smaller for a moped."

Leverenz: "This sounds like it is a duplication of something that is already on the books. And I don't know if anyone's going to be knowing whether to turn left or right after they buy one of these. So, maybe this Bill should just fail."

Speaker Breslin: "The Gentleman from Lake."

Matijevich: "Well, Madam Speaker, Ladies and Gentleman of the House, I think if we are going to pass this type of legislation, I think we ought to put everything in place first. Because...the present law is for a motorcycle license that there is a test that has to be taken. And the Sponsor himself said, first of all that he wasn't aware of that, and I don't think he wants the same type of a test for a motorcycle for those who operate a moped. So, I think if we are going to do this responsibly we ought to wait to determine if the Secretary of State can come up with a type of course for those who operate mopeds and get that in place at the same time before we 'rush' into this type of legislation. I think he...his intent...is well placed, but I think we ought to do it all together, to make sure that what we're doing is right. That there is a type of course that can be available, and not do it this way."

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

117th Legislative Day

May 15, 1990

So, I would urge a 'present' vote or 'no' vote. I'm going to vote 'no', but those who think his intent is in the right place, probably ought to vote 'present', and then let's start looking at what...the responsible way of doing it."

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

Ropp: "Thank you, Madam Speaker. I welcome your support."

Speaker Breslin: "The question is, 'Shall House Bill 4029 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Representative Preston, one minute to explain your vote."

Preston: "Thank you, Madam Speaker. I just wanted to rise to thank Representative Ropp for sponsoring a Bill that is even more popular than my Bill to prohibit corporal punishment. Thank you, Representative Ropp."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 9 voting 'yes', 94 voting 'no', 10 voting 'present'. This Bill is lost. House Bill 4159, Representative Wennlund. Clerk read the Bill."

Clerk O'Brien: "House Bill 4159, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this is a clean up of a House Bill that we passed last year. 572, which the Governor signed and is now law, the required annual test for school bus drivers in Illinois. This was recommended by the Illinois School Transportation Association and School Bus..."

Speaker Breslin: "Proceed, Sir. Representative Wennlund. That was the old timer. Go ahead."

Wennlund: "Thank you. What it does is...the law now requires

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

117th Legislative Day

May 15, 1990

annual testing for blood and alcohol. It removes alcohol because that doesn't remain in the blood stream long enough, and provides for post-accident testing. So, when an school bus is involved in any kind of an accident whether it be personal injury or property damage, that the school bus driver submit to a blood...a drug and blood or alcohol test on post-driving. It's a clean up of the Bill and provides a better Bill. We all know the safest part of any school bus in Illinois is in fact the driver. If drivers aren't safe, the school busses aren't going to be safe, and children aren't going to be safe. I ask for the passage of this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 4159. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Representative Hultgren."

Hultgren: "Not opposition, but a question of the Sponsor."

Speaker Breslin: "Proceed."

Hultgren: "Representative Wennlund, I think this is a good idea. Is there any reason why we should limit it to school bus drivers, and not talk about bus drivers generally? I tend to support the Bill, but I'm wondering if we ought to be talking about a broader concept."

Wennlund: "Yes...Yes. There is. Federal Department of Transportation rules apply to all commercial bus drivers, but they do not cover school bus drivers."

Hultgren: "Thank you. That answers my question."

Speaker Breslin: "Question is, 'Shall House Bill 4159 pass?' All those in favor vote 'aye'. Those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111...112 voting 'aye', none voting 'no', none voting

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

117th Legislative Day

May 15, 1990

'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 4173, Representative Hartke. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4173, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hartke."

Hartke: "Thank you, Madam Speaker. Members of the House, House Bill 4173 amends the Highway Code requires that once a rate for taxation for road purposes is established by a township board of trustees, that rate shall remain in effect until changed by the board. It's a simple piece of legislation. I'd be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 4173. And on that question is there any discussion? Any discussion? Being none the question is, 'Shall House Bill 4173 pass?' All those in favor vote 'aye'. Opposed vote 'no'. Voting is open. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 2 voting 'no', and 5 voting 'present'. Representative Hicks? There are 5 voting 'present'. Representative Hicks votes 'aye'. There are 107 voting 'aye'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Insurance - Second Reading. Appears House Bill 4048. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4048, a Bill for an Act to amend the Title Insurance Act. Second Reading of the Bill."

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

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

Speaker Breslin: "Hold the Bill on Second. Now, Ladies and Gentlemen we are proceeding to the Order of Criminal Law - Second Reading. Are there any Bills on this agenda where

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

117th Legislative Day

May 15, 1990

Sponsors wish to have Amendments heard? House Bill 3838,
Representative Stern. Clerk, read the Bill."

Clerk O'Brien: "Second..."

Speaker Breslin: "3838."

Clerk O'Brien: "House Bill 3838, a Bill for an Act to amend the
Unified Code of Corrections. Second Reading of the Bill.
Amendment #1 was adopted in committee."

Speaker Breslin: "Representative...are there any Motions or
Amendments?"

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

Speaker Breslin: "Representative Weller on Amendment #2."

Weller: "Amendment #2? Withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Any further
Amendments?"

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

Speaker Breslin: "Representative Weller."

Weller: "Thank you, Madam Speaker. Ladies and Gentlemen of the
House, Amendment #3 prohibits additional good credit...good
conduct credit would be awarded to any prisoners who are
currently serving a sentence for conviction of any
violation of the Cannabis Control Act, the Illinois
Controlled Substances Act, or the Steroid Control Act.
Basically, to make it simple it would prevent any...anyone
convicted for a drug offense from participating in any
meritorious good time program. I ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of
Amendment 3 to House Bill 3838. On that question the Lady
from Lake, Representative Stern. Mrs. Stern is
recognized."

Stern: "Madam Speaker and Members of the House, I would hope we
would vote down this Amendment. I think it is absurd to

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

117th Legislative Day

May 15, 1990

rule out those convicted of cannabis and steroid errors, when those are precisely the sorts of candidates we should be thinking of for this kind of legislation. I would ask you to vote 'no' on this."

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

Wennlund: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in opposition to this Amendment. This is a hostile Amendment and will defeat the entire purpose of the Bill. What do you think the prisons in Illinois are filled up with? And are filling up at a rate to require a new prison every seven weeks in Illinois? It's because of drug offenders. The Director of Department of Corrections needs the flexibility to be able to deal with his own prison population. He's not going to be releasing any Willy Horton's, and we're not talking about Willy Horton's here in this Bill. We're talking about relieving the overcrowding prison population and giving the Director of the Department of Corrections the flexibility and the management tools necessary to operate the Department of Corrections in a manner that the State of Illinois desires. This is a hostile Amendment. It's a bad idea. And it ought to be defeated, and I urge my colleagues on both sides of the aisle to vote 'no' on this Amendment, and ask for a Roll Call Vote."

Speaker Breslin: "Representative Olson on the Amendment."

Olson: "Thank you, Madam Speaker. I, too, joint Representatives Stern and Wennlund on opposing this Motion. We need very suddenly to free up 2200 beds and take the onus off the correctional officers and the various prisons around the state that are currently overcrowded. And I would urge defeat of this Motion."

Speaker Breslin: "Any further discussion? Representative Weller

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

117th Legislative Day

May 15, 1990

to close on the Amendment."

Weller: "Ladies and...Ladies and Gentlemen of the House, the Sponsor of House Bill 3838 desires to reduce the prison population because of perceived prison overcrowding problem. That's fine, but we want to make sure that we keep the murders, rapists, and those that are affected or sentenced for drug crimes in prison where they should be. Ladies and Gentlemen, we've already moved to establish electronic home monitoring, we've already moved to establish boot camps. Both are efforts to reduce prison overcrowding. Let's keep drug offenders in prison. That's where we sent them for in the first place, I ask for an 'aye' vote and move for the Amendment's adoption."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. A simple majority is required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 17 voting 'aye', 90 voting 'no'. The Amendment fails. Are there any further Amendments, Mr. Clerk?"

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

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. Would you kindly withdraw Amendment #4?"

Speaker Breslin: "Withdraw 4. Any further Amendments?"

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

Speaker Breslin: "Representative Stern."

Stern: "Withdraw Amendment #5."

Speaker Breslin: "Withdraw Amendment 5. Any further Amendments?"

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

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

117th Legislative Day

May 15, 1990

Speaker Breslin: "Representative Stern."

Stern: "Amendment #6 restores the original Bill together with the thrust of the Petka Amendment that was adopted a few days ago. In other words, we would permit...an additional ninety days of meritorious good conduct credit to a prisoner, excluding those convicted of murder in the first degree and criminal sexual assault. It has an immediate effective date."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #6 to House Bill 3838. On the question the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in support of Representative Stern's Amendment. It accomplishes all the persons...all the problems that...that some of the House Members had with this Bill originally. It will now give the Director of the Department of Corrections the flexibility and the management tools he needs to manage the overcrowding prison population. This will go a long way towards doing that. Towards relieving Illinois of the responsibility of building a new prison every seven weeks, with the current rate of prison overcrowding. I rise in support of that and ask the Members on both sides of the aisle to support the Amendment."

Speaker Breslin: "Representative Olson on the Amendment."

Olson, M.: "Yes, Madam Speaker. Just brief acknowledgement of the value of Amendment #6. As Representative Stern has said, it puts this back in good order, so we may proceed to vote on the Bill itself. I move for an 'aye' vote on Amendment 6."

Speaker Breslin: "Question is, 'Shall Amendment 6 be adopted?' All those in favor say 'aye'. Those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The

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

117th Legislative Day

May 15, 1990

Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7 offered by Representative Petka."

Speaker Breslin: "Representative Petka? Representative Petka."

Petka: "Thank you very much, Madam Speaker. Members of the House, it is my understanding that Floor Amendment #7 has not been printed and distributed. I have talked with the Sponsor. She'd like to move the Bill to Third Reading with the understanding, Representative, that it will be brought back to Second for this Amendment when it is printed and distributed."

Speaker Breslin: "Representative Stern. Representative Stern?"

Stern: "Shall I paraphrase what I believe the thrust of that Amendment to be? No? Okay, I won't. But I am perfectly willing to do that. We would like to get this to Third Reading. I do know what it does."

Speaker Breslin: "No. See the point is, Representative Stern, that you cannot pass the Bill today. If the Amendment...he still wants to pursue his Amendment. If he withdraws the Amendment, then you can pursue it. Otherwise, you have to wait."

Stern: "Madam Chairman...Madam Speaker, I'm sorry. Sorry, about that it's been a long day. Madam Speaker, we would like to ride over this Amendment and go to Third Reading."

Speaker Breslin: "Okay, Representative Petka withdraws the Amendment. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Now, you want to keep the Bill on Third? You're going to hold the Bill on Third? Is that right, Representative Stern?"

Stern: "Yes. That's correct."

Speaker Breslin: "On the Order of Transportation - Second Reading. Appears House Bill 3043. Read the Bill, Mr.

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

117th Legislative Day

May 15, 1990

Clerk."

Clerk O'Brien: "House Bill 3043, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Santiago."

Santiago: "Madam Speaker, I wish to withdraw Amendment #2."

Speaker Breslin: "Withdraw #2. Any further Amendments?"

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

Speaker Breslin: "Representative Santiago."

Santiago: "Madam Speaker, Amendment #3 is an Amendment that was drafted by Illinois State Police. It just...in committee we discussed the Amendment and it was agreed that they were going to draft the Amendment, which will clean up the Bill, and it will make everyone come on board on the Bill."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 3 to House Bill 3043. And on that question the Gentleman from Winnebago, Representative Hallock."

Hallock: "(question in Spanish)"

Santiago: "Si, senor."

Hallock: "If you recall in committee we amended this Bill to apply, I believe to the City of Chicago only."

Santiago: "Yes, Sir."

Hallock: "Does this now expand it to Cook County, as well?"

Santiago: "No, this is just limited to Chicago only. I started out with the Bill to have the entire state, but there was some problem with it. Then we discussed...the idea limited to Cook County...the IEA was against the Amendment to include Cook County or the entire state. Why I did, I wanted to accomodate the IEA and the state police, and they

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

117th Legislative Day

May 15, 1990

have agreed to this...the Amendment...the Amendment and the Bill as it is right now."

Hallock: "Thank you."

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

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

Speaker Breslin: "He will."

Santiago: "Yes."

Young, A.: "Does the Amendment address who will pay for the cost of the finger printing?"

Santiago: "Yes. The...the state police will pick up the costs."

Young, A.: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment is adopted. Are there any further Amendments?"

Speaker O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Order of Business, Ladies and Gentlemen, is Economic Development - Second Reading. House Bill 2876, Representative LeFlore. Out of the record. On the Order of Third Reading under Economic Development appears House Bill 1560, Representative Wyvetter Young. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1560, a Bill for an Act establishing the Illinois Infrastructure Bank. Third Reading of the Bill."

Speaker Breslin: "Representative Young."

Young, W.: "Thank you very much, Madam Speaker. House Bill 1560 would establish the Illinois Infrastructure Bank in the Office of the Treasurer of the State of Illinois. The Treasurer would be the Chairman of the Board along with ten other members including the Director of IDA and IFFA and other Members appointed by the Speaker of the House and the President of the Senate. The Bank would have the authority

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

117th Legislative Day

May 15, 1990

based on the approval of the Treasurer and the Governor to float bonds for infrastructure. Right now all over Illinois there are communities needing roads, needing various infrastructure, sewers, waste treatment plants, what have you, needing loans to complete these projects. The establishment of a bank would be the means by which these projects could be completed. The bonds would be retired by payments from the municipalities to retire the bonds. If the municipality did not pay for the bond, then monies could be intercepted from the three funds that come from the state to the municipality to retire the bonds. That basically would be the Act, what the Act is about. Fiscal note shows that there would be...the Treasurer's Office would need money for staff and for lawyers, but basically the financing of the bank would be through the sale of bonds."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1560. On that question the Lady from Kane, Representative Doederlein."

Doederlein: "Yes, I rise in opposition to this Bill. House Bill 1560 because it sounds good, but I would like to listen...have you listen to a little story. Let's look at the cookie jar. Mother puts the money in the cookie jar, that's the state. The child takes it out of the cookie jar, that's East St. Louis. We ask them to put it back into the cookie jar, we ask the child, East St. Louis, to put it back, and they don't have any money to put it back into the cookie jar. So, mother has to put some more money into the cookie jar. I think that this is just...we can't start a bank to lend money, when there is nothing to pay it back with. And therefore, I would object to the House Bill 1560."

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

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

117th Legislative Day

May 15, 1990

Piel: "Thank you, Madam Speaker. Will the Lady yield for a question?"

Speaker Breslin: "She will."

Piel: "Representative, in the case of default on these bonds, who would be liable?"

Younge, W.: "The bank would be liable. These bonds would not be the debt of the state or the municipality. Only the bank would be liable. This is not a Bill just for East St. Louis. This is a Bill to establish..."

Piel: "No. No. Wait a minute...wait. Excuse me. Madam Speaker. Madam Speaker. I...excuse me...excuse me...I asked one simple question. I just asked who would be responsible? If you...thank you...you can give everything in your closing statement. I'm trying to get some things across here in the short time that I have. Who is on the board? The bond board?"

Younge, W.: "On the bond board would be the Treasurer of the State of Illinois, would be the Chairman of the Board, the Director of the Department of Commerce and Community Affairs, Director of the EPA, the Secretary of Transportation, those would be non-voting members, there would be two people appointed by the Governor upon the recommendation of the President of the Senate, and two people appointed by the Governor upon the recommendation of the Speaker of the House."

Piel: "The reason I ask that question is because I was sitting here looking at the Members of the Board, and it seemed to me that there was a good possibility that with such a strong state presence on that board with Governor and the Secretary of Transportation, Director of EPA and the State Treasurer, etc., in case of default on these bonds, the bond holders would have objection and would have a recourse against the State of Illinois, because of the strong

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

117th Legislative Day

May 15, 1990

presence on that board. Another point, another question what...you know, how much is being appropriated for the amount of these bonds?"

Younge, W.: "The Treasurer's Office estimates that the original expense would be about a million dollars for the staff, for the legal counsel, and what would be needed to set up this thing."

Piel: "A million dollars. Now, has this million dollars been appropriated yet?"

Younge, W.: "No. It has not."

Piel: "Is it in an appropriation?"

Younge, W.: "Not at this moment."

Piel: "Where are we going to get the million dollars?"

Younge, W.: "Well, the thing is, we need infrastructure in the various cities around the state. A million..."

Piel: "I'm sorry. I'm sorry. I did not ask that question. I just asked where we are getting the money, Ma'm? Excuse me, I'm just asking where we are going to get the money. I'm not asking about the Bill. I'm just asking where, if it has not been appropriated, where we are getting the money?"

Speaker Breslin: "Excuse me...Representative Piel..."

Piel: "Yes, Ma'm."

Speaker Breslin: "You asked the question. The Lady is entitled to answer as she sees fit...If you wish to re-ask the question, that's fine. But don't interrupt the Lady while she is answering the question."

Piel: "I agree Madam Speaker...Fine...But if you...she started going into the merits of the Bill and what everything was going to do. I was just asking one simple question."

Speaker Breslin: "That's beside the point. Representative Piel, that's beside the point."

Piel: "Where are the funds going to come from? Madam Sponsor?"

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

117th Legislative Day

May 15, 1990

Representative Younge? Where are the funds going to come from?"

Younge, W.: "The initial setting up of the bank should come out of General Fund. And after the bonds are floated, the bank would earn interest and that could be repaid. These...the bank would borrow money that it then would lend to municipalities for its roads, and for its sewers and for the many needs that municipalities have, that are unmet at this time."

Piel: "At what rate? What rate will these bonds be?"

Younge, W.: "The board would decide that."

Piel: "In other bonding legislation isn't there a maximum rate stipulated?"

Younge, W.: "Well, they would follow all legal rules about it."

Piel: "Well, but the way the legislation is stated there is not a maximum rate. So, technically the Board could set any rate on these bonds they wanted to, correct?"

Younge, W.: "They would be governed by the laws of the State of Illinois."

Piel: "To the Bill, Madam Speaker. Ladies and Gentlemen of the House, as you can see there are some major problems with the...with the legislation. First of all, it's going to cost over a million dollars. We don't have the million dollars right now. The million dollars has not been appropriated. There's an open ended interest rate on the bonds. I think there is a lot of potentiality as far as the state's liability with so many state constitutional officers being on the board. I would ask for a 'no' vote on this Bill at the present time. Thank you."

Speaker Breslin: "Representative Morrow on the Bill."

Morrow: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise first of all to ask for an 'aye' vote on 1560. I rise, secondly, because I resent the fact that the

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

117th Legislative Day

May 15, 1990

citizens of East St. Louis are being considered children. The citizens of East St. Louis are taxpaying citizens of this state. Just like anyone else in this state pays their taxes. And for someone to make the remarks that they are children stealing from the cookie jar is appalling, and an apology should be made, not only to the Representative from East St. Louis, but to the citizens of East St. Louis because they are also taxpayers of this state just like the citizens of Bloomington, Lake Forest and the City of Chicago...and any other town or city in this state. We don't call them children, and I don't think they should be called children. I think, it was wrong, and a public apology should be made on this floor regardless to the merits of the Bill. If you are against the Bill, speak to the merits of the Bill, but don't downgrade the citizens of East St. Louis, because they are in a problem that if any other city in this state were in, we would be voting to make sure that they were taken care of. We can vote to give money for civic centers. We can vote to give money to math and science academies where the students after they graduate don't go to college in this state. They go out of this state. The don't...won't return and we're going to downgrade someone who stays in this state? Yes, I'm upset. Don't bring out the pit in this bull by making statements like that again. I have all respect to every colleague in this Body. But respect...respect the citizens of this state, because I would never get up and downgrade any citizen in your district. I want a public apology. Thank you."

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

Stephens: "Well, thank you, Madam Speaker. And Representative, that was a great speech, and I appreciate it, but I don't

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

117th Legislative Day

May 15, 1990

think this Bill is specific to East St. Louis. I think this is a statewide Bill. Is that not right, Representative? That is right isn't it? Yes. Okay. And I appreciate that. And this is a...an attempt to do something I think we all admire, but I don't know, I just think it is a bad idea. Although I do like the idea of having Greg Baise being the Chief Executive Officer of this...this group and I think he will do a great job if this piece of legislation passes and is signed by the Governor. So, good luck to Greg Baise."

Speaker Breslin: "Representative Younge, you are recognized to close. Representative Morrow, you made your point. I think that's enough. Representative Younge. Representative Younge."

Younge, W.: "Thank you very much, Madam Speaker. There is a need all over the state in rural and urban areas to have a way of financing public infrastructure, financing roads, financing sewers, financing all kinds of public things we need to make quality of life. This instrument would be carefully controlled by the Governor and by the Treasurer of the State of Illinois, and each of them would have to approve every bond issue...before it is issued. And this instrument set up in the Treasurer's office would be of great value. Over the last two years we have been holding hearings in Peoria, in Rock Island, in Galesburg, in Paris, all over the state. And every municipality almost in the state has the same problem. It has an infrastructure need, and there's no way to pay for that. And so, I ask for those reasons for your approval of this."

Speaker Breslin: "The question is, 'Shall House Bill 1560 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who

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

117th Legislative Day

May 15, 1990

wish? Representative Younge, one minute to explain your vote."

Younge, W.: "Thank you, Madam Speaker. This is an important piece of legislation, which could help the cities of Illinois."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 60 voting 'aye', 47 voting 'no', 4 voting 'present'. And Representative Piel asks...Representative Piel asks for a poll...asks for a verification. Representative Younge asks for a poll of those not voting."

Clerk O'Brien: "Poll of those not voting: Mautino, Mulcahey, Steczo and Terzich, no further."

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

Clerk O'Brien: "Balanoff. Breslin. Bugielski..."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Piel, can Representative Matijevich have leave to be verified? Leave is granted. And Representative Dunn? Asks leave to be verified. Both are granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Deuchler. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. Leverenz. Levin. Matijevich. McGann. McPike. Morrow. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Stern. Sutker. Trotter. Turner. Van Duyne. Weller. White. Williams. Wojcik. Wolf. Woolard. Anthony Young. Wyvetter Younge. and Mr. Speaker."

Speaker Breslin: "Do any have any questions of the affirmative. Mr. Piel. Representative Shaw, asks leave to be verified. Is that granted, Mr. Piel? Leave is granted."

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

117th Legislative Day

May 15, 1990

Piel: "Representative Currie?"

Speaker Breslin: "Representative Currie? Mrs. Currie? Is the Lady in the chamber? She is in the chamber."

Piel: "Representative Levin?"

Speaker Breslin: "Representative Levin? Is in the chamber."

Piel: "Representative Giorgi?"

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

Piel: "Representative DeLeo?"

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

Piel: "Representative Terzich?...Never mind, he's not voting. I'm sorry. Representative Ronan?"

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

Piel: "Representative Giglio?"

Speaker Breslin: "Representative Giglio? Frank Giglio? The Gentleman is not in the chamber. Remove him from the Roll Call. Representative DeLeo has returned. Add him to the Roll Call voting 'aye'."

Piel: "Representative Hicks?"

Speaker Breslin: "Representative Hicks? Representative Hicks is in the chamber. Representative Ronan is in the chamber. Add him to the Roll Call voting 'aye'. Add Representative Mautino to the Roll Call voting 'aye'."

Piel: "Representative McGann?"

Speaker Breslin: "Representative McGann? Andy McGann? Is the Gentleman in the chamber? He is not. Remove him from the Roll Call. Representative Giorgi has returned to the Roll Call...returned to the chamber, add him to the Roll Call

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

117th Legislative Day

May 15, 1990

voting 'aye'. Representative Giglio has returned to the chamber. Add him to the Roll Call voting 'aye'."

Piel: "Representative Lang?"

Speaker Breslin: "Representative Lang is in the chamber. Any other questions?"

Piel: "Representative Edley?"

Speaker Breslin: "Representative Edley? Representative Bill Edley? He has returned to the chamber. Leave him on the Roll Call."

Piel: "Representative Weller?"

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

Piel: "Representative Wojcik?"

Speaker Breslin: "Representative Wojcik? How is the Lady recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Breslin: "Remove her."

Piel: "No further questions."

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

Steczko: "Madam Speaker, please vote me 'aye'."

Speaker Breslin: "Vote Representative Steczo 'aye'. Vote Representative Brunsvold 'aye'. And Representative Martinez 'aye'. And Representative Mulcahey 'aye'. On this question there are 62 voting 'aye', 46 voting 'no', 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2533, Representative Youngue. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2533, a Bill for an Act to amend the East St. Louis Area Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Youngue."

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

117th Legislative Day

May 15, 1990

Younge, W.: "Yes, Madam Speaker...would you take that back to Second Reading for purposes of an Amendment?"

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does she have leave? Hearing no objections, leave is granted. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Wyvetter Younge."

Speaker Breslin: "Representative Younge."

Younge, W.: "I thank you Madam Speaker. Floor Amendment #1 would authorize the East St. Louis..."

Speaker Breslin: "Excuse me, Representative Younge. Representative Piel, for what purpose do you seek recognition?"

Piel: "Thank you, Madam Speaker. I can't seem to find this Amendment. Has this been printed and distributed?"

Speaker Breslin: "Mr. Clerk, has the Amendment been printed and distributed? The Amendment has been printed and distributed, Mr. Piel."

Piel: "We have not seen it over here, Madam Speaker."

Speaker Breslin: "Representative Hultgren?...oh, my word...Would somebody get Representative Black a copy of the Amendment? Okay. You have it? Proceed now, Representative Younge. Representative Younge, proceed."

Younge, W.: "Thank you. Amendment #1 would authorize the East St. Louis Development Authority to...in conjunction with State Community College develop a family resource center. I move for the adoption of the Amendment."

Speaker Breslin: "The Lady has moved for the adoption of Amendment 1 to House Bill 2533. And on that question is there any discussion? There being none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the

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

117th Legislative Day

May 15, 1990

'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Okay. Proceed Representative...has the Bill been read on Third, Mr. Clerk? Proceed, read it over again."

Clerk O'Brien: "House Bill 2533, a Bill for an Act in relation to the establishment of a family resource center in East St. Louis. Third Reading of the Bill."

Speaker Breslin: "Representative Younge."

Younge, W.: "Thank you very much, Madam Speaker. This Bill as amended...as amended would authorize the East St. Louis Development Authority to establish in conjunction with the State Community College a family resource center. We've discussed in great length, what a family resource center is. This is a center that would take about sixteen para-professionals and they would become urban jean workers and they would go from door to door and teach women how to take care of their children. How to prepare food. How to manage their budgets, and how to take care of their homes. It would teach the essentials of how to be a urban liver, and how to stabilize the family and how to fill out job applications and how to move toward private gainful employment. This is an urgent matter."

Speaker Breslin: "Excuse me. Representative Younge, you need leave in order to have this Bill heard. The question is does the Lady have leave for immediate consideration of the Bill? Leave is not granted, Representative Younge. And seventy one votes would be required, so let's hold this over until tomorrow. The next Bill is House Bill 2535. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2535, a Bill for an Act in relation to studies and programs to be conducted by the Department of

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

117th Legislative Day

May 15, 1990

Commerce and Community Affairs. Third Reading of the Bill."

Speaker Breslin: "Representative Younge."

Younge, W.: "Madam Speaker, House Bill 2535 would authorize the Department of Commerce and Community Affairs to provide a group of programs that will help to stabilize municipalities and units of local government. It would authorize the Department of Commerce to engage in a study of the joint use of Scott Air Force Base particularly having to do with minority business enterprise. About twenty miles from East St. Louis there will be a joint military-civilian air base, and what is needed is a study as to how minority business enterprise can help to build and help to develop this airport. The Bill also would authorize the Department of Commerce and Community Affairs to establish cooperatives in urban areas. Other countries have been very successful in lowering the unemployment rate among young people in urban areas by the establishment of cooperatives. We don't have enough work for our young people. There aren't enough jobs and what has to happen is, jobs must be created by a group of people being trained to do the feasibility studies to get the finance and to help organize and set up these cooperatives, so that we can have employment for the young people. In addition this Bill would authorize DCCA to establish and operate an incubator in the East St. Louis area. This incubator is already established, but it would broaden the responsibility of DCCA to include a capability to do feasibility studies and to help seek funding for private business. In addition, this Bill would authorize DCCA to make loans for industrial parks to municipal areas. This is a matter that I am particularly concerned about because in East St. Louis for example there is a three hundred acre

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

117th Legislative Day

May 15, 1990

industrial park that is just waiting...waiting to be developed. I notice that one of the recommendations of a committee that has just finished its examination of East St. Louis, that it recommended that there be industrial park development, particularly in an area around the Light Rail. A Light Rail facility or train is going to go from Lambert Air Force Base to the downtown, East St. Louis river front. And this...study asked for a study of how to develop the ancillary services around the Light Rail. These are the basic four corners of the Bill...and the purpose of it, of course, is to be bring about industrial revitalization of our community."

Speaker Breslin: "The Lady has moved for the passage of House Bill 2535. And on that question the Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "She will."

Black: "Thank you. Representative, in your introductory remarks you referred, I think, on several occasions that the Bill in question would allow DCCA to do this or that. As I read the analysis, it really won't allow DCCA, it mandates that DCCA will, is that correct?"

Younge, W.: "The Bill would by...I'll say order of this General Assembly direct DCCA to do these things. Yes."

Black: "In other words it says the Department of Commerce and Community Affairs shall develop the plans that you were discussing, correct?"

Younge, W.: "That's right. It would authorize DCCA to take these development activities."

Black: "Alright. So, what we are really doing then is mandating a specific service here. The fiscal note that was filed...I don't seem to have that in my file, do you?"

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

117th Legislative Day

May 15, 1990

What was the amount or the impact? Can you enlighten me on that?"

Younge, W.: "Let me see...The fiscal note that I have here says that operate...operating expenses would be about \$375,000 and an estimate annual cost of one million two hundred thousand dollars."

Black: "I'm sorry. What was that estimated annual cost? One Million..."

Younge, W.: "Two hundred thousand."

Black: "One million two hundred thousand annual cost. Alright. Thank you very much for your patience, Representative. Madam Speaker and Ladies and Gentlemen of the House, I think the Lady is...and we all know how hard she works for her area, but I would submit to the Members of this Body that the East St. Louis area is not the only area of the state that has suffered greatly in the last few years. I represent an area that had 22 percent unemployment at the beginning of the decade. Most people have tried very, very hard to reduce that level and they have done so. They have tried hard to develop industrial parks and have done so. And they have asked any and all state agencies to help whenever possible, but we haven't come to you and ask that you mandate a certain service, or that you mandate a state agency to help. Obviously, we're very appreciative of the help we have received from the Department of Commerce and Community Affairs. We're very appreciative of this Body for enacting legislation that has helped the area that I represent. But we still have double digit inflation. We're still trying very hard to overcome that. If we're to mandate certain services by state agencies for certain areas of the state, then in all due respect to the Sponsor, that's going to mean less attention that other areas of the state that, too, need help, might be able to get

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

117th Legislative Day

May 15, 1990

because we're tying our agencies' hands and forcing them to be in one particular area or two particular areas, so it's with the utmost respect for what the Sponsor is trying to accomplish here, that I must rise in opposition to her Bill. I would ask all Members to look at this very, very carefully."

Speaker Breslin: "Thank you. There has been another request that lobbyists remove themselves from the House Floor. The rules provide that lobbyists are not allowed on the House floor, while the House is in Session. Yes, it does. Representative Doederlein."

Doederlein: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Representative Younge presented her Bill very, very well, but...there was...could hardly hear what she was saying because there was so much noise on the floor. We did have a meeting of the committee on this and the Department of Transportation came in and told us that they had already done this study. So, I don't believe that this Bill is necessary. Thank you."

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

Stephens: "Thank you, Mr...Madam Speaker. Just to make sure that the Body understands. Part of the Bill, as I understand, as she explained it, talks about joint use of Scott Air Force Base and the hiring practices and feasibility...the impact...the economic impact of that development. And Ladies and Gentlemen, you need to understand that the Department of Transportation completed that study and those reports are on the table at this point. We're at the process now of the environmental impact statement being written by the Argonne National Labs, and I think that any interference, Representative, in that development at this point would be at best foolish, and I would recommend a

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

117th Legislative Day

May 15, 1990

'no' vote on this Bill."

Speaker Breslin: "Representative Davis on the Bill."

Davis: "Madam Speaker, Ladies and Gentlemen of the House, as I look at this piece of legislation, I see it as something that DCCA prides itself on doing. And that is urban planning. DCCA it appears likes to give a lot of help and support to areas in reference to the local needs. And I think that this piece of legislation is just another piece of legislation that helps DCCA to do what it claims it wants to do, and that it does best. I would urge a 'yes' vote. Not only because of East St. Louis, but because of DCCA itself. If DCCA's going to stay in business, then it's got to produce and it's got to produce for those people who are not always billionaires. It's got to produce for the people who are working people, who are attempting to make their communities viable. I would urge an 'aye' vote."

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

Younge, W.: "Thank you, Madam Speaker. DCCA has not been successful in East St. Louis. And I believe it, too, is looking for the right answer. The right answer, I believe, is presented in this Bill. On the 23rd of April of this year (1990) the investment banking firm of Biel and Company verified what I knew to be true, that the first thing to be done is to do an industrial park in East St. Louis. It said, it recommends implementing the City of East St. Louis being an industrial development site. And it recommends that the ancillary services, that there be a plan in conjunction with the Light Rail...it is important to go ahead to develop an area that can be developed quickly, so that it will not be a great burden on the State of Illinois. And for those reasons I ask that you support my approach. It has been carefully studied. It has the

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

117th Legislative Day

May 15, 1990

approval of the people of the...East St. Louis area and it is verified from this...this investment banking firm that this is the first thing to do. I ask for your support for those reasons."

Speaker Breslin: "The question is, 'Shall House Bill 2535 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? Representative Younge one minute to explain your vote."

Younge, W.: "Thank you, Madam Speaker. I think it is time for us to look squarely at what it is that we must do to help the City of East St. Louis, to help the people there. It is a city that has lost revenues as a result of a decline in population. Lost revenues at five percent a year over the last thirty years. It has not the capacity to redevelop itself. The state has a duty to define its role. Its role is economic development. The question is where to start. The place to start is industrial park development to make the area, to make the city attractive to business people to come in, to provide jobs, to help share the burden of Illinois. I ask for your support. I need five more votes. Riverboat gambling will be coming on the river. It will be necessary...on the next to the river is this industrial park...is this..."

Speaker Breslin: "Your one minute is up, Representative Younge. Have all voted who wish? Have all voted who wish? Representative McCracken, for what reason...to seek..the Gentleman says he will be seeking recognition...seeking a verification if this should reach sixty votes. Have all voted who wish? The Clerk will take the record. On this question there are 56 voting 'aye', 49 voting 'no'. And the Lady requests Postponed Consideration. The Bill will

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

117th Legislative Day

May 15, 1990

be placed on the Order of Postponed Consideration. House Bill 2714, Representative Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2714, a Bill for an Act to amend sections of the Build Illinois Act. Third Reading of the Bill."

Speaker Breslin: "Representative Younge."

Younge, W.: "Madam Speaker, will you take that out of the record?"

Speaker Breslin: "Out of the record. House Bill 3239, Representative LeFlore. Out of the record. House Bill 3390, Representative Myron Olson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3390, a Bill for an Act to amend the Corridors of Opportunity and Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Olson."

Olson, M.: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this is DCCA's administration Bill for this year. It increases the amount that is allowed to be spent on the administration of the Corridors of Opportunity Program from five to eight percent in transferable dollars. We're talking about an additional \$140,000. They're seeking this authorization for two reasons to meet the Auditor General's compliance recommendations for implementation, and the fact that since this program was put in place in 1986 eight councils have grown to twenty-two across the state, they have become more sophisticated in their management, and consequently looking for this authorization. I'm also advised by DCCA that they are prepared to make tough budget decisions and they will incorporate this as a part of their total package when that decision time is come. I ask for adoption of House Bill 3390, be happy to answer some questions."

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

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

117th Legislative Day

May 15, 1990

House Bill 3390. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Representative Cullerton, are you rising in opposition?"

Cullerton: "Well, I might, and if I do then I would ask enough people to take it off Short Debate. Would the Sponsor yield?"

Olson, M.: "Yes."

Cullerton: "This Bill...is limited to this Corridors of Opportunity and Development Act, is that right?"

Olson, M.: "It's designed to increase or enhance the administration costs from five to eight percent relative to the Corridors of Opportunity."

Cullerton: "Well, let me just say this. On the face of it, it looks like a bad Bill, so I think we should explore it. What it says is, that DCCA which now is limited to...for administrative expenses in administering this program at five percent, they want to raise it to eight percent."

Olson, M.: "That's correct."

Cullerton: "Which gives...an extra three percent to DCCA to administer a program, thus taking, presumably taking the money from somewhere."

Olson, M.: "Well, it would be within their own budget."

Cullerton: "Yes, but where? Tell me about this program. What does this program do?"

Olson, M.: "Corridors of Opportunity is a program set in place in 1986 to capitalize on the ability of the Department of Commerce and Community Affairs and local councils to attract, for example, the automotive corridor sector from Beveledere to Bloomington, and other place in the state where we may capitalize on economic opportunity..."

Cullerton: "So, they give money to local...well, what are the nonadministrative expenses for?"

Olson, M.: "It's designed to assist those local corridors to

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

117th Legislative Day

May 15, 1990

capitalize on the opportunities that come their way."

Cullerton: "By doing what? Giving them money?"

Olson, M.: "Yes."

Cullerton: "Okay. So, now we're going to give them less money...because DCCA is going to use more of it for administrative purposes. That's why...No?"

Olson, M.: "No....We're giving them the authority to utilize, and this is in the area of approximately 140,000 to capitalize on the opportunities coming their way."

Cullerton: "We're giving them the authority to spend more for administrative expenses."

Olson, M.: "Pardon?"

Cullerton: "We're giving them the authority to spend more for administrative expenses."

Olson, M.: "In this respect, we've gone from eight corridors in 1986 to twenty-two now. The Auditor General has recommended that to be a better auditing procedure. Consequently, they need this administrative money to make sure monies are being spent well."

Cullerton: "Oh, so they are going to hire some more people to make sure that they are going to spend the money properly."

Olson, M.: "No. This just means that they'll have better administration in the corridors themselves."

Cullerton: "By hiring more employees...DCCA employees..."

Olson, M.: "No, I don't believe they will have to more employees. DCCA has been the first agency in the state to indicate that they are willing to make tough budget cuts as we go into the budget Session."

Cullerton: "Well, if I understand it, they are going to have an extra \$235,500..."

Olson, M.: "\$140,000 additional..."

Cullerton: "Well, at the current limit it is \$147,000. So with this increase they are going to have \$235,000. So, it is

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

117th Legislative Day

May 15, 1990

an extra \$140,000..."

Olson, M.: "Right...Correct."

Cullerton: "Alright, just tell me what they are going...ask them to tell you what are they going to do with the 140,000."

Olson, M.: "It will enable the corridors to more prudently spend the monies allocated to them."

Cullerton: "Okay. I think I know what it does. Thank you."

Olson, M.: "Thank you. It's a pleasure."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall House Bill 3390 pass?' All those in favor vote 'aye'. Those opposed vote 'no'. Voting is open. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100 voting 'aye'...Representative Granberg and Bugielski vote 'aye'...and Novak votes 'aye'. That's 103 voting 'aye', none voting 'no' and 12 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3604, Representative DeJaegher. Clerk, read the Bill. Clerk has to read the Bill first."

Clerk O'Brien: "House Bill 3604, a Bill for an Act concerning funding for the Rural Diversification Act. Third Reading of the Bill."

Speaker Breslin: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Speaker. Members of the General Assembly, House Bill 3604 I believe is a bipartisan effort. This Bill was created and drafted by the Citizens Assembly. And House Bill 3604 is the Rural Diversification Act. The Rural Diversification Act is administered by the Department of Commerce and Community Affairs. It was enacted in 1987, but because the funds were lacking, this Bill did not have any substance to it. Basically, what this does is try to create a revenue stream through the horse racing industry

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

117th Legislative Day

May 15, 1990

for implementation for this particular program. It goes without saying with the acid rain that many, many, many miners will be laid off. Unemployment in the rural areas is still quite substantial. What this thing will do is create a fund of \$750,000. It is a revolving fund, that basically, would be added to and taken from continuously. Under provisions of the Rural Diversification Act, DCCA's authorized to provide managerial, technical and financial assistance to rural businesses and agribusiness. Included in this Act are avenues which foster cooperation among Illinois business, labor, local government, education and scientific communities. House Bill 3604 under the provisions contained in House Amendment 1 proposes to establish a dedicated stream of revenue to the program through a use or a part of horse racing revenues. This change does not...does not effect any current program or activities which receive horse racing privilege tax revenues. And for that purpose I ask for passage of House Bill 3604."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 3604. This Bill is on the Order of Short Debate. Does anyone rise in opposition? Mr. Ropp, has a question. Proceed."

Ropp: "Thank you, Madam Speaker. Question. You mentioned that these monies...where did you say these monies came from?"

DeJaegher: "Horse racing, Gordy."

Ropp: "Are these...isn't it true that this really is breakage money...that goes into the General Revenue Fund?"

DeJaegher: "That's true."

Ropp: "Okay. Why didn't these funds go into the Ag Premium Fund initially, anyway?"

DeJaegher: "Well, Gordy, basically what the Ag Premium Fund gets today, they will still receive even with the advent of this

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

117th Legislative Day

May 15, 1990

Bill, or the passage of this legislation. That will not affect that one iota."

Ropp: "Well, the question I think is that the Ag Premium Fund is kind of short now because of legislation that we enacted several years ago in attempt to help horse racing. And it seems like if this is money that comes from the tracks, we ought to consider putting it back into the Ag Premium Fund because we have uses now that, really are going underfunded and to take these monies out seems to me, not to be in the best interest of supporting the Ag Premium Fund. Granted they have not been in there before, but it seems to me that they ought to be placed there, rather than to move in this particular area because these are dollars that we actually need there too, rather than initiate a brand new program."

DeJaegher: "Madam Speaker, in response to Gordy's Ag Premium Fund. The Ag Premium Fund receives somewhere in the neighborhood of ten million dollars. I'm only talking about \$750,000. So, that would not have no impact whatsoever on that Ag Premium Fund..."

Ropp: "Well, only that the Fund needs about twenty million..."

DeJaegher: "We're only talking about...okay then."

Speaker Breslin: "Excuse me, Gentlemen. Representative Ropp, you had finished your discussion as I recall. Representative McPike, do you wish to address this Bill? It's on Short Debate."

McPike: "Yes, Madam Speaker. I would like to ask the Gentleman a question."

Speaker Breslin: "Proceed."

McPike: "Last year the Ag Premium Fund received from the horse track skim \$15 million. The Ag Premium Fund spent \$40 million. Does your Bill affect that at all?"

DeJaegher: "Not hardly."

McPike: "Let me repeat that. We received \$15 million from race

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

117th Legislative Day

May 15, 1990

track skim and we took \$25 million out of GRF and put it in the Ag Premium Fund. Does your Bill affect this at all?"

DeJaegher: "Not at all."

McPike: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 3604 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required for 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 86 voting 'aye', 28 voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of State Government Administration - Second Reading, State Government Administration - Second Reading appear a number of Bills. The Sponsors are Currie, Flinn, McPike and Cullerton. The first Bill, House Bill 3777, Representative Currie. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3777, a Bill for an Act to coordinate health care services in Cook County. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker. Members of the House, the Amendment is a...an Amendment that just turns the Bill into more completely a shell Bill, than it was when first introduced. The underlying Bill has to do with the Cook County health care summit. It's not clear whether the recommendations of the summit will be approved by the leaders who called this summit or by Members of this Assembly, but the point here is to try to move some legislation along so that in the event there is agreement,

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

117th Legislative Day

May 15, 1990

we can...we can act upon that agreement. So, this Amendment to House Bill 3777 is merely to reduce the Bill even further from the proposal that was introduced."

Speaker Breslin: "The Lady has moved for the adoption of Amendment 1 to House Bill 3777. And on that question is there any discussion? Hearing none, the question is, 'Shall Amendment 1 to House Bill 3777 be adopted?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment #1 is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Did you have an announcement, Mr. Clerk?"

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Breslin: "Please note, Ladies and Gentlemen, that there are many Senate Bills awaiting House Sponsors. If you would take a moment to review those Bills and pick up Senate Bills, it would be appreciated. On the Order of State Government Administration - Second Reading, appears House Bill 3914, Representative Flinn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3914, a Bill for an Act in relation to county tax increment allocation financing. 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 Flinn."

Speaker Breslin: "Representative Flinn."

Flinn: "Madam Speaker, Amendment #2 and 3 are mine. I'd like to withdraw Amendments 2 and 3...Amendments 2 and 3 are mine. And I'd like to withdraw both Amendments."

Speaker Breslin: "Withdraw 2 and 3. Are there any further Amendments?"

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

117th Legislative Day

May 15, 1990

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

Speaker Breslin: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. Amendment #4 does four things.

One, it limits the Bill's authorization to St. Clair and Madison counties. Two, it requires DCCA to submit a report to the General Assembly which details the number of economic development projects and the amount of jobs it's created within eighteen months, rather than the ten years. It also, number three, it repeals the...the authority without legislative reauthorization. The authority granted the Bill which called for ten years, it bounces it back to twenty months. And the last thing it done under number 4 it adds into the Bill some protection for local government on TIF districts which when a company moves from one TIF district to another, or moves in, it protects local government from losing any of the existing sales taxes. It treats the local governments the same as the state. I would move for the adoption of the Amendments."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 4 to House Bill 3914. On that question the Gentleman from DuPage, Representative McCracken."

McCracken: "Now that I've scanned it, I know everything there is to know about the Amendment. What does it do?"

Flinn: "Which part of it? The whole Amendment?"

McCracken: "Yes. Does it become the Bill?"

Flinn: "No. It does not become the Bill. It just makes some changes. The Bill itself still stands. What we've done is limit it to Madison, St. Clair county, one. Two, it requires DCCA to make their report on a number of economic projects and the jobs created. Three, it changes the method of calculation...I mean four rather...changes the method of calculation of the municipal sales tax increment

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

117th Legislative Day

May 15, 1990

to change the city's and local government's to same as the state that they be protected from losing any of their existing sales taxes. Only the excess can be used for the TIF accounts. And it changes from ten years to twenty years...twenty months."

McCracken: "If this Amendment were passed, would any county other than Madison County be eligible?"

Flinn: "St. Clair and Madison counties."

McCracken: "St. Clair and Madison, but nowhere else in the state?"

Flinn: "No. But I would support legislation to create anywhere else, providing they would come up with at least a \$50 million investment and two thousand jobs guaranteed."

McCracken: "Would this be...would it be fair to say this is a like a giant TIF, isn't it?"

Flinn: "It's a giant step...it's a giant step, but it doesn't have anything to do with sales taxes. It deals only with property taxes. Local property taxes."

McCracken: "It's a giant TIF district...So, it allows you to leverage property taxes?"

Flinn: "No. What we do...yes, we use the property tax...the excess in the property tax caused by the new property to...for...retire bonds."

McCracken: "Retire bonds...do you have...before incurring that debt is there any local referendum requirement?"

Flinn: "Well, the county board would have to pass the thing."

McCracken: "The county board would do it? Okay. Well, I think I understand. I rise in opposition to the Bill. This would apply to two counties only in this state. It by passes standard referendum requirements...you must remember that this is similar to the issuance of General Obligation Bonds. The Bonds will be retired from excess property taxes, which essentially is used to retire General

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

117th Legislative Day

May 15, 1990

Obligation Bonds. No longer would a referendum be required. No longer would General Assembly authority be required. Now, we have giant TIF districts using property taxes to leverage bonding and development on that basis limited to two counties. No voter protection. No referendum. Nothing of the like. I rise in opposition."

Speaker Breslin: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. A simple majority is required for adoption of this Amendment. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 49 voting 'no' and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill...House Bill 4050, Representative Currie. Out of the record. House Bill 4190, Representative McPike. Out of the record. House Bill 4196, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "House Bill 4196, a Bill for an Act concerning college athletics. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "I'd like to withdraw Amendment #1."

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

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. And Ladies and Gentlemen

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

117th Legislative Day

May 15, 1990

of the House, this Amendment contains three basic provisions, which I will attempt to explain. The first part of the Amendment is virtually identical to...to a Bill that Representative Johnson and I cosponsored, which is currently on Third Reading, and which is a shell Bill. But before it was a shell Bill, it came out of the Judiciary Committee overwhelmingly. And it deals with the issue of due process in the investigation by groups like the NCAA with regard to athletic violations. So, the Bill has a...some findings in the first article, which talk about the relationship between the state and the universities, importance of that relationship, the significant monopolistic power that some of these intercollegiate athletic associations have. And then we get into the guts of the Bill...and what the Bill...that part of the Bill says...it's pretty standard due process proceedings: there should be a hearing required before anyone is investigated, they have a right to have that findings in writing supported by clear and convincing evidence, if a student or an employee is charged, they have two months prior to the hearing to prepare for that. They have a right to a lawyer. They can interrogate and cross examine the witnesses. They have a right to bring a complete defense, the rules of evidence apply. If an individual is charged with misconduct, they should be entitled to full disclosure of all the facts and matters relevant to the case. They should have the right to suppress certain evidence. The hearings are open to the public. No hearing may be held...unless commenced within six months of the date on which the institution of higher learning first receives notice of any kind of a violation. This is so these things don't drag on and on forever. And if the university brings to the attention of the

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

117th Legislative Day

May 15, 1990

association the fact that there might be a violation, they have nine months. Persons entitled to a transcript of the hearings, and any findings can be reviewed by the circuit court. And we also put in here some rights of interrogations: a person must be notified that they are being investigated, have a right to get a lawyer, and before their proceeding have that known to them. We also say that no association may terminate the membership of any institution because of the enactment of this statute. Nor shall any association impose a penalty on any institution for seeking redress under the Act. We changed, however, the Bill that Representative Johnson sponsored by making it clear that this is not to cover the incurrent investigation that's ongoing at the University of Illinois. So, we're not in any way trying to change the procedures that the NCAA is using in their investigation of the University of Illinois right now. That's the first part of the Bill. The second part of the Bill recognizes the fact that we have a situation now where there's many very poor children who are encouraged out of high school to go to a university and then once they get there they are not allowed to obtain any employment. They don't come from wealthy families, they come from poor families and they cannot receive any incidental expenses from their families, they can't work and as a result there is a temptation to perhaps obtain money illegally, in violation, not illegally, but in violation of association rules, that leads to these investigations of...that are ongoing. So, the purpose of this section is to authorize a, scholarship athletes to be paid by a college or university a monthly amount to be determined by the college but we put a cap in it of \$250 per month. This is something that can be done by the discretion of the university, they don't have to do it if

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

117th Legislative Day

May 15, 1990

they don't want to, but if they do, there's a \$250 cap. This should be paid for by the athletic department. I certainly don't envision them providing this stipend to every student athlete, but certainly in the areas where there is heavy recruitment, they can provide the stipend. And it's in their...those areas where the university actually makes a lot of money. So, that's how they can afford it. We also say that no college athletic association may impose any sanction against the university for paying amounts to these scholarship athletes. Because, remember, right now this is...it violates the NCAA rules. But before this goes into effect, we say that five other states have to authorize similar payments for incidental expenses. And those five states can come from a list of ten states total, basically in the Mid-West. And finally, to balance off this Bill, we say, we're not trying to white wash any investigations, but you have to follow due process. We want you to give a small stipend to the student athletes who are not allowed to work, so as to keep them from receiving illegal or improper donations from donors. But we're also going to add teeth to the NCAA or other association rules with regard to inducing athletes to come to school or to stay in school. And so we make it a Class A misdemeanor for people to violate various provisions of this statute which would be in offering money or promising something of value or clothing or a loan for a relative or free services or free rentals, and I feel that by putting this criminal penalty into this statute, these people who are currently doing it now who jeopardize the university's standing within the national association, they will be deterred from doing this because, now, they have the potential to go to jail for a year. So, I think it's a well balanced answer to some of the problems that have

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

117th Legislative Day

May 15, 1990

occurred in the college athletic scene recently. It's a much changed scene over the years. The college athletes, when they go to pro sports may enormous amounts. We have a situation where very poor kids, who go to college can't even stay in school. They have to quit before they even graduate with the hope that they'll get signed with some pro team just to pay for their family. And I think this is in response to that and I think it is a rational response. I'd be happy to answer any questions and appreciate your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to House Bill 4196. And on that question the Gentleman from Macon, Representative Dunn."

Dunn: "I'm...still grabbing...there are criminal penalties in this Amendment aren't there?"

Cullerton: "Yes. It's on the...last page...second to last page of the Amendment. And it makes it a Class A misdemeanor to...the title is Unlawful Inducement to Athletes. And anyone who performs any of the following acts with the intent to influence a person's decision to attend or refrain from attending or continue to attend a private or a public institution commits a Class A misdemeanor."

Dunn: "Well, included in the...items of definition are: giving clothing, merchandise or equipment, offering any money, I don't see any minimum or any threshold below which...you know a penny, a dollar..."

Cullerton: "We say...in the very last page of the Amendment we say that...that it's not a violation if you offer an item of nominal value. So, if you buy a Coke for somebody...you're not going to be a felon. But the intent of it is, of course, to say these booster clubs should not be jeopardizing the university's standing with the NCAA by giving them...cash or some other benefits."

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

117th Legislative Day

May 15, 1990

Dunn: "Madam Speaker, Ladies and Gentlemen of the House, to the Amendment I think this just takes a wrong direction. We heard this issue in...somewhat in the Higher Education Committee and House Judiciary I Committee and I don't know what others think, but I know what I think, and that is that the NCAA is out of touch and silly. They expect a youngster, who...who comes from a very low economic situation, deprived even, to pack up and leave home and go off to attend college/university as a gifted athlete. And provide great revenue to that university, of course. And have no money according to the NCAA to travel back and forth at holiday times. Friday night comes and everyone else goes out for a pizza, the athlete is supposed to sit home in the dorm, because he or she has no money and can't be given any. That is just a totally ridiculous situation. Parity is what is important. What is important is to treat everyone the same. Athletes ought to be provided transportation to and from their home at the start of school, the end of school, the major vacations: Thanksgiving, the holiday season, whatever. Athletes ought to also have some spending money. They ought all have the same amounts, so that if they need some clothing, they need a toothbrush. They need toothpaste or if they want to go out on Friday night and have a pizza they can go with the rest of the students. This Bill doesn't attack...or this Amendment doesn't attack that problem. But what it does is...is do what we often do around here, when we can't find out...figure out a way to face the problem, we side step it by providing for criminal penalties. Criminal penalties aren't going to solve much, especially with the...with the details of this Amendment. This Amendment does provide that it is a Class A misdemeanor which is the most serious misdemeanor, wasn't adequate to provide for a petty offense

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

117th Legislative Day

May 15, 1990

to provide for a Class C or Class B misdemeanor. But a Class A misdemeanor, the most serious of all, for giving one of these athletes clothing, merchandise or equipment. Now, granted it is supposed to be given with intent to induce them to violate some NCAA rule, but those are all a matter of difficult proof. So, they are going...this will generate incidents where if someone is given someone elses sweatshirt to wear for the weekend, someone trades athletic caps and there will be problems. This doesn't solve the problem. It doesn't face the problem. And it is the wrong direction to take. What we should do is send a strong message to the NCAA to come down out of their ivory tower and deal with the realities of life and provide for adequate compensation to gifted athletes, and also to work toward toward their education as well as allowing them to attend universities and ignore academics. I would urge defeat of this Amendment."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He indicates he will."

Ropp: "Representative, relative to the portion of this Amendment that deals with the support of incidental living costs for those on scholarships. Do you have any idea what that may mean in terms of uniformity throughout the state or does this allow each university to establish that amount?"

Cullerton: "Right. In fact I've read in the paper some criticism of the Bill. And I think it's based on a misunderstanding of what the Bill is designed to do. It's permissive in that it authorizes a college or university to determine themselves if they want to give a stipend, and if they do, they can give them whatever they want up to \$250 per month. They don't have to do it for every student athlete. They

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

117th Legislative Day

May 15, 1990

can only chose to do it for the basketball team, or the football team. They have got to pay for it out of their own athletic department, and it is up to them to make that decision."

Ropp: "Okay, so, \$250 that's like less than a package of cigarettes a day, right?"

Cullerton: "I don't know. I don't smoke. So, I don't know how much it costs, but athletes hopefully don't smoke."

Ropp: "I know they don't. Well, I guess the other thing...is there any thought about any of the athletes who receive big contracts maybe repaying part of this money? Like if you get a million dollars to be a...or \$15 million for an NBA..."

Cullerton: "It's \$250 a month. I don't know how much it is...if they make a lot of money I'm sure that they go back to their universities or alma maters and make donations right now, if they make a lot of money in the pros. So, I just don't think that's a...a major factor. If the university doesn't want to spend any money, they don't have to."

Ropp: "Well, the final concern about...well, I think you will find a lot of schools that will probably want to do it. Although I question whether that \$250...that probably won't even buy a beer a day for most of those athletes..."

Cullerton: "See, you have to remember these students are poor. They have no money from their family for the most part. And they do not...are not allowed to even have a part-time job. So that's the reason for this provision."

Ropp: "Okay. I just...I really think that what this does it really creates some problems. The only good thing I would see about this is that it might address the intelligence of the NCAA and they might begin to see that there is some need to make some changes and become realistic. In this particular year, I...we're not...really ready to support

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

117th Legislative Day

May 15, 1990

it."

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

Lang: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I rise in support of this legislation. In fact I'm proud to be Cosponsor of it. When the NCAA was in the Judiciary Committee discussing the prior legislation, I asked them some serious questions relative to their due process standards. And we discovered, not surprisingly to most of us, that they really didn't have any due process standards. When they have their hearings they're based...the convictions, if you will in those hearings are based on hearsay evidence. It is based on evidence where the accused is not allowed to cross examine the accuser. In the case of the University of Illinois, a case which is coming up soon, they are going to rely on illegally obtained evidence through a tape recording. None of those things would be admissible in a regular court of law. There is no reason for them to be admissible in a NCAA hearing. The colleges in question and the student athletes in question are not served well by that sort of system. And that system must be changed. The NCAA in answering my questions in committee tried to pawn off what they do as due process, but it is not due process as we know it. We know due process as a procedure in a court of law where the accused and the accusers all have rights, responsibilities, privileges and liabilities in a court room. And the NCAA in their current standards does not allow those things to take place. We must do something in the State of Illinois not just because the University of Illinois is in question here, but because someone has to take a stand against the kind of actions the NCAA takes against student athletes and against member universities. What they do is wrong. What they do needs to be corrected. And if there is

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

117th Legislative Day

May 15, 1990

something this Assembly can do to make a statement, not only to the NCAA, but to the other forty-nine states about what's right and what's wrong about what the NCAA does, we should be doing that. It is time to take a stand in this area. As for the second part of Representative Cullerton's Amendment dealing with a stipend, if you will, for student athletes. These student athletes make millions of dollars for NCAA member schools, for the University of Illinois, for all other schools in this state and all other schools that have football and basketball programs. They make millions of dollars, and yet many of those student athletes when the game is over can't afford to go buy a Coke, or to sit down and talk to their friends over a cup of coffee about what transpired during the game. That's wrong. The NCAA rules are wrong. We need to help correct those rules. Many say that what we do here if we pass this legislation will be passing a piece of legislation that has no teeth. A piece of legislation that will have no merit at the NCAA. I don't believe that's true, but even if it is, perhaps this kind of a step by the General Assembly of our state may cause other states to take the same step. And ultimately, we might be able to cause the NCAA to change their rules in all of these areas to be fairer not only to the member schools, but to the student athletes. I strongly support this legislation and ask you consider it very carefully."

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

McCracken: "I want to know if Representative Cullerton got the Speaker's permission to run this Amendment? Or are you in trouble, Representative Cullerton? Did you get his permission? Steve Brown says we're okay?"

Cullerton: "No...we..."

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

117th Legislative Day

May 15, 1990

McCracken: "What I want to know is what changed between now and two weeks ago when the Speaker found the provisions of Representative Johnson's Bill so reprehensible? Did we find out the U of I is no longer opposed to it? Did we decide it's a good idea to make it a criminal offense to give an athlete a sweatshirt? All those things have changed in two weeks, I know. Politics has nothing to do with it. The U of I has changed its mind and they've seen the light. They want protection from the NCAA and we want to throw people in jail for giving them T-shirts. Why did you make it a Class A misdemeanor? Are too many people not going to jail long enough now? Why not make it a Class IV felony? Why don't we do that? Then we can send them to jail for three years. Yeah, that's the way to do it. Yeah. This is crazy. It's goofy. It's a bad idea. It's awful public policy. And if it was a bad idea two weeks ago, it's a worse idea today. Vote 'no'."

Speaker Breslin: "Representative Johnson is recognized."

Johnson: "Well, I had indicated to Representative Cullerton that I wouldn't speak to the issue except I guess Representative McCracken's comments and others have called into question my position. The fundamental Bill that I introduced and that we spent nearly a year creating is still a good idea. They've changed it a little bit, but for the most part it's still a good idea. And I support that concept. What isn't a good idea is to take that excellent idea and subvert it and twist it...through this process...this political process, A. And B, to add two provisions to it that are radically different than anything that either myself or Representative Cullerton anticipated when we introduced this Bill. Paying student athletes, which would make us unique. And secondly, and I think critically important, making a private association, the maker of the criminal

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

117th Legislative Day

May 15, 1990

laws of the State of Illinois by making reference to NCAA rules and by allowing somebody to go to the penitentiary for up to a year for violating those rules, we've turned the law making process at least partially over to a private association. And I don't think that's good public policy. I think that the Bill was in excellent form originally, will have a chance over the course of the summer or next fall when politics is no longer such a big consideration and when other matters are behind us to craft this along with the number of other states that have modeled this around the country into a good piece of legislation. This Bill is so subverted now that I can't support it. And I don't think that most of the people who spent nearly a year crafting that original Bill can support it either. And I would also request a Roll Call on this issue."

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

Cullerton: "Well, thank you, Madam Speaker. Ladies and Gentlemen of the House, I believe...Thank you, Madam Speaker. I assume that Representative McCracken asked some questions that he wanted answered. I was not here the day that Representative Johnson's Bill was debated. I'm not certain, I'm not familiar with all of the so called politics that he referred to, but I can tell you that we did discuss this Bill with the Speaker in the Speaker's Office. Hey, Paul...Madam Speaker, I can't hear myself talk. We discussed merits of Representative Johnson's and my Bill and the concern was that it appeared that it was a white wash of the current investigation of the University of Illinois. So, we changed this Bill to say that it does not apply to the current investigation, Representative McCracken. I think that's a significant change. And that's one that was necessary. And that's one that we put

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

117th Legislative Day

May 15, 1990

in. At the same time we also wanted to send the message that we didn't agree...we don't think that giving money to students is proper, and that we should put some teeth into the NCAA rules. Now, I don't know why anybody could oppose making that a criminal violation to give money to students, thus jeopardizing the entire status of the university and its athletic program. The NCAA can give the death penalty to a university because some booster club gives money to its athletes, that is very serious concern, and it certainly should have criminal penalties. And with regard to the stipend, I think at the same time you have to recognize that the reason why money is accepted in the first place by the student athletes is because they don't have any money. They come from poor families. They're not allowed to work, and as a result we're talking about a reasonable small amount of money that can be given to them to cut down the inducement. So, I'm sorry that you have looked upon it as being political. I worked with Representative Johnson. I went to Champaign, had a press conference with him there. I think that the due process part is essential to the Bill. I think it's an excellent part of the Bill. And the other two ideas are not radical at all, especially in light of the fact that with regard to the stipend we say that five other states have to pass similar laws before it goes into effect. So, I would ask those seventy-two or so Members who found it in themselves to Cosponsor House Bill 3182 with Representative Johnson consider the two additions that we've made, consider them to be reasonable and support the Amendment."

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 for the adoption of this Amendment. Have all

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

117th Legislative Day

May 15, 1990

voted who wish? Have all voted who wish? Representative McCracken, for what reason...okay. Have all voted who wish? A simple majority is required for the adoption of the Amendment. That means more voting 'yes' than 'no'. Have all voted who wish? The Clerk will take the record. On this question there are 49 voting 'aye'...50 voting 'aye', 57 voting 'no', 4 voting 'present'. Representative Cullerton asks for a verification of the negative votes. Poll the absent...those not voting first...excuse me. Representative McCracken asks leave to be verified. Leave is granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting: Davis. Krska. Martinez, and Terzich. No further."

Speaker Breslin: "Representative Black asks leave to be verified also. Leave is granted. Representative Barger asks leave to be verified. Oh, you didn't ask for a verification? I'm sorry. 50 voting 'aye', 57 voting 'no', 4 voting 'present'. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Hold the Bill on Second. Request of the Sponsor. Hold the Bill on Second. The next Order of Business is State Government Administration - Third Reading. The Sponsors are: Bugielski. Kubik. McPike. Kulas. Matijevich. Terzich. Madigan. Currie. and Giorgi. The first Bill is House Bill 890, Representative Bugielski. Clerk, read the Bill. Out of the record. House Bill 1585, Representative Kubik. Representative Kubik. Out of the record. House Bill 2378, Representative McPike? Clerk, read the Bill...excuse me. Representative Ewing, for what reason do you seek recognition?"

Ewing: "Just an inquiry of the Chair. Those names that you just

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

117th Legislative Day

May 15, 1990

read off, were those who had Bills on that Order, or was that just the Democratic roster?"

Speaker Breslin: "Oh, no. Representative Kubik was right in there."

Ewing: "Was he in there? I thought he was..."

Speaker Breslin: "Have you read the Bill, Mr. Clerk?"

Clerk O'Brien: "House Bill 2378, a Bill for an Act to amend the Illinois Public Relations Act. Third Reading of the Bill."

Speaker Breslin: "Representative Parke, for what reason are you seeking recognition?"

Parke: "Thank you, Madam Speaker. It was just that about a half hour, forty-five minutes ago you had made a statement that there was a Supplemental Calendar #1, which was Senate Bills that had come over and asked the House Members to pick up that Bill. Well, it was another...at least another ten minutes before the Republicans on this side of the aisle got that form. What I'm doing is asking as an inquiry of the Chair, that in the future if Senate Bills are going to come over, could we make sure that the pages on both sides get these, the Supplemental Calendar at the same time, so that the membership can get it equally and make determinations of what Senate Bills they may want to pick up."

Speaker Breslin: "I think that you should talk with...with your page because I believe that they both got them at the same time."

Ewing: "I'm sorry. That is incorrect, because I had to go over and the Senate people gave, the Democratic staffers gave it to our people to pass out. All I'm asking is for fairness in the future, that's all."

Speaker Breslin: "We'll work on that. Now, we're on Senate...rather House Bill 1585...excuse me House Bill 2378. It's been read a Third time. Representative McPike

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

117th Legislative Day

May 15, 1990

to present this Bill."

McPike: "Madam Speaker, I'd like to return this to Second Reading."

Speaker Breslin: "Return the Bill to the Order of Second for the purposes of an Amendment. Is leave granted? Hearing no objection, leave is granted. Are there any Amendments filed?"

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

Speaker Breslin: "Representative Saltsman, Floor Amendment 2 on Representative McPike's Bill."

McPike: "That should be withdrawn."

Speaker Breslin: "Withdraw the Amendment. Any further Amendments?"

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

Speaker Breslin: "Representative Saltsman."

Saltsman: "I'd like to have this Amendment withdrawn."

Speaker Breslin: "What was that? Amendment #3? Withdraw #3..."

Saltsman: "Hold it. Hold it...hold it. No. I want #3. I'm sorry."

Speaker Breslin: "Okay. Proceed."

Saltsman: "Yes. What Amendment #3 does...the Conservation Police in the State of Illinois...it gives them their collective bargaining rights as an independent union and it separates them from the American Federation of Teachers. We've been working on this with the AFL-CIO, with the American Federation of Teachers and with the Conservation Police, who thought that they should be on their own collective bargaining unit. I ask for this Amendment's passage."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 3 to House Bill 2378. On that question is there any discussion. There being none...the Lady from Cook,

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

117th Legislative Day

May 15, 1990

Representative Didrickson, on the Amendment."

Didrickson: "Yes. Thank you, Madam Speaker. Members of the House, I rise in opposition to this Amendment. While Representative Saltsman and I earlier in the week had agreed initially on this concept, I think it's a little bit premature. It needs a little fine tuning. There is an issue on this side of the aisle that yet needs to be dealt with that House Bill 2378 certainly could address, and we're waiting to have some dialogue on that issue. With regards to Representative McPike, the combination of the Labor Relations Board."

Speaker Breslin: "The question is, 'Shall Amendment 3 be adopted?' All those in favor vote 'aye'. Those opposed vote 'no'. Voting is open. Simple majority is required for the adoption of the Amendment. Have all voted who wish? The Clerk will take the record. On this question there are 60 voting...62 voting 'aye', Representative Laurino votes 'aye', 63 voting 'aye', 44 voting 'no'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill is House Bill 2907, Representative Kulas. Out of the record. House Bill 3028, Representative McPike. Clerk, read the Bill. 3028."

Clerk O'Brien: "House Bill 3028, a Bill for an Act to eliminate the Agriculture Premium Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker. I'd like to return this to Second Reading."

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

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

117th Legislative Day

May 15, 1990

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

Ropp: "Madam Speaker, first of all we have to get leave of the House to table 1 and 2 Amendments for 3 to be effective."

Speaker Breslin: "Okay. Representative McPike, Representative Ropp has moved to table Amendments 1 and 2, are there any objections? Hearing no objections, leave is granted. By use of the Attendance of the Roll Call Amendments 1 and 2 are tabled. On Amendment #3 Representative Ropp."

Ropp: "Now, Madam Speaker and Members of the House, this Bill does exactly what we had intended to do, to allow the State Fair and the Du Quoin Fair to be funded out of General Revenue and it made a correction that was inadvertently added in #2 that the income money now will go back into the Ag Premium Fund, as it has been all along. And I request your support."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 3028. And on that question is there any discussion? Any discussion? There being none, the question is, 'Shall Amendment 3 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3197...excuse me, Representative McPike asks leave to hear House Bill 3028 immediately. Is there any objection? No objection being heard. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3028, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill."

Speaker Breslin: "McPike."

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill as amended is now supported by the Bureau

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

117th Legislative Day

May 15, 1990

of the Budgets and by the Department of Agriculture. It is an attempt to try to clean up the Agriculture Premium Fund. This simply requires that Illinois State Fair plus the buildings and grounds and the Du Quoin State Fair and the buildings and grounds would be paid for in the future out of General Revenues instead of the Ag Premium Fund. It is an attempt to help balance the Agricultural Premium Fund. I know...know of no opposition to the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3028 and on that question is there any discussion? There being none, the question is, 'Shall House Bill 3028 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. Sixty votes are required for the passage of this Bill. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 110 voting 'aye', none voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3197, Representative Mati...Representative Matijevec...excuse me. Representative Turner, for what reason do you rise?"

Turner: "Thank you, Madam Speaker. I don't believe my voting switch is working. I'm hitting it and...I'd like the electrician to check it."

Speaker Breslin: "Okay...okay. Mr. Electrician..."

Turner: "I'd like to be recorded voting 'aye' on House Bill 3028. I'd like the record to reflect that."

Speaker Breslin: "Okay. Very good. Representative Nelson Rice wishes that the record reflect that he would like to have been voted 'aye' on House Bill 3128(sic - 3028) also. House Bill 3197. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3197, a Bill for an Act to amend the Waukegan Civic Center Law. Third Reading of the Bill."

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

117th Legislative Day

May 15, 1990

Speaker Breslin: "Representative Matijeovich."

Matijeovich: "Madam Speaker, Ladies and Gentlemen of the House.

House Bill 3197 is the civic center Bill it accomodates the various Legislator's...the creation of civic centers. And I think it does it in a fair political manner. It accomodates Representative Churchill and myself in creating the Lake County Civic Center Authority. Representative Wait in creating the Boone County Civic Center Authority. Representative DeLeo in the Lyman Township Authority. Representative Edley in the Macomb and Western Illinois Civic Center Authority. Representative Weller in the Bourbonais Authority. Representative Tenhouse in the Schuyler County Authority. Representative Ewing and Johnson in the Atwood Civic Center Authority. It accomodates a procedural change in the appointment process for Representative Lang in the Center...East Civic Center Authority. It is only May 15, this is not the time to get too excited about Civic Center Bills, because they usually end up much differently than they come out of here. So, I would urge the Members to pass this Bill at this time. We will see what happens between now and June 30th."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3197. And on that question is there any discussion? There being none, the question is...The Gentleman from DuPage, Representative McCracken, on the question."

McCracken: "Thank you. This is the Bill we fought over. I didn't want to hurt Representative Leverenz's Forest Park Bill. We were looking for at least a vote on the Rosemont Civic Center Authority, which has been denied us for a couple of years for no good reason. But be that as it may, in the spirit of good will I move we adjourn."

Speaker Breslin: "You were recognized on the Bill, Representative

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

117th Legislative Day

May 15, 1990

McCracken. The question is, 'Shall House Bill 3197 pass?' All those in favor vote 'aye'. Those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 78 voting 'aye', 22 voting 'no', 10 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3393, Representative McPike. Clerk, read the Bill...Go ahead, Mr. Clerk."

Clerk O'Brien: "House Bill 3393,...a Bill for an Act to amend the Build Illinois Bond Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker. I would like to defer to Representative DeLeo."

Speaker Breslin: "Representative DeLeo."

McPike: "On second thought, I better not. This is the Build Illinois Bond Act vehicle. The other night we inadvertently increased the bonding authority for the state by a dollar in all these different areas, and so Amendment #1 was adopted to decrease the bonding authority for the state by a dollar. So, I would move the adoption...or the passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3393. And on that question is there any discussion? There being none the question is, 'Shall House Bill 3393 pass?' All those in favor vote 'aye'. Those opposed vote 'no'. Voting is open. Sixty votes are required for the passage of this Bill. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye', 14 voting 'no', 23 voting 'present'. This Bill having received the Constitutional Majority is declared passed. House Bill 3397, Representative McPike. Clerk, read the

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

117th Legislative Day

May 15, 1990

Bill."

Clerk O'Brien: "House Bill 3397, a Bill for an Act to amend the Metropolitan Transit Authority Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen. This has three provisions in it. The original Bill allows the CTA to use negotiated bidding in the purchase of rolling stock as has been recommended by the U.S. Mass Transit Administration. Amendment #1 by Lou Jones prohibits the consumption of food and drink on any rapid transit train. Amendment #2 by Representative Munizzi changes the requirement for a bid from \$5000 to \$10,000. I move for the passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3397. And on the question the Gentleman from DuPage, Representative McCracken."

McCracken: "Now you may think that I'm concerned about the bidding requirements by Representative Munizzi's Bill, but I'll tell you why I'm standing up. I am sick to death of those people eating and drinking on those commuter trains. Why are they exempted from this Bill? Will someone tell me, why are they exempted?...They eat on the top, and the crumbs fall on me when I go home from work. I'm sick of it."

Speaker Breslin: "Representative McPike, do you have a response?"

McPike: "Well, it was in error really. Representative Jones came to me and said that the Amendment should have included everyone. It was on Third Reading and we just moved ahead, so. We'd be glad...we might...we might change it in the Senate."

Speaker Breslin: "The question is, 'Shall House Bill 3397 pass?' All those in favor vote 'aye'. Those opposed vote 'no'."

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

117th Legislative Day

May 15, 1990

Voting is open. Sixty votes are required for the passage of this Bill. Have all voted who wish? Have all voted who wish? Representative McCracken, for what reason do you seek recognition? Representative McCracken will seek a verification. Only vote your own switches. Have all voted who wish? The Clerk will take the record. On this question there are 63 voting 'aye', 51 voting 'no', and 1 voting 'present'. Poll the...those not voting, Mr. Clerk, if there are any."

Clerk O'Brien: "There is no one not voting."

Speaker Breslin: "Poll the Affirmative."

Clerk O'Brien: "Balanoff. Breslin. Brunsvold. Bugielski. Capparelli. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Any questions of the Affirmative, Mr. McCracken?"

McCracken: "Yes. Thank you. Representative DeJaegher?"

Speaker Breslin: "Excuse me. Representative Kulas asks leave to be verified. That is granted. And Representative Mulcahey asks leave to be verified. That is granted."

McCracken: "Yes...Representative DeJaegher?"

Speaker Breslin: "Is the Gentleman in the chamber? Bob DeJaegher? He is not. Remove him from the Roll Call."

McCracken: "Representative Keane?"

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

117th Legislative Day

May 15, 1990

Speaker Breslin: "Representative Keane?"

McCracken: "Oh, there he is. I see him."

Speaker Breslin: "He is in the chamber."

McCracken: "Representative Sutker?"

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

McCracken: "Representative Brunsvold?"

Speaker Breslin: "Excuse me, Representative McGann and Wolf ask leave to be verified. Leave is granted. Who did you question?"

McCracken: "Representative Brunsvold?"

Speaker Breslin: "Representative Brunsvold? Turn around, Representative Brunsvold, so I'm sure you're there...ho, ho. Representative Brunsvold is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Granberg?"

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

McCracken: "Representative Mautino?"

Speaker Breslin: "Excuse me. The Gentleman is in his chair, and Representative Currie asks leave to be verified. And Representative Balanoff asks leave to be verified. And Representative Shaw asks leave to be verified. All are granted."

McCracken: "Yes...Yes...Yes. Representative Van Duyne."

Speaker Breslin: "Representative Brunsvold has returned to the chamber. Add him to the Roll Call voting 'aye'. Representative Van Duyne? Leroy Van Duyne? The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Capparelli?"

Speaker Breslin: "Representative Capparelli? Is in the chamber."

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

117th Legislative Day

May 15, 1990

McCracken: "Where is he? I don't see him...oh. Representative Martinez?"

Speaker Breslin: "Representative Martinez? Benjamin Martinez? The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Krska?"

Speaker Breslin: "Representative Krska? Representative Krska? Bob Krska? The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Edley?"

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

McCracken: "Representative Dunn?"

Speaker Breslin: "Representative Kurt Granberg has returned to the chamber. Add him to the Roll Call voting 'aye'. Representative Dunn? John Dunn is in the chamber. Representative Cal Sutker has returned to the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Representative Hicks?"

Speaker Breslin: "Representative Hicks? Larry Hicks? The Gentleman is not in the chamber...return him...oh, he is in the chamber. Representative Frank Giglio asks leave to be verified. Leave is granted."

McCracken: "Representative Laurino?"

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

McCracken: "Nothing further."

Speaker Breslin: "58 voting 'aye', 51 voting 'no', and 1 voting 'present'. Representative McPike asks for Postponed Consideration. On the Order of Human Services - Third Reading appears a Bill that needs to be brought back to Second for an Amendment. House Bill 1656, Representative Wyvetter Younger. Clerk, read the Bill. Excuse me, House

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

117th Legislative Day

May 15, 1990

Bill 1651, Mr. Clerk. Representative Younge asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Does she have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Wyvetter Younge."

Speaker Breslin: "Representative Younge. Representative Younge." Younge, W.: "Thank you, Madam Speaker. This is a technical change making the effective date July 1, 1990 rather than 1989. I move for the adoption of the Amendment."

Speaker Breslin: "Representative Younge asks...moves for the adoption of Amendment 1 to House Bill 1651. And on that question is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Now Representative Novak is recognized on a Motion."

Novak: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, I move the discharge from the Labor and Commerce Committee House Joint Resolution 115 for immediate consideration."

Speaker Breslin: "Representative Novak asks leave to discharge House Joint Resolution 115 and place it on the Order of Speaker's Table. Does the Gentleman have leave? On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Could the Gentleman tell us what it is?"

Speaker Breslin: "Representative Novak?"

Novak: "Yes. Representative McCracken, this Resolution

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

117th Legislative Day

May 15, 1990

requires...urges our Congressional delegation to clean up the serious problem we have with our unemployment compensation tax in Washington to release some of these funds so we can deal with this situation as far as administering the program back home."

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

Black: "Thank you very much, Madam Speaker. Just rise in support of the Gentleman's Motion. It is an outstanding Resolution, long overdue."

Speaker Breslin: "Does the Gentleman have leave to discharge the Labor Committee on House Joint Resolution 115 and place this Bill on the Order of the Speaker's Table? Hearing no objection, leave is granted. Agreed Resolutions. Oh, excuse me,...I'm told that we are to deal with the Resolution immediately. We're going to the Order of the Speaker's Table. House Joint Resolution 115. Representative Novak to present the Resolution."

Novak: "Thank you, Madam Speaker. Ladies and Gentlemen of the House. House Resolution...House Joint Resolution 115 deals with a very serious situation we have in Illinois. We filed this bipartisan Resolution on behalf of every person that owns a business in this state, whether you own a large corporation or a small business. The Unemployment Compensation Administration Program is in trouble in the state of Illinois. And we are trying to urge our Congressmen, because we can't...can...we can do very little at the state level. We're trying to urge our congressional delegation and our United States Senators to urge the Congress of the United States and the Federal Budget Management Agency to release some of these unemployment federal tax dollars to get back to Illinois, to put into the Depart...the Department of Employment Security for the

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

117th Legislative Day

May 15, 1990

administration of this program. As you know the Governor had mentioned in his budget message earlier this year that he would want to put a \$9 surcharge on every employee in the State of Illinois. We think that's not needed if we can just dislodge some of this money back. And I ask for your support on this."

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

Didrickson: "Madam Speaker, Members of the House, I rise in support of Representative Novak's Resolution. Indeed the trust fund is a solvent trust fund. Indeed we would like to be able to avoid that \$9 employee surcharge tax in the State of Illinois. I think this at least sends the message to our Congressional Delegation and perhaps to a few more in Congress, that let us not...on the backs of the employees of the State of Illinois and other states with a solvent trust fund balance or cook the books and hurts the business community that we have and that we need to nurture and keep solvent with regards to our U. I. trust fund. I urge its adoption."

Speaker Breslin: "The question is, 'Shall House Joint Resolution 115 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Representative Johnson, for what reason do you seek recognition?"

Johnson: "What Order of Business are we on?"

Speaker Breslin: "Speaker's Table - House Joint Resolution 115, pursuant to a Motion made."

Johnson: "Pardon me?"

Speaker Breslin: "Pursuant to a Motion to discharge."

Johnson: "Then we're still on the Order of the Speaker's Table?"

Speaker Breslin: "Nope. We've already finished it. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 168, offered by

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

117th Legislative Day

May 15, 1990

Representative Lou Jones. House Resolution 1708, Terzich. 1709, Leverenz. 1711, Keane. 1712, Weller. 1713, Novak. 1714, Novak. 1715, Ropp. 1716, Pullen. 1717, Madigan. 1718, DeJaegher. 1719, DeJaegher. 1720, DeJaegher. 1721, DeJaegher. 1722, Balanoff. 1723, Williamson. 1724, Stern. 1725, Stern. 1726, Kirkland. 1727, DeJaegher. 1728, DeJaegher. 1729, Novak. 1730, Novak. 1731, Williamson. 1732, Phelps. 1733, Stephens. 1734, Stephens. 1736, Daniels. 1737, Hicks. 1738, Leverenz."

Speaker Breslin: "Representative Matijevich moves the adoption of the Agreed Resolutions. Hearing no objection. Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 133 offered by Representative Ronan, et al."

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

Clerk O'Brien: "House Resolution 1735, offered by Representative Stephens, with respect to the memory of Edna Lola Sweeney."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolution. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Death Resolution is adopted. Representative McPike, for what reason do you seek recognition?"

McPike: "Madam Speaker, I was going to suggest that we adjourn early tonight."

Speaker Breslin: "Very good. I think that's a good suggestion. Allowing Perfunctory time for the Clerk to take care of necessary House business, Representative McPike moves that the House adjourn early tonight, and come into Session tomorrow at 9...9:30. 9:30 tomorrow. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Allowing Perfunctory time for the Clerk to a take care of necessary House business, this House stands adjourned until 9:30 tomorrow morning."

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

117th Legislative Day

May 15, 1990

Clerk O'Brien: "Committee Report, Representative Matijevich, Chairman of the Committee on Rules to which the following Resolution was referred, action taken May 15, 1990 reported the same back with the following recommendation: be adopted House Resolution 1710. Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with following title, the passage of which I am instructed to ask concurrence of the House of Representatives to wit; Senate Bills #1512, 1612, 1657, 1869, 1870, 1965, 1994, 1996, 2058, 2066, 2095, 2096, 2105, 2128, 2144, 2150, 2157, 2167, 2194, and 2307, passed by the Senate May 15, 1990. Linda Hawker, Secretary of the Senate.' Senate Bills First Reading: Senate Bill 1512, Brunsvold, a Bill for an Act relating to issuance and cancellation of drivers license due to school attendance. First Reading of the Bill. Senate Bill 1612, Cullerton, a Bill for an Act to amend the Child Passenger Protection Act. First Reading of the Bill. Senate Bill 1657, Leitch, a Bill for an Act to amend the Public Building Commission Act. First Reading of the Bill. Senate Bill 1869, Wennlund, a Bill for an Act to amend the Counties Code. First Reading of the Bill. Senate Bill 1869, Wennlund, a Bill for an Act to amend the Counties Code. First Reading of the Bill. Senate Bill 1870, Giglio, a Bill for an Act in relation to environmental challenges. First Reading of the Bill. Senate Bill 1965, Cullerton, a Bill for an Act to repeal an Act relating to compulsory retirement of judges. First Reading of the Bill. Senate Bill 1994, Ronan, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 1996, Mautino, a Bill for an Act to amend the Build Illinois Bond Act. First Reading of the Bill. Senate Bill 2058, Brunsvold, a

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

117th Legislative Day

May 15, 1990

Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 2066, Balanoff, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 2095, Kubik, a Bill for an Act in relation to public health. First Reading of the Bill. Senate Bill 2096, Kubik, a Bill for an Act to amend the Illinois public aid Code. First Reading of the Bill. Senate Bill 2105, Anthony Young, a Bill for an Act to amend the Code of Criminal Procedures. First Reading of the Bill. Senate Bill 2128, Regan, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 2144, Churchill, a Bill for an Act relating to circuit courts. First Reading of the Bill. Senate Bill 2150, Myron Olson, a Bill for an Act pertaining to vehicle emission controls. First Reading of the Bill. Senate Bill 2157, Parcels, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 2167, Novak, a Bill for an Act to provide for the creation of the Kankakee River Valley Area Airport Authority. First Reading of the Bill. Senate Bill 2194, Weller, a Bill for an Act to create the Illinois Substance Abuse Treatment Program. First Reading of the Bill. Senate Bill 2307, Anthony Young, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. No further business. The House now stands adjourned."

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 15, 1990

HB-0493	THIRD READING	PAGE	153
HB-0797	THIRD READING	PAGE	32
HB-1014	THIRD READING	PAGE	98
HB-1560	THIRD READING	PAGE	205
HB-1651	RECALLED	PAGE	257
HB-1656	THIRD READING	PAGE	20
HB-2373	RECALLED	PAGE	248
HB-2378	THIRD READING	PAGE	247
HB-2378	THIRD READING	PAGE	248
HB-2533	RECALLED	PAGE	215
HB-2533	THIRD READING	PAGE	214
HB-2535	THIRD READING	PAGE	216
HB-2647	THIRD READING	PAGE	2
HB-2714	THIRD READING	PAGE	223
HB-2839	THIRD READING	PAGE	90
HB-2867	SECOND READING	PAGE	142
HB-2964	THIRD READING	PAGE	156
HB-2967	THIRD READING	PAGE	158
HB-3014	THIRD READING	PAGE	159
HB-3028	RECALLED	PAGE	249
HB-3026	THIRD READING	PAGE	249
HB-3028	THIRD READING	PAGE	250
HB-3043	SECOND READING	PAGE	204
HB-3050	THIRD READING	PAGE	160
HB-3061	THIRD READING	PAGE	121
HB-3084	THIRD READING	PAGE	49
HB-3099	THIRD READING	PAGE	161
HB-3110	THIRD READING	PAGE	21
HB-3138	THIRD READING	PAGE	162
HB-3140	THIRD READING	PAGE	165
HB-3147	THIRD READING	PAGE	31
HB-3197	THIRD READING	PAGE	251
HB-3243	THIRD READING	PAGE	166
HB-3274	THIRD READING	PAGE	173
HB-3304	THIRD READING	PAGE	125
HB-3324	THIRD READING	PAGE	131
HB-3330	THIRD READING	PAGE	27
HB-3334	THIRD READING	PAGE	174
HB-3347	THIRD READING	PAGE	36
HB-3358	THIRD READING	PAGE	8
HB-3366	THIRD READING	PAGE	176
HB-3390	THIRD READING	PAGE	223
HB-3393	THIRD READING	PAGE	253
HB-3397	THIRD READING	PAGE	254
HB-3397	POSTPONED CONSIDERATION	PAGE	257
HB-3400	THIRD READING	PAGE	177
HB-3468	THIRD READING	PAGE	131
HB-3484	THIRD READING	PAGE	9
HB-3493	THIRD READING	PAGE	73
HB-3494	THIRD READING	PAGE	177
HB-3515	THIRD READING	PAGE	39
HB-3599	THIRD READING	PAGE	10
HB-3599	THIRD READING	PAGE	46
HB-3604	THIRD READING	PAGE	226
HB-3624	SECOND READING	PAGE	150
HB-3655	THIRD READING	PAGE	10
HB-3675	THIRD READING	PAGE	12
HB-3683	SECOND READING	PAGE	142
HB-3695	THIRD READING	PAGE	182
HB-3702	SECOND READING	PAGE	18
HB-3740	THIRD READING	PAGE	135
HB-3748	THIRD READING	PAGE	13
HB-3777	SECOND READING	PAGE	229
HB-3838	SECOND READING	PAGE	199

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 15, 1990

HB-3658	THIRD READING	PAGE	183
HB-3903	THIRD READING	PAGE	186
HB-3909	THIRD READING	PAGE	53
HB-3914	SECOND READING	PAGE	230
HB-3933	THIRD READING	PAGE	189
HB-3941	SECOND READING	PAGE	151
HB-3958	THIRD READING	PAGE	69
HB-3966	THIRD READING	PAGE	135
HB-3998	THIRD READING	PAGE	14
HB-3999	THIRD READING	PAGE	190
HB-4024	THIRD READING	PAGE	59
HB-4025	THIRD READING	PAGE	141
HB-4029	THIRD READING	PAGE	192
HB-4032	SECOND READING	PAGE	152
HB-4036	THIRD READING	PAGE	60
HB-4048	SECOND READING	PAGE	198
HB-4053	THIRD READING	PAGE	61
HB-4074	SECOND READING	PAGE	19
HB-4057	THIRD READING	PAGE	66
HB-4120	THIRD READING	PAGE	17
HB-4135	THIRD READING	PAGE	67
HB-4159	THIRD READING	PAGE	196
HB-4173	THIRD READING	PAGE	198
HB-4178	THIRD READING	PAGE	17
HB-4180	THIRD READING	PAGE	69
HB-4196	SECOND READING	PAGE	233
SB-1612	FIRST READING	PAGE	262
SB-1657	SECOND READING	PAGE	262
SB-1869	FIRST READING	PAGE	262
SB-1870	FIRST READING	PAGE	262
SB-1965	FIRST READING	PAGE	262
SB-1994	FIRST READING	PAGE	262
SB-1996	FIRST READING	PAGE	262
SB-2058	FIRST READING	PAGE	262
SB-2066	FIRST READING	PAGE	263
SB-2095	FIRST READING	PAGE	263
SB-2096	FIRST READING	PAGE	263
SB-2105	FIRST READING	PAGE	263
SB-2128	FIRST READING	PAGE	263
SB-2144	FIRST READING	PAGE	263
SB-2150	FIRST READING	PAGE	263
SB-2157	FIRST READING	PAGE	263
SB-2167	FIRST READING	PAGE	263
SB-2194	FIRST READING	PAGE	263
SB-2307	FIRST READING	PAGE	263
HJR-0115	MOTION	PAGE	258
HJR-0115	RESOLUTION OFFERED	PAGE	260

SUBJECT MATTER

HOUSE TO ORDER	PAGE	1
PRAYER - REVEREND WENNEBORG	PAGE	1
PLEDGE OF ALLEGIANCE - ROPP	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
REPRESENTATIVE MCPIKE IN THE CHAIR	PAGE	1
COMMITTEE REPORTS	PAGE	2
REPRESENTATIVE ANTHONY YOUNG IN THE CHAIR	PAGE	89
REPRESENTATIVE CULLERTON IN THE CHAIR	PAGE	123
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	161
AGREED RESOLUTIONS	PAGE	260
GENERAL RESOLUTION	PAGE	261
DEATH RESOLUTION	PAGE	261
ADJOURNMENT	PAGE	261
PERFUNCTORY	PAGE	262

REPORT: TIFLDAY
PAGE: 003

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

90/08/02
15:22:02

MAY 15, 1990

SUBJECT MATTER

COMMITTEE REPORT	PAGE	262
MESSAGE FROM THE SENATE	PAGE	262
PERFUNCTORY SESSION - ADJOURNMENT	PAGE	263