

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

41st Legislative Day

May 16, 1989

Speaker McPike: "The House will come to order. The House will come to order. Chaplain for today is Reverend Gary McCants, with the Bethel AME Church in Kewanee, Illinois. The guests in the balcony may wish to rise and join us for the invocation."

Reverend McCants: "May we pray? The Lord is my light and my salvation whom shall I fear. The Lord is the strength of my life of whom shall I be afraid. Lord, our God, in Your word it says we should not fear because fear brings torment. But it also tells us that perfect love casts out all fear. As we live and move and have our being in You, we ask that You would allow those who are assembled here today to think on those things that are good. Those things that are honest and those things that are of good report as they conduct the business of those they represent. Let us loose concern for what happened yesterday, for what was said against us and may we take no thought of what our enemies can do unto us. God our Father, please place in our hearts that You have not given us a spirit of fear but of power and of love and of a sound mind. And we ask these things in the name of Thy precious son, Jesus. Amen."

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

Rice - 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 Black, do you have any...or Representative Kubik do you know if you have any excused absences?"

Kubik: "No excused absences on the Republican side of the aisle today, Mr. Speaker."

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Speaker McPike: "Representative Granberg. Representative Granberg."

Granberg: "There are no excused absences on this side of the aisle, Mr. Speaker."

Speaker McPike: "Thanks. Thank you. Representative Pullen. Representative Kubik. Representative Pullen is not on the Roll. So if you'll so inform her. Now she is, thank you. Take the record, Mr. Clerk. 116 Members answering the Roll Call, a quorum is present. Representative Weaver in the Chair."

Weaver: "Thank you, very much Representative McPike, Ladies and Gentlemen of the House. I'd like to take this opportunity to introduce to you, if we get them all in here, probably the largest part of Oblong High School. It's a very small High School but as you will see in a moment, it doesn't mean bigger is better. We found that even a small High School can excel in a lot of different ways. Oblong High School has with us today, three winning teams. The Math team, which placed first in the Statewide Math Contest, the second time they've done that and their coach Steve Woodland is here with us. The Scholastic Bowl winners, which won the Scholastic Bowl at Eastern Illinois University, it is their third consecutive year that they have won which will qualify them to participate in the National Scholastic Bowl in New Orleans. Their Coach Joe Balis is with us today and the future Home Makers who have participated in the State Leadership Conference in Springfield with 5 most outstanding awards. One first place and two second places and their coach Leana Bayer is with us. Coaches, would you care to say a word to the General Assembly?"

Beth Leggitt: "My name's Beth Leggitt and I'm the State FHA Hero Officer and we participated in the Springfield Leadership

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Conference where we had 5 most outstandings, and 3 of us will be participating in National's in California this summer."

Mark Luzadder: "I'm Mark Luzadder, a member, Captain of the Scholastic Bowl Team and a member of the Math team. And this year in math we won first place and did that also in 1986 and in Scholastic Bowl we are going to go to National's in New Orleans this year."

Leana Bayer: "I'm Leana Bayer, the Vocational Home Economics Teacher and through these activities, we are learning many skills for life and with the young people that we have here today gives us renewed hope that all kids aren't bad in the 80's."

Weaver: "Thank you, and you may want to take a gander at the Math Coach over here who has shown his particular method of motivating his students was to make a bet with them that if they won he would get his hair cut. So he's got a rather short haircut that is growing out little by little. Again, we in the General Assembly would like to congratulate these teams and wish them all the best as they go on to their National Trials. Thank you."

Speaker McPike: "Representative McPike in the Chair. Message from the Senate."

Clerk O'Brien: "Message from the Senate by Ms. Hawker, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed a Bill with the following title. Passage to which I'm instructed to ask concurrence of the House of Representatives to wit; Senate Bill #385, passed the Senate May 12, 1989. Linda Hawker, Secretary."

Speaker McPike: "Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 104, Hultgren, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate

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Bill 123, Homer, a Bill for an Act to amend the Criminal Code. First Reading of the Bill."

Speaker McPike: "Consent Calendar, Second Reading, Second Day. Mr. Clerk."

Clerk O'Brien: "Consent Calendar, Second Reading, House Bill 2663, a Bill for an Act in relation to Possession of Waterbeds. Second Reading of the Bill."

Speaker McPike: "Third Reading. Under State and Local Government. House Bills, Third Reading. Appears House Bill 413, Representative Johnson. Is Representative Johnson here? Out of the record. House Bill 414, Representative Breslin. Representative Breslin. We will return to this order of business momentarily. Speaker Madigan in the Chair."

Speaker Madigan: "We'll see you at this same point tomorrow about this time, Mr. Preston. Ladies and Gentlemen, we have a special guest. So if the Members could be in their chairs, if the staff could retire to the rear and the side of the chamber. So before I begin with our special guest, we're very pleased to welcome a new Representative today. Joining us is Representative Pam Munizzi, succeeding Representative John Daley who has moved over to the lower chamber of the Legislature. Pam Munizzi."

Munizzi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. It'll be a pleasure working with all of you. Those that I have met so far have been wonderful to me and I need it. Thank you. I'm looking forward to meeting the rest of you. I want to thank now Senator John Daley for his confidence and support and friendship and I'm looking forward to working with all of you. Thank you."

Speaker Madigan: "Now it's my pleasure to introduce to all of you the Council General representing the Country of Australia to Chicago and the other States of the midwest. Mr. Jeremy

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Header has served in the Australian Foreign Service for several years occupying positions all across the world and in particular several assignments in Africa. He has been in the Chicago Office for a few months replacing Mr. Terry McCarthy who has returned to Australia. So, at this time it's my pleasure to present to you Mr. Jeremy Header, Council General of Australia."

Jeremy Header: "Thank you, very much, Mr. Speaker Madigan and Members. Could I say how very honored I feel to be asked to speak to you today. I bring you greetings from all Australians and I'd like to say what a wonderful thing it is to come to Springfield. I don't know if you realize that for Australians who take a very great interest in everything American, Abe Lincoln is a hero to very many Australians who know, perhaps very little else about the United States. Once upon a time there was a very nervous Australian Minister about to preach first sermon in a church. He's very nervous and he got up on the pulpit and he had an enormous piece of plaster across his face and he apologized for this, saying to the congregation, thinking about my sermon this morning, I cut my chin and he continued in his sermon in a very, very nervous way and then at the end of this very rambling address and at the end of the service he was seeing members of the Congregation out and an old lady came up to him and said, young man, next Sunday, think about your chin and cut the sermon. And I'm sure there's a message in that for me. I would like to say how much I appreciate being Council General in Chicago with the opportunity of representing my country in this very important part of the United States. We have 6 Consulate's General in America as well as our Embassy in Washington, which is one of our biggest and the fact that we have the 6 Consulate's throughout the states,

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3 on the western side in Houston and New York as well as here is a measure of the importance which we attach to the United States. I also think that having had some opportunity of seeing Legislatures throughout the Midwest so far in my travels that this is really the most beautiful one and it is a real...really something to behold. As you may know, in our bicentenary last year, we opened up a brand new parliament building in Cambra, cost us close to one billion dollars and it's suppose to be a permanent building. It's been my experience with organizations that when call something a permanent building, there may be something very sinister about that and sometimes the organization falls into bad days. Sometimes it's better to keep going with the temporary building, but we hope that that's not going to be the case in the case of Cambra. I think that a Legislature like this one reminds us of the very important values which countries like Australia and the United States share. Constitutional Democracy, Governors being elected by the governed, Freedom of Speech and of Religion and Equality before the law. Now, those are things that I think we all take for granted and yet when you look around the world, how many countries can you say that all three of those provisions really apply? I think it's something that has always struck me as very, very important. And of course, Australia and the United States over the course of this century have had to go to war many times in defense of those principals and certainly that shared experience I think has been a factor in the very special friendship which Australians feel for Americans. A few days ago in fact, I attended the reunion of Veterans of the U.S.S. Chicago, which was a Naval Ship of your Navy which was in Sidney Harbor when two enemy midget submarines attacked during the Second World War and

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there were a whole lot of members of the crew apparently who were on liberty ashore in Sidney. Every man I spoke to at that reunion claimed to have been actually on the ship when they were trying to get it back out of the harbor. But to have been among those service men some of whom are very advanced in years, although extraordinarily nifty when it came to dancing around the dance floor I found, was a very warm feeling. And Australians will always feel a very great debt of gratitude to the United States for the way that you worked with us and helped us at that time when I think Australians felt very exposed. And of course the Ansis Treaty which is fundamental to our relationship with the United States is a very powerful factor in the whole shaping of our foreign policy and of course, like that U.S.S. Chicago in Sidney Harbor in the Second World War. We welcome, we continue to welcome United States Naval Ships to our ports and we see that as a very important part of the defense corporation which we continue to have with the United States. Now, I mentioned our bicentenary, this was the 200th anniversary of the foundation of European Settlement in Australia. Australia of course, had been inhabited for thousands of years before by the Aboriginal people. And it is in this foundation that the development of Australia, as a country which supports so many of the principles which you support, did happen by a history which was in many ways different to yours but tied together. And what I mean of course is this, that in 1776, when the United States became independent and you decided that you no longer wanted to be so closely lined to that wonderful country, Britain, this had some very major implications. One of course was, that the British could no longer send their convicts to the United States and they desperately needed somewhere to send their convicts, so they chose

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somewhere as far away from Britain as possible and that was Australia. So the first European Settlers in Australia was selected by the finest British judges and were not necessarily the finest British. But a...that is how we started. I was once giving a talk and mentioned this to an audience in Richmond, Virginia and at the end of my speech I sat down and the Chairman got up and said, of course Mr. Header you realize that the British didn't send any of their convicts to Virginia, they all went to North Carolina. Then of course, Australia developed a little more because it was found that wool grew extremely well on the backs of Marina Sheep in Australia. And Australia now is the number one producer of wool in the world. Then we had a gold rush in the 1850's. A lot of Americans came to that gold rush and that caused my home town of Melvin, to have its population go up 10 times between 1950 and 1953 and the foundation of gold and all other minerals which we have, like the United States we have practically every mineral under the sun except platinum in Australia. This has been the foundation for the modern Australian Economy. So I speak for a population of 16.5 million people, about 190 million sheep, 500 million flies and that's roughly the things that move in Australia. We see ourselves as very much a part of the global economy. We're seeking to be more and more competitive, open trader. We have deregulated our financial sector last year for the first time for 40 years in which we have had deficit budgets in our Federal Government. We came in with a surplus budget of 3 billion dollars and we are aiming to have a surplus of 5 billion dollars this year. But, as I say, we continue to have problems with our trade and we continue to import more than we export. Our agriculture is totally unsubsidized and unprotected and in the current year ago...of the

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multi-lateral Trade Negotiations, we are working very closely with your administration in Washington to achieve a world in which there is more open, fairer and freer trading system especially in agriculture. Our manufacturing is something that we as a Government have worked on very hard to make it more competitive. We are a country that exports Spaghetti to Italy and Camels to Saudia Arabia, believe it or not. One of the most important features, in the last few years of the development of our economy has been tourism. And in fact, next to wool the second largest, biggest foreign currency ...Australia has been tourism and Mr. Speaker, I would like all Members of this House to resolve to come and visit Australia if they haven't already done so. We had 400 thousand American tourists last year, but we want to at least double that very, very quickly. You can be assured of a very, very warm welcome and you can be doing something to help Australia at the same time. There is enormous economic contact between Australia and the State of Illinois. I asked one of my assistants the other day to count up the number of corporations in Illinois particularly around Chicago that not only trade with Australia, but have plants an investment in Australia, and she was still counting when I left. It is really an enormous number. Gradually, the number of Australian Corporations that are coming to this area is also growing. Although it is very much slower. In a few weeks we hope to have established the formation of an Australian American Chamber of Commerce in Chicago too. Last year's bicentenary of Australia saw a contact between Illinois and Australia at a very very high point. I'd particulary emphasize the visit of your world famous Chicago Symphony Orchestra which was a tremendous success of course in Australia. I don't think most Australian's had had the

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opportunity of hearing them before. Well our Sidney Symphony Orchestra which came to Australia in the later part of last year was also very very well received in Chicago and at Champaign Urbana. And indeed the conductor of the Sidney Symphony Orchestra, Stewart Chalandar will conduct the Chicago Symphony Orchestra for 4 concerts at the beginning of next year. We were very appreciative of the achievements to, of Secretary of State, Jim Edgar in arranging exchanges of literary figures between our two countries and I'm very glad to see that the University of Chicago has decided in the wake of that to try to establish a course in Australian Literature. And all that kind of development, the twinning of libraries between our two, between Illinois and the State of New South Wales has been very very helpful in bringing people together. Then, of course, there was a visit of our Prime Minister to Chicago last year Bob Hultkeim, he came with his wife, and she was so taken with the place that she came back a second time during the course of last year and had her own particular visit in which she visited not only Chicago but also Mt. Vernon. Mt. Vernon, happened to be having an Australia week which grew into an Australia month, so she was very interested to come and see this. Also as a bicentenary gesture, the University of Melvin which I'm a graduate and the University of Illinois at Champaign-Urbana, which I understand has the best architecture school in United States, has decided to set up Walter and Marilyn Billy Griffin distinguished professorship in architecture in honor of Walter Billy Griffin who was a graduate of that school and of course, won in 1912, the world competition for a design for a national capital in Australia, and so Walter Billy Griffin is a name that is extremely well known in Australia. Perhaps I could also mention the Brookfield

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Zoo's sister, arrangements with the zoo in Melvin, the life education center which is established at Elmhurst, Illinois, one of our major private organizations for working in the field of educating young children about the dangers of drugs and other substance abuse in a very wonderful way which is spread right throughout Australia and U.K., New Zealand and other parts of the world, and as I say they decided to establish their office in the United States in Elmhurst, because the man who originally set this up, Reverend Ted Melps, was a graduate in Theology of the University of Northwestern and his son is a graduate of Roosevelt University. This year, the world President of Rotary International is an Australian. Roy Sabbi, so of course he spends whatever free time he has in the course of a very busy year in Evanston and an Australian business, using Australian technology is setting up a new indoor baseball facility near Shaumburg. This center will be the first of several plans for other cities in the United States. So I hope that we can go on to even greater closeness and mutually beneficial corporation in the years to come and I would certainly be very happy to help any of you if you have any inquiries about Australia. Australia, however, is in many ways different to the United States. It's not only that you drive your cars on the wrong side of the road, it is also that we have a political system which is in someways is similiar. We have a Constitution. We have a Senate elected in a very similar way. But our political system is very much more tied in with the British tradition. Power is vested in the Prime Minister is in the lower House of Parliament. The head of State is Queen Elizabeth II, Queen of Australia, who although she resides 12,000 miles away has her representative in Australia, the Governor General. The Prime Minister is the person who

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decides when an election will be held. Mr. Hawk, our Prime Minister has to decide when to hold an election some time between perhaps about now and the middle of next year, which is something that is in the prerogative of the Prime Minister. Our elections, we hold them, once it is decided when an election is to be. The election usually takes place in about three or four weeks. We find that an election campaign any longer than that is somewhat distracting to the public. And we also have compulsory voting in Australia. If you don't vote in Australia for a Federal, State election or a Constitutional referendum or something like that you can be fined, a relatively small sum of money of forty dollars but you do...that seems to be a sufficient incentive for a vote turn out every time of some 95%. And...you know, I sometimes wonder whether in Australia, if we introduce that now whether people would go for it. It was introduced very early in the Century. Would people say, 'oh that's an abrogation of my personal liberty to be forced to vote,' but which ever way one argues this, I think that in many ways it concentrates the mind, it makes people who maybe don't think they take very much interest in the running of their country, to take a bit of an interest and to make a responsible vote so that's another thing. We are also a very very dry continent, and there are very few rivers and what rivers there are, are very very shallow. We have very little rainfall and those shallow rivers when we get a bit...they flood very easily. With 16.5 million people, you can appreciate that there are some very lonely parts in Australia. One of the best things to do, if you take a trip to Australia is to take a trip on the train which goes right across from Sidney to Perth, on the Western side. It'll take you three days, the best part of it and in the middle of that, you have the

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longest straight bit of rail track in the world. I was once on that train and it stops at a very lonely little station in the middle of that straight bit and on the platform, there's a notice which says, don't ask us for any information here, if we knew anything, we wouldn't be here. And of course, as a country which has a lot of it's own oil supply, a lot of our oil is produced in offshore oil rigs and that's a very lonely life too. It's said that people start putting out bread crumbs to attract the helicopters. So, Mr. Speaker, Members, summing up. We live at a time of great change in the world and of considerable opportunities as well as difficulties. For Australia, I think that for us it is very good that we have in the United States a Country with whom we feel so close and so friendly. And in Illinois in particular, we may not always agree on everything but then we know who we can really trust and have close regard for as friends as well as allies. Thank you, very much indeed for listening to me. I hope to see any of you again, if I can be of any help. Thank you."

Speaker Madigan: "Okay, Ladies and Gentlemen, Mr. Hearder has a little time before he goes to the Senate and so for any of you who wish to visit him, he'll be back in my office for maybe fifteen minutes. So, thank you very much. Mr. McPike in the Chair."

Speaker McPike: "Let's start this order of business over. State and Local Government, Third Reading. House Bill 413, Representative Johnson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 413, a Bill for an Act to amend the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker McPike: "Representative Johnson."

Johnson: "Could I have leave to return this to Second Reading for the purpose of Representative Lang's Amendment?"

Speaker McPike: "Gentleman asks leave to return House Bill 413 to

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Second Reading. Is there any objections? Hearing none, leave is granted. The Bill's on Second Reading. Are there any Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1..."

Speaker McPike: "Representative Johnson, the Bill is on Second Reading, the Amendment's not printed. Out of the record. House Bill 414. The Bill remains on Second Reading. Representative Johnson we'll get back to that Bill as soon as this is printed. House Bill 414, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 414, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill."

Speaker McPike: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 414 is the initiative of the Day Care Action Council and all of the Day Care advocates in this state. It does primarily 4 things. The first thing it does, is establish DCFS as the leader on all child care issues state wide. It requires the Department to issue a report to this General Assembly every two years doing a needs assessment for child care services as well as the available care givers in this profession statewide. In addition, it requires DCFS to develop inter-agency agreements between all of those other state agencies that get involved in day care, whether that be Public Aid or whether it be DCCA whatever it might be. The third thing the Bill does is establish a low interest loan program in DCCA. DCCA would provide these low interest loan programs for child care centers and family day care homes that provide services to low income families. Low income families are stressed in particular. The fourth and the last thing the Bill does is requires the department to develop and implement a resource and referral

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system statewide by 1992. I would be happy to answer any questions."

Speaker McPike: "Now the Bill is on Short Debate. Does anyone stand in opposition to the Bill? Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There seems to be a great rush to encourage, subsidize and make it easier, make it more affordable for women to leave their young children in centers and take a job in the marketplace. Now we all know that if you want more of something, you subsidize it. One of the problems that makes worse is the tax burden on traditional families who have experienced tremendous increases in taxation over the past 20 years, while taxation on singles and marrieds without children remains about the same. This tends to force a lot of women who prefer to stay home with their young children to take a job in the marketplace. Our policy should be to treat all families the same. Lower their taxes, eliminate discrimination between families, give mothers a choice. This Bill is another example of promoting all kinds of innocent sounding initiatives at the National and State level and even locally which increase discrimination against a traditional family by skewing further, the tax burden of those who are struggling to maintain a traditional home. And House Bill 414 certainly increases spending. In truth, there's no shortage of day care. We have had a dramatic growth in recent years in day care providers and they all say that it would be very easy for them to expand to take care of any increase need. And the cost in a competitive climate remain fairly constant. We must be careful not to confuse the welfare family, the poverty stricken female head of the household and other hardship situations with legislation that would apply to all families. I don't think House Bill 414 distinguishes

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between them. The child care issue is not about welfare. Mother's on welfare in most states are already entitled under existing law to full compensation of daycare expenses at the market rate and their locality. In addition, the Federal Government spends 3 billion dollars for various programs for child care for low income mothers. Robert Rechter, of the Heritage Foundation points out that with families with children under 6, there are actually more traditional working class families with incomes less than \$15,000 a year than there are families headed by employed single mothers. He calls these low income traditional families, Americans forgotten families. Their paying the taxes for others with higher income so that they can have someone help pay their day care cost. Joan Beck, with the Chicago Tribune, stated in one of her columns in November 1987, that day care is a bottomless hole into which endless Federal and State dollars can be poured. That should be a warning to our business community as well. Also, there's a great need to disseminate recent research on day cares affect on children, formation of their personalities, increased exposure to disease, the detrimental effect on their immuno (sic-immune) system. It seems to me that the solution is to empower parents, that we would save billions of dollars in countless ways and we invest it in the best child care and that's family care, and we should praise and encourage the mothers who are willing to stay home with their young children in the home and I recommend to this Assembly that we vote 'no' on this Bill."

Speaker McPike: "Representative Breslin to close. Representative Young in the Chair."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think it should be recognized..."

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

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Representative Stephens, for what reason do you rise?"

Stephens: "Mr. Speaker, I inadvertantly forgot to punch my speak button and I wanted to address this issue before the Lady closed."

Speaker McPike: "Well, I already recognized the Lady to close. There were no Republican lights on when I recognized her to close so you will be recognized to explain your vote."

Stephens: "I was in."

Speaker McPike: "Representative Breslin, proceed. Representative Young in the Chair."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I think it needs to be recognized that the Federal Welfare Reform Proposals are going to impact very drastically on poor families in this State. It, the current law requires that a mother who has children over the age of 6 must go back to work. Next year, a mother with children over the age of 3 must go back to work. She must find day care for those children. In addition to that, the following year, the State will have the option to require all welfare mothers to go back to work who have a child age 1 or more. The impact on Illinois alone will be devastating. We currently have slightly over 17,000 children in subsidized day care facilities today in Illinois, without the impact of welfare reform. The estimate is that we will have a need for 60 to 80 thousand slots once welfare reform is in effect. This Bill does not pour more money into day care. It is very futuristic, it looks to what we expect to be a...coming down because of Federal changes and it helps us to plan. It has a relatively low cost and it requires that that business enterprise that gets involved in day care be able to cope with what we expect to happen in the near future. This Bill is supported by the day care action council and all of the major day care advocates in the State of

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Illinois and I can certainly recommend it heartedly as being good for Illinois and good for Illinois children. Thank you."

Speaker Young: "The Lady moves for the passage of House Bill 414. The question is, 'Shall House Bill 414 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting open. This is final passage. Have all voted who wish? The Gentleman from Madison, Representative Stephens to explain his vote."

Stephens: "Well, I think it's appropriate that we, the explanation of a 'no' vote is probably in order. Mr. Speaker, I think that this Bill is very well intentioned but sends a message to the public that Government is interfering in an area where it need not interfere and I think that although many obviously support the Lady's concept, many of us, several of us are at least are concerned about encroaching in an area where families need...are not in need of Government help, I think that this Bill is going to need a lot of work. Word from the Governor's office is that their going to have some problems with it and we look forward to working with the Lady in the future on this important issue."

Speaker Young: "The Gentleman from DuPage, Representative McCracken to explain his vote."

McCracken: "Thank you, Mr. Speaker. It's interesting to note that the Department of Children and Family Services is not in support of this Bill. The lobbyist came up to me just as this was being called for a vote and indicated they are still opposed. Standing with me is the liaison from DCCA. DCCA is opposed to the Bill as amended. Their observation is that the program desired by this Bill that they are to implement is not adequately funded. Apparently the appropriation for a low interest loan program would have to

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be out of General Revenue Funds, Build Illinois money would not be available. This is a Bill, which I think unnecessarily anticipates an issue. Why should we be in the business of setting these standards at this time? Why should we have, the Department of Children and Family Services, particularly when it doesn't want to do this...under this Bill set up these standards, monitor these standards, insure compliance with endless standards, local standards, State standards, Federal Standards. It's absolutely unnecessary."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 98 voting 'yes', 12 voting 'no' and 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 575, Representative Wennlund. Out of the record. House Bill 576, Representative Williamson."

Clerk Leone: "House Bill 576, a Bill for an Act regulating fireworks. Third Reading of the Bill."

Speaker Young: "Representative Williamson."

Williamson: "Thank you, Mr. Speaker. House Bill 576 amends the Fireworks Regulation Act. An Act in relation to fireworks to prohibit the sale at wholesale of fireworks except for supervised public displays authorized by the municipality corporate authorities and the county boards or for direct shipment out of the State. This also provides that the municipal corporate authorities and the county boards may establish a waiting period not to exceed two months prior to the granting of the permits. This requires wholesale sellers of fireworks shall obtain license from the State Fire Marshall. This is being supported by the Cook County Sheriff's Office, State Police, the Association for the Blind and the Emergency Medical Technicians."

Speaker Young: "The Lady has moved for the passage of House Bill

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576. Is there anyone opposed to this Bill? This is Short Debate. Representative Ropp."

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

Speaker Young: "She indicates she will yield."

Ropp: "The term, definition for fireworks includes what? Does that exclude what we traditionally now except, like sparklers and some of those little things that young people play with or not?"

Williamson: "No, this would include fireworks."

Ropp: "That would...would that mean that a...you could not get sparklers in this State or you'd have to have them registered?"

Williamson: "No, it makes absolutely no change in the current statute right now."

Ropp: "It does not, okay."

Williamson: "No sparkler...you would still be able to obtain sparklers under this Representative."

Ropp: "Okay, thank you."

Speaker Young: "The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker, will the Sponsor yield for a question?"

Speaker Young: "She indicates she'll yield."

McNamara: "In your dissertation, I heard the word that you are licensing the fireworks people. Who is being licensed under this Bill?"

Williamson: "The people that would be wanting to use the fireworks for public display such as the local municipalities when they want to have the large 4th of July displays. They would be licensed that they could still have the use of the fireworks under this."

McNamara: "Okay, so the licensing procedure is not a wholesale approval of fireworks and your Bill if I were to interpret

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it correctly is a ban on fireworks?"

Williamson: "Correct."

McNamara: "Okay, thank you very much."

Speaker Young: "Representative Williamson to close."

Williamson: "Thank you, Mr. Speaker. This has been brought to my attention because of the fact that so many wholesalers take up different establishments such as a garage, etc. that they want to display fireworks for sale. At this point there is no notification to the local municipality or the local Fire Department. So that if there were a problem, none of the local municipalities even know that these fireworks are being stored and warehoused and sold in there. This is to strengthen the law so that there will be a clarification and that this will never happen again. Thank you."

Speaker Young: "The question is, 'Shall House Bill 576 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 105 voting 'yes', 6 voting 'no', 2 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 618, Representative Matijeich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 618, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Young: "Representative Matijeich."

Matijeich: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 618, provides that when DCCA proposes to offer incentives to a foreign firm to locate in Illinois that the department first shall determine that in that country where that company is domiciled, similar incentives shall be provided for companies in Illinois and that the foreign

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nation shall impose no duties or barriers with respect to products of the type which the foreign firm plans to produce in Illinois. A couple of years ago the Legislature expressed its concern over incentives to foreign firms which are detrimental actually to our own Illinois companies and we passed legislation that DCCA provide a detailed economic impact statement prior to offering such incentives. House Bill 618, would provide that our companies in Illinois are not discriminated against by other countries, which may impose barriers or restrictions against us. It's a good Bill I think for both working people and for businesses in Illinois and I appreciate your support."

Speaker Young: "The Gentleman has moved for the passage of House Bill 618 and on that question is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I know the Bill is well intentioned. I know it seeks to help the employment situation and the economic development in Illinois but it will not have that effect. This is a classic example of why trade barriers in the first place are mistakes and why retribution in trade wars leads to economic disaster. This Bill although, again well intentioned, with the intent, I think ultimately of helping the Illinois economy, in fact, flies in the face of that. More importantly, it also runs counter to what our national policy has been for years and that is to open up trade, to take down trade barriers. History has shown that you do not lower trade barriers by retaliatory tariffs or setting up trade barriers of your own. It absolutely is the wrong message to send, puts in jeopardy our national policy. Second...it would dampen incentives to locate in Illinois at a time when it is crucially important that outside investors come to

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Illinois. We're even trying to help people who have been in Illinois for hundreds of years, stay in Illinois. Sears is an excellent example. At a time when we feel compelled to offer incentives to retain one of our premier instate corporations, what sense does it make to turn away foreign investment? Absolutely no sense. And third, it puts us at a competitive or at a disadvantage with other states. Do you think other states in the midwest are not going to take advantage if this becomes the law in Illinois? Do you think Tennessee or Kentucky or Missouri is not going to take advantage of an unfavorable climate in Illinois? We, all of us, the states are competing for the location of foreign capital and business in Illinois. It's good for us. It's good for the country, ultimately it's good for the world. This sends the wrong message at the wrong time. Again, obviously, it is well intentioned but we have to take a longer view of things. We have to learn from the experience that history has shown us. Trade barriers in retaliation do not work. They are counter productive and have repeatedly been shown to be that. It's just not good public policy and I rise in opposition.

Speaker Young: "Further discussion? Hearing none, the Gentleman from Lake, Representative Matijevich to close."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 618 provides an even playing field. It helps Illinois businesses. It doesn't really, I agree with much of what Representative McCracken said with regards to trade barriers but we're talking about here is when we provide as a State incentives to foreign business. When we provide incentives then we ought to take a hard look and determine if that foreign country does have barriers against businesses in our state. I think it's a good Bill. It's an even playing field and I would urge your support of 618

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to help Illinois business."

Speaker Young: "The question is, 'Shall House Bill 618 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. This is final passage. Have all voted who wish? Have all voted who wish? Representative McCracken."

McCracken: "Verification please."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. Representative McCracken requests a verification of the Roll Call. Representative Matijevich request a poll of the absentees."

Clerk Leone: "Poll of those not voting. Goforth, McGann, Mulcahey and Wyvetter Younge. No further."

Speaker Young: "Representative McCracken. Representative Bowman requests leave to be verified. Mr. Clerk, would you poll the affirmative votes? Representative McCracken, Representative LeFlore requests leave to be verified."

Clerk Leone: "Poll of the affirmative. Balanoff, Bowman, Breslin, Brunsvold, Bugielski, Capparelli, Curran, Currie, Davis, DeJaegher, DeLeo, Dunn, Edley, Farley, Flinn, Flowers, Giglio, Giorgi, Granberg, Hannig, Hartke, Homer, Lou Jones, Shirley Jones, Keane, Krska, Kulas, Lang, Laurino, LeFlore, Leverenz, Levin, Martinez, Matijevich, Mautino, McNamara, McPike, Morrow, Munizzi, Novak, Phelps, Preston, Rice, Richmond, Ronan, Saltsman, Santiago, Satterthwaite, Shaw, Steczo, Sutker, Terzich, Trotter, Turner, Van Duyne, Weller, White, Williams, Wolf, Woolard, Anthony Young and Mr. Speaker."

Speaker Young: "Questions of the affirmative vote. Representative McCracken."

McCracken: "Thank you. Representative Leverenz?"

Speaker Young: "Representative Leverenz. Is the Gentleman in the chamber? He is in the rear of the chamber."

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McCracken: "Representative Keane?"

Speaker Young: "Representative Keane. Representative Keane. Is the Gentleman in the chamber? Mr. Clerk, how is the Gentleman recorded?"

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

Speaker Young: "Remove him from the Roll Call."

McCracken: "Representative Farley?"

Speaker Young: "Representative Farley, is by Representative Jesse White's desk."

McCracken: "Representative McGann?"

Speaker Young: "Representative McGann is not voting."

McCracken: "Not voting. Representative Williams?"

Speaker Young: "Representative Williams is in the rear of the chamber."

McCracken: "Representative Phelps?"

Speaker Young: "Representative Phelps is at his desk."

McCracken: "Representative White?"

Speaker Young: "Well, Representative, Jim Keane is in the rear of the chamber and requests to be added to the affirmative vote."

McCracken: "Representative Davis?"

Speaker Young: "Representative Davis is in the rear of the chamber."

McCracken: "Representative Shirley Jones?"

Speaker Young: "Representative Shirley Jones. Representative Shirley Jones, how is she recorded?"

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

Speaker Young: "Remove her from the Roll Call."

McCracken: "Representative Krska?"

Speaker Young: "Representative Krska, Representative Krska. Is the Gentlemen in the chamber? Remove him from the Roll Call."

McCracken: "Did you remove him?"

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Speaker Young: "Yes, Representative Krska was removed. Representative Novak requests leave to be verified. He's in the center aisle."

McCracken: "Yes."

Speaker Young: "And Representative John Dunn also in the center aisle requests leave to be verified. Further questions on that affirmative roll?"

McCracken: "Representative Jerry Weller?"

Speaker Young: "Representative Weller, Representative Jerry Weller. How is the Gentleman recorded?"

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

Speaker Young: "Remove him from the Roll Call. Representative Mulcahey, for what purpose do you rise? Seeks leave...Representative Mulcahey votes 'aye'."

McCracken: "Now Speaker, I'm just curious, was that a ploy Dick? Oh, okay, because I looked around and saw you there. You were the first person I looked for. I thought well Representative Mulcahey is here so I won't verify him off. Nothing further."

Speaker Young: "Mr. Clerk, take the record. On this question there are 60 voting 'yes', 49 voting 'no', 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 729, Representative Robert Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 729, a Bill for an Act to amend an Act to revise the law in relationship to counties. Third Reading of the Bill."

Olson: "Mr. Speaker, I'd like permission of the House to move back to Second for a technical Amendment."

Speaker Young: "The Gentleman asks leave to take this Bill back to Second Reading for purposes of Amendment. Does the Gentleman have leave? Leave is granted. Second Reading."

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Olson: "Yes, Amendment #1 was brought to me by LRB to correct an LRB error in drafting Committee Amendment #1. It merely deletes 2 Section numbers and inserts 1 Section number. I move for it's adoption."

Speaker Young: "Representative, is this Amendment printed and distributed?"

Olson: "Yes, last week. Last Friday."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 29 (sic-729). On that, the Gentleman from Fulton, Representative Homer."

Homer: "Yes, House Bill 729 was brought to me by a county board. It corrects a discrepancy in the statutes relative to public building commissions and county boards. Chapter 34 currently stipulates these agreements can not exceed 20 years. Chapter 85 says they can not exceed 40 years. And working with the counties and townships committee we agreed that 30 years was the proper number. I would move for the adoption of the Bill."

Speaker Young: "Representative we're still on the Amendment."

Olson: "Excuse me, I thought you cleared."

Speaker Young: "No, this is Floor Amendment #2 and on Floor Amendment #2 is there any discussion? The Gentleman from Fulton, Representative Homer."

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

Olson: "Yes."

Homer: "Your explanation of Amendment #2 is confusing. Our analysis of Amendment #2 is that it's simply a technical Amendment to the Bill. Would you explain Amendment #2 again?"

Olson: "Mr. Speaker, could we have some quiet, I cannot hear the Gentleman?"

Homer: "The explanation you gave for Amendment #2, would you repeat that please?"

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Olson: "Yes, in Amendment #1 LRB made an error and this was...I did not even request this Amendment they sent it up to me Representative to correct their technical error."

Homer: "Thank you."

Speaker Young: "Further discussion? Hearing none, the Gentleman moves for the adoption of Floor Amendment #2 to House Bill 729, all those in favor say 'aye', those opposed say 'nay', in the opinion of the Chair the 'ayes' have it. The Gentleman asks leave and the Amendment is adopted. The Gentleman asks leave to have this Bill heard immediately on Third Reading. Is leave granted? Leave is granted by use of the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 729, a Bill for an Act to amend an Act to revise the law in relationship to counties. Third Reading of the Bill."

Olson: "Mr. Speaker, this...the genesis for this Bill was brought to me by a local county board. They brought out that in Chapter 34 currently stipulates that agreements between public building commissions and county boards can not exceed 20 years. Chapter 85 on the other hand, stipulates that the agreement may not exceed 40 years. In working with the Counties and Townships Committee we agreed that 30 years would be proper and that is what the Bill states. I move for it's adoption."

Speaker Young: "The Gentleman moves for the adoption of House Bill 729. On that question is there any discussion? Hearing none, Representative Olson to close."

Olson: "I ask for a favorable vote."

Speaker Young: "The question is, 'Shall House Bill 729 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 Bill there are 112 voting 'yes', none

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voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 873. Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 873, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Young: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 873 is a Bill that would authorize the issuance of special plates to Pearl Harbor survivors, those who are survivors within the Pearl Harbor war zone. The President of the Illinois Pearl Harbor's Association is a personal friend of mine, our family for my whole life time. The past National President is from Waukegan and they asked me to introduce this Bill so that Illinois could follow various other states like California, Minnesota, Alaska, Florida and others which recognized Pearl Harbor survivors. I believe that there...there are only about 250 Pearl Harbor survivors left in Illinois and I think it is well that we should recognize those who were there on that day of infamy and I would appreciate your support."

Speaker Young: "The Gentleman has moved for the passage of House Bill 873 and on that question, is there any discussion? Hearing none Representative Matijevich to close."

Matijevich: "I would appreciate your support."

Speaker Young: "Shall House Bill. The question is, 'Shall House Bill 873 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 112 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 963,

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Representative Hensel. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 963, a Bill for an Act in relationship to Forest Preserve Districts. Third Reading of the Bill."

Speaker Young: "Representative Hensel."

Hensel: "Thank you Mr. Speaker and Members of the House. House Bill 963 amends an Act to create Forest Preserve Districts in counties under 3 million. What this Bill does, it eliminates the power of a district, forest preserve district with a population under 600,000 to acquire an easement for a linear park or trail or in land contiguous to an existing park or preserve without the approval of the municipality within the land is situated. It also requires that forest preserve district under 600 hundred thousand population to obtain the consent of the township in which the land is located before acquiring an easement. The current law does not prohibit the forest preserve district from coming in and saying that they need your land or anybody's land and they can offer you whatever they want for it and if you don't accept their offer they will condemn it and take it. I believe this Bill is a good checks and balance type Bill and I ask for a favorable vote."

Speaker Young: "The Gentleman has asked for the passage of House Bill 963 on that question is there any discussion? Hearing none...hearing none Representative Hensel to close."

Hensel: "I would just ask for a favorable vote."

Speaker Young: "The question is, 'Shall House Bill 963 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 109 voting 'yes', none voting 'no' and 2 voting 'present'. This Bill having received the required Constitutional Majority is hereby

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declared passed. House Bill 977, Representative Hannig.
Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 977, a Bill for an Act to amend the
Illinois Purchasing Act. Third Reading of the Bill."

Speaker Young: "Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker and Members of the House. If
we want to encourage some kind of action among our citizens
there are a lot of different ways we can go about it. We
can provide them with a tax credit. We can provide them
with some kind of direct subsidies or in some cases we can
provide them with the preference in purchasing through the
State of Illinois. House Bill 977 proposes that we amend
the Illinois Purchasing Act and give a 10% preference to
those individual bidders who did not win a contract but
were within 10% of the bid and who are selling to the State
of Illinois recycled materials. Now naturally they may be
some questions as to what would be recycled and it would be
my opinion that the Department of Central Management
Services would have to make those rules and regulations as
is often the case with State Agencies. But this proposal
would say that we would encourage to the State the
recycling of products here in the State of Illinois. That
we would take the lead in the Purchasing Act to provide
that we would buy these materials when they're available
and when they're very competitively priced and this Bill if
enacted would then give Illinois, I believe a leadership
position in trying to recycle goods in this Country. One
other state, Florida has already adopted this provision in
their law. It's my understanding they're having success
with it and I would hope that we could do the same here in
Illinois. I might point out that in another area for
example in the production of gasohol the State of Illinois
has been very successful by giving gasohol producers some

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competitive advantages in our State. I think if we would give the same competitive advantages through the Purchasing Act to recyclers we could find a way to recycle products and not use up the precious landfills that we have sited in our State. I'd ask for your 'yes' vote. Thank you."

Speaker Young: "The Gentleman has moved for the passage of House Bill 977 and on that question, is there any discussion? The Lady from Kane, Representative Deuchler."

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

Speaker Young: "He indicates he will yield."

Deuchler: "Representative Hannig, if you recall, when this Bill was debated in committee we had testimony from CMS, I believe who was trying to tell us how difficult it would be to come up with the samples of paper. Do you recall that?"

Hannig: "I recall the committee meeting, yes Representative."

Deuchler: "Have you in any way been able to...some of the points that were brought up on their concern about being unable to comply with your requirement?"

Hannig: "Well...I haven't had the department bring any suggestions to me. I'd certainly be happy to work with them. Its been my position or my feeling that I've not seen a State Agency, a bureaucracy if you will, be unable to come up with paperwork necessary to enact a program. I'm certain that if we give them this in a law that they will find a way to enact it or to regulate it and that they can do so."

Deuchler: "Well, I see by our analysis that we did go through this last year and that CMS has been complying as much as they can but it seems as though some of your criteria here are just beyond the capability to meet at this time."

Hannig: "Is that a question?"

Deuchler: "Do you have a comment on that?"

Hannig: "Well, my feeling again would be that we're trying to

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provide some incentive to have people begin recycling businesses here in the State of Illinois. And if we can provide them with some opportunity to sell their products to the State of Illinois, I certainly believe that that would be an important incentive to get these businesses started here in Illinois. Now I have a hard time believing that the Department of Central Management, a large State Agency that basically deals with any number of state rules and regulations could not be able to write rules and regulations to comply with this Act. Again, I've never seen a bureaucracy that hasn't been able to write rules and regulations. It seems like that's what their best at."

Deuchler: "Representative Hannig, we did negotiate this last year if you recall and set up these percentages so they are already in law."

Hannig: "I'm aware that there are percentages available on a different piece of legislation that we enacted last year, but what this would try to provide would be an incentive for people to start businesses in Illinois and encourage them to recycle. Its really...in my opinion would be a complimentary piece of legislation to the one that we passed last year would help the state meet those requirements."

Deuchler: "I believe that, Representative Hannig that we do have grants available for this at this time also."

Hannig: "Well again, it would be my feeling that this piece of legislation would work hand in hand with many of the grants, with many of the other pieces of legislation that we already have on the books here in Illinois and would provide in my opinion a base by which people could start a new recycling business and if that's our intention to try to find alternative ways to landfilling, I think we have to seriously consider recycling as one of those methods and if

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we can do anything to encourage people to recycle, to encourage businesses to be started to recycle I think it's a step in the right direction."

Speaker Young: "Further discussion? The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Young: "He indicates he will yield."

Mays: "Does this, how many other preferences do we have built into the Illinois State Statute Books for various social engineering purposes?"

Hannig: "I don't know Representative."

Mays: "Well I'm just wondering, does this preference that we're putting in for recycled paper apply only to in state recycling firms or does it apply to firms out of state also?"

Hannig: "Representative, the Bill's a very short proposal, it only has about 9 lines and basically it provides that when a public contract is awarded to the lowest responsible bidder, another qualified bidder who could fulfill the contract through the use of products made of recycled materials shall be given preference."

Mays: "I think that might be part of the problem, Representative. To the Bill. I think when you start setting up preferences like this as this Legislature has done on a very limited degree the kind of problem that you get into is you're going to have different social engineered preferences conflicting with one another. For example, you could have a business from out of state get this 10% preference over an in state firm within your own Legislative District. You can have a large business firm out of state or even from a foreign country that doesn't even qualify for a incentive from the Department of Commerce and Community Affairs

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anymore, you could have them getting the actual bids or 10% preference over in state small businesses. I don't think this is the type of policy this state should be sitting upon and I would urge a 'no' vote on this Bill."

Speaker Young: "Further discussion? Hearing none the Gentleman from Macoupin, Representative Hannig to close."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Basically we all know that we're looking at a real problem with landfills in this state. They're filling up a lot faster than we can site new ones and the question is how can we best deal with that? Well obviously recycling is a very legitimate way of using our waste products, making them useful and not filling up landfills quite so quickly. Now, we in the State of Illinois can ignore that problem and say, 'well we hope it goes away, we hope that we can move our trash to another state' or we can take a leadership position and try to solve this problem. Now, what we're saying by this Bill is that in those cases where basically almost everything else is equal that we will give a preference to those manufacturers, to those sellers who have a recycled product so that we will try to create a market here in Illinois and a market place and try to give incentives to those businesses that want to deal in recycled materials. Now if we don't want to do this, if we just want to stand aside and say we don't care, I guess that's the position you can take if you so choose. But in my opinion, the State of Illinois and the citizens of this State, the future citizens of this State will be much better served if we can deal with this problem of waste and recycling in a thoughtful way and in a way that has some long term benefits to everybody. This proposal will not be a costly proposal to the State. It will provide some new incentives for Illinois businesses to recycle, it will

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provide incentives for Illinois people to recycle. I think it's a step in the right direction and I'd ask everyone to join me and vote 'yes'."

Speaker Young: "The Gentleman moves for the passage of House Bill 977 and the question is, 'Shall House Bill 977 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 76 voting 'yes', 39 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1042, Representative Parcells. Out of the record. House Bill 1090, Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1090, a Bill for an Act to prohibit partisan political consideration from affecting the terms and conditions of state employment. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you Mr. Speaker and Members of the House. House Bill 1090 is a straight forward proposition meant to insure the citizenary of this State, that the State workers who serve their interests, who serve their needs and who work in their programs are hired because of their abilities, their competence, their capacity to do the job rather than because of their partisan affiliation or their political activity on or off the job. It's a good government proposition, an open government proposition. I'd be happy to answer your questions and would appreciate your support."

Speaker Young: "The Lady has moved for the passage of House Bill 1090 and on that question is there any discussion? The Gentleman from DuPage, Representative McCracken."

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McCracken: "The Lady seeks to extend to the entire State of Illinois what the Federal Courts have done thus far only to the northern district of Illinois. This is an absolutely ludicrous idea, it patterns itself after an awful decision in the Federal District Court in Chicago, something we should never be doing. The Federal District Courts do violence to our Federal System of Government. They trample on the rights of local officials, of local persons who elect those officials and this is an attempt to extend to the entire State the violence done to this State and our discretion as State Officers that was done in Chicago pursuant to the District Court. What she tells you is a good idea is nothing more than the interference of other people telling our elected officials how to conduct the government to which they have been elected. It is absolutely terrible. In the guise of good government, in fact what it does is rob our local officials and State officials of discretion in executing the duties of the office to which they are elected. There is nothing wrong with considering those things in a hiring context. Government is not such that only the most qualified rocket scientist is confident to make those decisions. It is not the type of calling where you need a Masters Degree from Harvard in order to be able to do the job. There are many discretionary decisions that go into whether to hire somebody. Many discretionary matters that go into the conduct of government and business and to unduly tie the hands of those people responsible for their departments and the quality of their departments under the guise of good Government is reliance misplaced. Let us not repeat the mistake done to us by the Federal District Court in Chicago. Let's say 'no' to this and call it for what it is, an attempt to rob our local officials of discretion in

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the execution of the duties of the office to which they are elected. That's all this is and it should be voted down."

Speaker Young: "The Gentleman from Cook, Representative Williams."

Williams: "Thank you, Mr. Speaker, I rise in support of this legislation. I believe that it's time that the State face up to the reality the State Government is not a place for people who have the various political persuasion to find their way and live for there and ever more. It's not to be sold to the whims of politicians, whether they be State Politicians or otherwise. We talk about the need for Revenue, we know one of the biggest hinderance and ability to get revenue around here is the fear of what will happen to it. The fear that it will be used for political purposes, the fear that it'll be used to hire tons of tons of political workers, and we know that we shouldn't let things like that stand in the way of good Government. This is a good government Bill, nothing more, nothing less. What it says is that patronage should not be allowed on the state level. Just like it's not allowed on the city level. We all know, we all know, of the abuses that this state takes place under this particular administration and we need to end it now. I urge an 'aye' vote and I urge all my colleagues to stand up for what's right and stand up for good Government. I ask an 'aye' vote."

Speaker Young: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Mr. Speaker, would the Sponsor yield for some questions?"

Speaker Young: "Indicates she will yield."

Ryder: "Thank you, Representative. I'm wondering, does this...does this extend to the Speaker's staff?"

Currie: "First of all, let me clarify...let me clarify if I might."

Ryder: "I'm sorry...Mr. Speaker, I can't respond. Can we have a

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small, not a great deal of order, I don't ask for miracles. Just a small...bit of order. I don't have unrealistic expectations. Representative in case you're wondering I was asking the question, does this extend to Speaker Madigan's office?"

Currie: "Representative first let me clarify, because an earlier Speaker obviously misread the Bill. This Bill only applies to State government. The Governors Office, the Speaker's Office, the Minority Leader's Offices are exempt, but it applies to the rest of state government except of course for the Governors Office and for all policy making positions within the Governors control."

Ryder: "What is it that is so abhorrent about politics, that whether you're Republican or Democrat, or whatever, what is it that is so bad about that, that makes it, you want to eliminate it from state government?"

Currie: "Well as a taxpayer Representative, it seems to me important to know that my tax dollars in the State of Illinois are well and properly spent. I'm interested in getting quality for my taxpayer dollar. I'm not interested in seeing to it that some patronaged toady gets a job. I think that's what this Bill is about, assurance to the taxpayers, to the good people of the State of Illinois that non-policy making, state employees are hired on their merit, not on their partisan affiliation and not because of their political campaign contributions."

Ryder: "Representative, why is it that you're now willing to extend that same benefit of quality to the Speaker's staff?"

Currie: "And to the Governor's staff, Representative. I think there was an understanding when we drafted the Bill that the Supreme Court and the individual offices of some of these high ranking officials might be exempt, without doing

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a vast disservice to the basic principle in this Bill."

Ryder: "I guess I don't understand why it is that politics is good for somebody and not good for others. I guess what...perhaps you can tell me that?"

Currie: "Well...my suggestion is that unfortunately you might of offered an Amendment on Second Reading, to make sure that Minority Leader Daniel's Office is included in the provisions of this Bill."

Ryder: "I'm really more concerned about the Speaker's Office, but I think that if you...what might work for one might work for the other. You see what bothers me and perhaps you can address this. Is I get really kind of upset, when folks say that politics is in someway bad, that selecting a political party and supporting that political party is in someway...decreases your quality as a person and in someway reflects adversely on the job that you do. Because, you and I both know that's not the case. You're proud to be a Democrat and I'm proud to be a Republican and I think that in many ways, what it is that we do reflects that. So it seems to me that you're misguided in this sense and I'm trying to find in what direction you're headed. That's why I'm asking the question. Can you help me with that, please?"

Currie: "Sure. Sure. I would say that when we're talking about the bulk of state government, we're talking about 60,000 employees. The hand full of employees in Minority Leader, Daniels Office, in the Governor's Office. I think that's not the heart of the Bill, but the 60,000 on line people who work for the State of Illinois who work for the people of Illinois, are the heart of the Bill. Representative, this is not an anti-Republican Bill, it's not an anti-Democrat Bill, this doesn't suggest that there's anything wrong with being a member of a political party,

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being an active member of a political party. All this Bill is meant to insure for our taxpayers, that when there is a hire in state government, when there's a firing in state government, it is not based on partisan affiliation, the political consideration is not the heart of the policy maker's choice."

Ryder: "Representative, I think I'm starting to get the drift now. Perhaps you can tell me, does this apply to the City of Chicago as well?"

Currie: "This only applies to Illinois State Government. It's our taxpayers dollars that we, the General Assembly spend in running Illinois State Government. I think it's important for us to clean up our own House, to insure that the people...to the people who's dollars we collect and spend, that we're spending them in a fair and effective and responsible way."

Ryder: "Mr. Speaker to the Bill. I think that the Representative has adequately discussed what it is that, that is intended by this Bill and I won't address the fact that there are certain exclusions and it doesn't cover some places and it does cover the others. What does upset me, is that in someway politics, the very means by which we're elected to this office that which all of us hold I think near and dear. That somehow politics then becomes second class. That it's not a good thing, it's not something that is considered to be appropriate and therefore we either have to hide it or we don't talk about it. It's okay after hours, but politics is not worthy of discussion. That's not the State of Illinois, that's not the America that I know. Folks are proud to be part of those parties, that's why we're here, that's why we we're elected and it is very, very useful for helping in the government of the State of Illinois. I'm not embarrassed about it. I don't

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understand why the Representative might be. Politics is a good...force by good people to do good things. Thank you."

Speaker Young: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. Good politics is good government and that used to be the motto of the Mayor of Chicago years ago. In those days, before the 'Shacklin' decision, the mayor could take decisive action against people who weren't doing their jobs. That's no longer true. It's harder to get a bureaucrat out of Government now. This ought to be called a Bureaucrat's Incumbent Protection Bill. If you've ever gone to the Secretary of State's Office or the County Clerk's Office, or the County Recorder's Office and encountered a rude employee. In the old days when Charlie Carpentier was Secretary of State, if he came in his office and found someone that was rude or wasn't dressed nice, or was in a surly manner, he'd fire them. There was no recourse. If a person's elected to public office they ought to be able to put the people into office that have their own welfare at heart. If you're a Democrat or you're a Republican, you're working in the office of an opposite administration, you don't care if you reflect good will on the office holder. You could care less. I don't think there's anything wrong with patronage and one day the Democrats I'm sure are going to elect another Governor of Illinois, and when they do they'll be sorry that they helped pass this crazy Bill."

Speaker Young: "Further discussion? The Lady from Cook, Representative Currie to no...the Gentleman from Cook, Representative Ronan."

Ronan: "Yeah, will the Lady yield for a few questions?"

Speaker Young: "She indicates she will yield."

Ronan: "Representative Currie, this Bill states that there should

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not be political hiring when it deals with state employment. Do you know of any instances of political hiring going on in state government?"

Currie: "Representative, I've heard some horror stories to that effect, but perhaps you would have more chapter inverse on this one than I."

Ronan: "Representative Currie, you and I have been down here for the exact same length of time. I've never heard any stories about political hiring in state government. I assume the people got hired in state government are hired based on their merit, based on their ability and based on their desire to do a job. Do you have any instances of people being fired for political reasons in state government?"

Currie: "I have again heard stories about firing's that were deemed on the part of the firee to be politically motivated."

Ronan: "Well, you know what then Representative Currie, I don't think your doing your job. Because, if you know of abuses and firing in State Government, what you should do is go in the Federal Court and sue the State..."

Currie: "Some people have."

Ronan: "...to stop those abuses. I feel that that's the worse form of political activity, if someones fired for political reasons and I think people should be hired based on merit and I'm proud that I recommended a lot of people with merit to work in state government. So, that if you're not willing to do your job, I think where you should be is in Federal Court suing the state every time someone gets fired for political reasons. And if you do that I'll be glad to join you on any suit that wants to proceed forward. But, because there really isn't any proven need to this legislation, I urge my colleagues on this side of the aisle

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to vote 'no'."

Speaker Young: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker, Members of the House. Of course, I don't have standing to go into Federal Court to sue. But, any employee who is fired by the state or is not hired because of a political consideration would have a right to go to court and sue if this Bill were to pass. If we want to enable those individuals who are the victims of patronage hiring and firing horror stories to seek redress, the only way we insure them that opportunity is by passage of House Bill 1090. You know in the Soviet Union, it used to be true that you had to be a member of the Communist Party if you want to get ahead. I think it's important for us in the State of Illinois to insure our taxpayers and our job seekers that you don't need to be a member of the Republican Party or any political party if you want to get ahead. That's all that House Bill 1090 is about. It says that...that job seekers whether Republican, Democratic or Independent are equal opportunity employees and it prevents non-policy making state employees from being required to tow the mark in the precincts, tow the mark when it comes to a campaign check, tow the mark in terms of political activities that have nothing to do with the needs of the taxpayers of this state. I urge your 'aye' vote, if you're for good government, for open government, for a fair chance for all qualified people to work in this state government operation the only right vote is a 'yes' vote."

Speaker Young: "The Lady has moved for the passage of House Bill 1090, and the question is, 'Shall House Bill 1090 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 41 voting 'yes', 59

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voting 'no', Representative DeLeo. Yes. Change her to 'no'. Record Representative McAuliffe as voting 'no'. Representative Munizzi, how do you wish to be recorded on this vote? Vote Representative Munizzi, 'aye'. Representative Giorgi?"

Giorgi: "Just to explain my vote for half a minute. I think we ought to put in the record that the records ought to be kept on the competitive examinations for state employment for the last 14 years so that we can determine a pattern that only Republicans with A's on the eligibility list were hired and the Democrats weren't hired to begin with. And, those people that were hired that were Democrats ought to get double protection because they were discriminated against for all these years. I think that ought to go into the record and we ought to pick the record up when we take over again. So we can unravel this thing. There's a real low novel to be written about how you get hired for state government."

Speaker Young: "Representative Harris to explain his vote. Representative Harris votes 'no'. Representative Mautino, votes 'aye'. Representative Woolard votes 'aye'. Have all voted who wish? Representative Jesse White, votes 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this question there are 45 voting 'yes', 59 voting 'no', 11 voting 'present' and this Bill...this Bill fails. House Bill 1158, Representative Kirkland. Out of the record. House Bill 1164, Representative McAuliffe. Mr. Clerk, read the Bill. No, out of the record. House Bill 1207, Representative Ewing. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1207, a Bill for an Act to amend an Act concerning the State Capitol Projects Needs. Third Reading of the Bill."

Speaker Young: "Representative Ewing."

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Ewing: "Mr. Speaker, I'd like leave to take this back to Second for an Amendment."

Speaker Young: "The Gentleman asks leave to take this Bill back to Second Reading for purposes of Amendment. Does the Gentleman have leave? Leave is granted. Second Reading. Floor Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #2, is being offered by Representative Ewing."

Ewing: "I'd like to withdraw that Amendment."

Speaker Young: "Withdraw Amendment #2. Any further Amendments?"

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

Speaker Young: "Representative Ewing on Floor Amendment #3."

Ewing: "Yes, Mr. Speaker, Ladies and Gentleman of the House. Floor Amendment #1 may be a little controversial, but I certainly would like everybody to give this Amendment their earnest consideration. What this Amendment does is correct the Compensation Review Board procedure for setting salaries for Legislators and state wide officers in this state. We have a system now that allows increases in salary to become effective without ever having a vote in this General Assembly. Not long ago in the U.S. Congress, they ran into a buzz saw with the taxpayers and citizens of this state, when they tried to accomplish a very hefty pay raise under a similar setup. This Amendment I think, would take the best of the Compensation Review Board and save it. I think it would improve the Compensation Review Board procedure, because any recommendation by this non partisan board, for salary increases and I believe that we need those, would then have to be voted on within 30 days, in this General Assembly. The people back home may not always like pay increases for Legislators, but they'll have a lot more respect for us if we do it up front with a vote on the

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issue. For that reason Ladies and Gentleman, I think we have the opportunity here to improve our Compensation Review Board procedure and I would ask for a positive vote on this Amendment. Thank You."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #3 and on that question is there any discussion? The Gentleman from Cook, Representative Kulas."

Kulas: "Question of the Chair, Mr. Speaker. Is this Amendment germane?"

Speaker Young: "Representative Kulas, your point is well taken. The Amendment is not germane, the underlying Bill deals with an Act concerning the States Capitol Project Needs. The Amendment deals with the Compensation Review Board. Representative Ewing."

Ewing: "Yes, would you repeat your ruling, please? Why it's not germane."

Speaker Young: "It was not germane because the underlying Bill deals with the States Capitol Projects Needs and the Amendment deals with the Compensation Review Act."

Ewing: "Mr. Speaker...we are in the same Chapter and I really can't understand why you would say, except that you are fearful of allowing your people to vote on this important public issue. Is that the reason, Mr. Speaker?"

Speaker Young: "Mr. Ewing, the Amendment has been ruled not germane."

Ewing: "Yes, then I would rule...I would...yes. I make a Motion to overrule the Chair on that ruling. We'll need a Roll Call too please? This will be the Roll Call on the issue."

Speaker Young: "The Gentleman has moved to overrule the Chair and the question is...the question is, 'Shall the Chair be overruled?' Representative Tate, are you seeking recognition?"

Tate: "Yeah, I've had my light on for the last five minutes. I'd

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like to speak to the Motion, Mr. Speaker. I rise in support of the Gentleman's Motion, as he already indicated that this is an issue that overwhelmingly the people of Illinois have spoken on. We should have a right to vote on this, we've had discharge Motions, we've had Bills and we've had Amendments and this Speaker has refused to let the Members vote on it."

Speaker Young: "Representative Matijeich, excuse me Representative Tate. Representative Matijeich, for what purpose do you seek recognition?"

Matijeich: "I make a point of order, Mr. Speaker. He's out of order. The only thing he can do is appeal the ruling. He's not only out of order, he's out of sight. I don't think this looks good from up in the gallery but, Mr. Speaker the only thing he can do is appeal the ruling and get on with the business."

Speaker Young: "Does anyone else wish to speak? On the question, 'Shall the Chair be overruled?' This vote takes 60 votes to pass and the question is, 'Shall the Chair be overruled?' All those in favor vote 'aye', those opposed vote 'no'. The Gentleman from Fulton, Representative Homer to explain his vote."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. I want to make it clear that my vote, which is 'present' is one not based upon the merits. In fact I co-sponsored the Bill, that the Gentleman purports to put on his Amendment to his House Bill 270. I think it's a good Bill, I'm a Cosponsor...one of three Cosponsors of that Bill. My...my vote of 'present' is not in any way in opposition to his Bill, but rather to sustain the Chair's ruling. Just because were for Bills doesn't mean we can ignore the rulings of the Chair when they're made on the issues of germaneness, and particulary where one is made as clearly

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as this one has been...with regard to the underlying substance of the Bill. So I vote 'present', to sustain the Chair's ruling. I regret the Sponsor was unable to get his Bill out of committee, because I had looked forward to supporting that Bill."

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

McCracken: "Thank you Mr. Speaker, an explanation of my vote. Don't kid yourselves, this is going to be seen as a vote back home on the issue of the Compensation Review Board and a 'present' vote is going to be seen for what it is a cop out. Now, I acknowledge that we should be bound by our rules as we have passed them, but in case anyone hasn't noticed yet these rules are made to be avoided. Every rule can be overruled by a vote and if you want to have a vote on this issue, this is going to be your only opportunity. Vote 'yes' on this Motion and then we can address the Amendment, which is the Compensation Review Board. I think it's a cop out to say that this is something that has to be sustained merely because the Chair has made a ruling. In fact, the Bill of which this Amendment is taken from, was given a cursory hearing in the Elections Committee, was not passed and we all know how the Elections Committee is run. Nothing comes out of there unless it's by agreement. So there's already been a decision made by somebody somewhere not to allow this to come for a vote. If you want your voice to be heard, if you want the people back home to know that you are against the Compensation Review Board vote 'yes' on this Motion, vote 'yes' on the Amendment. To say that we have to sustain the ruling of the Chair merely because it's the Chair is a cop out and that's how it's going to be viewed back home. A 'present' vote back home is going to translate into a 'no' vote. I am in favor of

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the Compensation Review Board. I want to get my pay without having to take a public position on it. That's exactly how it's going to be sold back home and that's how your constituents are going to treat it."

Speaker Young: "The Gentleman from McClean, Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker, actually what I was going to raise a question before I was going to vote from the Parliamentarian or the Speaker as to whether or not in voting for this overruling...does the Amendment have to pertain to Sections within that Chapter, or if in fact, are you stating that the subject matter is not germane and if it's true do they both have to apply, or which ever one you want to select?"

Speaker Young: "Representative Ropp, you were recognized to explain your vote on the Motion to overrule the Chair's ruling, that the Amendment was not germane."

Ropp: "But you don't want to answer that question?"

Speaker Young: "Any further discussion?"

Ropp: "Well, its a bit just...a little bit difficult to vote on an issue Mr. Speaker, when in fact...just the words, it's not germane. I guess I was thinking that you either had to rule on one of the two or both...and assuming historically that it was either not pertaining to the subject matter or that it didn't apply to that Section. So, you're saying that either one can apply on whatever you want, okay."

Speaker Young: "The Gentleman from Bureau, Representative Mautino. Two minutes to explain his vote."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I think it's important for everyone to understand what the end result of a Motion to overrule the Chair, is in its purest form. If in fact, you overrule

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the decisions of the Chair, you are in effect saying, that the Majority Party has lost control of the House. That is the real world of overriding the Chair. There is no one on this side of the aisle that will take that posture that by overriding on this or any other question have we lost control of this House. My vote reflects that position and I would hope that many people would remember it."

Speaker Young: "The Gentleman from Livingston, Representative Ewing to explain his vote."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. This is a serious matter and I think the...my 'yes' vote here is put there for a reason, because all...the underlying Bill and this Amendment all deal with state finance. They all deal with cost to the taxpayer. That should be germane. We know it's in the same Chapter. If this was something that the Speaker wanted, or the majority, it would never be ruled ungermane. It's because you don't want to vote on this issue, that you made that ruling, Mr. Speaker. It's because the Parliamentarian had to pick up the phone and call into the back room to find out what the ruling was going to be. Mr. Speaker, this is germane. Nobody on the other side can get out of their vote by saying it isn't germane and I suggest that if you really want to serve your constituents and your taxpayers back home, you'll review this vote and we'll have 60 votes up there so we can have a vote on this issue."

Speaker Young: "Mr. Clerk, take the record. Representative Mulcahey to explain his vote."

Mulcahey: "Well, no, I just got...I got frightened all of a sudden over here...and I think a lot of guys are right on this, being a cop out so change my vote from 'present' to 'no'."

Speaker Young: "Vote Representative Mulcahey, 'no'. Mr. Clerk,

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take the record. On this question there are 51 voting 'yes', 7 voting 'no', 56 voting 'present' and the Motion fails. Representative Ewing, do you wish to leave this Bill on Second Reading, or proceed to Third? Third Reading. Do you wish immediate consideration? Representative Ewing, do you wish to have this Bill heard?"

Ewing: "Yes. Yes, I'll be glad to."

Speaker Young: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1207, a Bill for an Act concerning the State's Capital Project Needs. Third Reading of the Bill."

Speaker Young: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Thank you for hearing this Bill on Third, today. The Bill amends the Illinois Economic and Fiscal Commission Act and the Illinois Capitol Budget and Five Year Capital Improvement Program Act and it requires the Bureau of the Budget...to annually provide capital need assessments, to focus on the States Capital Needs over the next fiscal year and they present that to the Illinois Economic and Fiscal Commission and to the Members of the General Assembly. This is a matter which many of us have worked on over the years, trying to get a better handle on our capital needs in the immediate future and in a period down the road from where we stand today. I think the Bill is good government and I would ask for its approval."

Speaker Young: "The Gentleman moves for the passage of House Bill 1207 and on that question is there any discussion? Hearing none, Representative Ewing to close."

Ewing: "Mr. Speaker, I've explained the Bill, it would provide for capital assessments to be made and presented to the Illinois Economic and Fiscal Commission and to this Body and I would ask for a positive vote. Thank you."

Speaker Young: "The question is, 'Shall House Bill 1207 pass?'"

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All those in favor vote 'aye', those opposed vote 'no'.
Voting is now open. This is final passage. Have all voted
who wish? Mr. Clerk, take the record. On this question
there are 114 voting 'yes', none voting 'no'. This Bill
having received the required Constitutional Majority is
hereby declared passed. House Bill 1266, Representative
Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1266, a Bill for an Act to amend the
Civil Administrative Code. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you Mr. Speaker, Members of the House. House Bill
1266 is a recommendation of the Citizens Assembly on Women.
It would codify the existing practices in the small
business program within the Department of Commerce and
Community Affairs that rely upon special female and
minority business advocates. I'd be happy to answer your
questions and would appreciate your support."

Speaker Young: "The Lady has moved for the passage of House Bill
1266 and on that question is there any discussion? The
Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Question of the Sponsor?"

Speaker Young: "She indicates she will yield."

Harris: "Yes, Representative, you indicate that it will codify
what is already being done. So...does the Department of
Commerce and Community Affairs have a position on the
Bill?"

Currie: "In Committee Representative, the Department of Commerce
and Community Affairs was neutral on the Bill. On
precisely the grounds that they believe they are pretty
well doing what the intent of this Bill is about. Since
committee...the Department has approached me to say that
they are not happy about cuts in their budget made in the
Appropriations Committee. Many of those cuts of course may

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be restored and so now they are not neutral on the Bill, they oppose it."

Harris: "So they oppose the Bill there...were apparently some cuts made in, in their appropriations. The Division of Advocacy, which I understand is where these positions would fall. The Division of Advocacy comes under what, the small business bureau within the department?"

Currie: "I believe that's right."

Harris: "Do you know what happened to the...to the budget of DCCA, relating to small business bureau in the Appropriations Committee?"

Currie: "I believe there were some operation cuts in that budget Representative. I'm not a member of the Appropriation Committee that hears the Department of Commerce and Community Affairs Budget. So I'm not familiar with chapter and verse. I am aware as I'm sure you are, and as I would hope the people who run the Department are aware, that the appropriations process is far from finished and my expectation would be that many of those cuts will by the end of June end up restored."

Harris: "You mean the appropriations process is not over? Goodness I..."

Currie: "That's my understanding, Representative."

Harris: "It ain't over until it's over, right? Well, even though...to the Bill, Mr. Speaker. To the Bill Mr. Speaker."

Speaker Young: "Proceed."

Harris: "If I may, even though the appropriations process as the Lady correctly notes, is not over I think it is worthy to mention that the Department of Commerce and Community Affairs was cut significantly in the appropriations process, so far. There is no guarantee that any or all of those monies are going to be restored. One of the cuts,

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which was made came in the...in the area of the Small Business Assistance Office. There were significant dollars cut out of that office. The Division of Advocacy operates out of that office. In other words we want them to do more, but were not giving them any money as a matter of fact, we're even cutting back their money to do more. Well, Ladies and Gentlemen, I tell you that is illogical and even we, as Members of the General Assembly who many times do illogical things can recognize that very clearly. Additionally they are already doing what the Lady has sponsored in this Bill. Just because they're doing it doesn't mean that it has to be embedded put in Legislative Mandate. When we embedded it in Legislative Mandate, we remove any flexibility. Perhaps this time it could be helpful...other times it could be hurtful to remove flexibility. Two very solid reasons for voting 'no' on this Bill, and I think the correct vote is a 'no' vote."

Speaker Young: "Further discussion. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Thank you, Representative, in looking over the Bill, and the analysis therein; you know, you might have a good idea here, where did the idea originate, where did this come from?"

Currie: "It came because, of some of the work that's already going on through that Small Business Office in DCCA, and the point is to provide some additional help to Hispanic, African, American, women owned businesses in...information, in understanding what kinds of opportunities might be available for them."

Black: "I uh..."

Currie: "So the Citizens Council on Women as we looked at programs involving female owned and minority owned

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businesses were concerned about how we in state government, can make sure that those businesses, many of them starting from substantial disadvantages, may have an opportunity to participate in state and federal contracts."

Black: "Okay you mentioned the Citizens Council on Women. Is that a state wide organization? I'm...I apologize, but I'm just not familiar with it."

Currie: "...Well, sorry I didn't understand your question."

Black: "You mentioned the Citizens Council on Women."

Currie: "The Citizens Council on Women was created by act of this General Assembly, it's part of the Illinois Citizens Assemblies, the appointments are both private and public members and Legislators, the Minority Leader, the Speaker, the President of the Senate and the Minority Leader of the Senate each has an equal number of appointments to the various Citizens Councils."

Black: "Well, thank you very much Representative."

Currie: "So it's your organization Representative Black."

Black: "Well, that...I don't know if I would go so far as to say that, but you certainly enlightened me on the question. I guess one thing that comes to mind is that whether or not you... Is there some problem and perhaps Representative Harris was talking to this or asking questions about it? It's a little difficult to hear in here. I don't know whether we have a public address problem this session or not. I've never known it to be so difficult to hear in the chambers. I don't know whether it's a volume problem or what. But, anyway let me continue. Are you having some problem with them...that the MAFBEC program as it's currently set up? I know, when my constituents have a problem I found that Central Management Services to be somewhat helpful and now it seems like your headed in a different direction."

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Currie: "This is a separate program from the MAFBEC program, Representative. This is a program in the small business part of the Department of Commerce and Community Affairs. Women owned businesses are among the fastest growing small business activity in the State of Illinois and across the nation. This is not only about state contracts, but about federal contracts and to the extent that minority and female owned businesses, or small businesses, all this Bill is about is making sure that those businesses have some opportunity to find out what they need to find out in order to get ahead."

Black: "Representative, thank you very much. I, Mr. Speaker I... think...Representative Harris put this in the proper perspective and I'll not go over those things that we've already talked about. With your permission, Mr. Speaker, may I yield at this time to Representative Myron Olson?"

Speaker Young: "Representative Myron Olson."

Olson, M.: "Thank you very much Mr. Speaker, Ladies and Gentleman of the House. In behalf of John Hallock, and Zeke Giorgi, we are very happy to introduce Congress Woman Lynn Martin, from the 16th district, who's with us today, and a former Member of this House and Senate."

Speaker Young: "Representative Hallock, do you still seek recognition? Representative Hallock? Representative Hasara?"

Hasara: "Thank you Mr. Speaker. I rise in support of House Bill 1266, I along with a number of other women in this Body am a member of the Citizens Assembly on Women. I might remind the Members that this Assembly's a bipartisan group, it is chaired by Representative Currie and by Senator Virginia McDonald. The Members of this Assembly believe that this program, to help minority and female businesses has been very successful. I believe most of you were probably

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visited a couple of weeks ago by some women business owners who were in Springfield for a statewide meeting and they at that time expressed their thanks to the Department of Commerce and Community Affairs for all the help that many of them had received in starting their own businesses. Statistics show us that more and more women in particular, are going into business for themselves. Many women have no one really to follow, to act as a mentor and so that makes this program under DCCA even more important. I ask for your continued support of this program. Thank you."

Speaker Young: "The Gentleman from McClean, Representative Ropp."

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

Speaker Young: "She indicates she will yield."

Ropp: "Representative, under our current statute, we do encourage and insist that minorities and female business people are a part of any major contract. Isn't that correct now?"

Currie: "Yes, Representative. This is not about the MAFBEC program. This is about the Small Business Office within the Department of Commerce and Community Affairs, whose mission it is to help small businesses across the state with information, referral activities with educational programs and all this Bill does is codify what the Department has so far been about and that is providing special advocacy services to female owned businesses and to minority owned businesses."

Ropp: "So, you don't see this as any duplication of the existing statute that we have?"

Currie: "Absolutely not. This is more generic information than it is specific as to a particular contract. It is also about federal contracts, not only the state contracts that are a part of the MAFBEC program."

Ropp: "Thank you."

Speaker Young: "Further discussion. Representative Currie to

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close."

Currie: "Thank you Mr. Speaker and Members of the House. I think the issue is a quite straight forward one. Do we believe that the Department of Commerce and Community Affairs Small Business Program ought to continue providing a particular service to female and minority owned businesses? A program of advocacy that has been of enormous utility to these businesses just starting off and just starting off with many handicaps in their way. It's a straight forward question, a straight forward proposition brought to you by the bi-partisans Council on Women and I would appreciate your 'aye' votes."

Speaker Young: "The Lady has moved for the passage of House Bill 1266. The question is, 'Shall House Bill 1266 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. Mr. Clerk, take the record. On this question there are 82 voting 'yes', 32 voting 'no', 2 voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 1269, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1269, a Bill for an Act to amend an Act in relation to Domestic Relations and Domestic Violent Shelters. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you Mr. Speaker, Members of the House. This Bill corrects a technical problem that would if not corrected, prevent the Department of Public Aid from allocating to domestic violence service programs at the local level. Dollars that were left over in an escrow account that was created under the terms of increased license fees under the

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Marriage and Dissolution of...Marriage Act. If you remember the courts held the funding in that program and its purposes not consistent with our Constitution. The dollars were available to the people who paid them and the people who paid those dollars, have had an opportunity to collect them. Some dollars were left over and it is the hope of the Department of Public Aid to be able to spend those dollars on the Domestic Violence Program. But, this technical change is required in order for them to be able to make that work. I'd be happy to answer your questions, and would appreciate your support for House Bill 1269."

Speaker Young: "The Lady has moved for the passage of House Bill 1269. On that question is there any discussion? Hearing none, the question is, 'Shall House Bill 1269 pass?' All those in favor vote 'aye', those oppose vote 'no'. Voting is now 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 112 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1278, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1278, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Young: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1278 would provide that if a municipality proposes to annex land within a Forest Preserve District the municipality must provide a 15 day notice, just as it does with public library districts, fire protection districts and others. I remove the objectionable part of the Bill. The other part of the Bill would of provided that the municipality could not annex within 6 months if

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the Forest Preserve were acquiring the land. The West Suburban Mayors Conference and Municipal League objected to that portion of the Bill and said if it were a notice Bill, they would have no objection. That's what I bid, they were...no negative votes in committee...and I know of no objectors to the Bill in its present form. I appreciate your support."

Speaker Young: "The Gentleman has moved for the passage of House Bill 1278. On that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 1278 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 114 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1300, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1300, a Bill for an Act concerning Repair and Maintenance of Real Property. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This was a Bill that was suggested to me by a constituent in my district who...or owns a single family home and in order to repair the side of the house, to tuck point, to fix the roof, he would be required to have access to the neighbor property. The neighbor refuses to provide that access and this Bill provides a very difficult cumbersome procedure for the chap who would like to maintain his home. It provides that an owner of a single family residence may go and ask the court if important maintenance needs are...hampered by the unwillingness of a neighbor to offer

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an easement. The court could hold that the easement must be granted, but all costs and the conditions of that easement would be established by the court and any costs, any damage would be paid by the...a property owner seeking that kind of relief. I'd be happy to answer your questions and would appreciate your support."

Speaker Young: "The Lady has moved for the passage of House Bill 1300 and on that question, is there any discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Well thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Young: "She indicates she will yield."

Klemm: "Would this necessitate that the property owner who, doesn't wish to have these people trespass upon their property, forcing them into court and getting a lawyer and defending themselves. Is this an additional cost, to this innocent homeowner or property owner next door?"

Currie: "My hope Representative, is that this might discourage hostilities between neighbors. The court would surely not order an easement, except in a situation where it is a clearly justifiable activity."

Klemm: "Do you have in the City of Chicago a zero lot line set backs or what?"

Currie: "The particular problem in this particular section of my district is that when the buildings were first constructed, many were built right up to the lot line..."

Klemm: "So, if this person then has damage to their property, while the other is repairing their property, then we have to have another court case, by the person who was cautious about it in the first place. So, we have two court cases?"

Currie: "No...no...no and in fact the Bill provides that the court will set the conditions of entry and the person requesting court participation will be required to pick up

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all costs...suffered by the adjacent property owner."

Klemm: "So then, if we are in court requesting this work to be done...the costs for that homeowner who you wish to trespass on...that cost of coming to court and his council would be paid by the party that's requesting the court for that permission, right?"

Currie: "That's the way I read it."

Klemm: "Is that your intention though?"

Currie: "Yes."

Klemm: "Alright, thank you very much."

Speaker Young: "Further discussion? Hearing none, the Lady from Cook, Representative Currie to close."

Currie: "Thank you Mr. Speaker. I think it's a pretty straight forward Bill. I'd appreciate your 'aye' votes."

Speaker Young: "The question is, 'Shall House Bill 1300 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is now open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 106 voting 'yes', 8 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1338, Representative Hannig. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1338, a Bill for an Act in relation to the purchase of food by State Agencies. Third Reading of the Bill."

Hannig: "Yes, thank you Mr. Speaker, Members of the House. You know a couple of years ago I was sitting around breakfast, reading the newspaper and I was a little bit startled to read and find that the State of Illinois...the the prisons in the State of Illinois were actually serving pork that was produced in Yugoslavia to...to the imprisoned people in our State. Now for many of us in downstate Illinois as we

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go from town to town and the parades, and to the festivities in the summer, it's not uncommon to see signs around that say Pork Capital of the World, or Pork Capital of the County, or Pork Capitol of the State, in fact the Pork Producers in downstate Illinois are very important and critical part of our overall economy. And we're very proud of that and we would like to continue that and encourage that in downstate Illinois. So what this proposal says, is that no state agency may purchase agricultural or dairy products unless such items have been grown or raised within the United States. Now obviously there's an exception for those...those items that are not grown in the United States that...that we just don't have native to our country. But, for the most part what we're trying to say is that for those people in the Illinois prisons, that we would like as much as possible to give them a diet of American food. You know the American farmer is probably the most productive producer in the world. There is no other farmer in no other country, that can match him in production when the playing field is level and it's only in circumstances where foreign governments for whatever reason are giving their farmers some subsidies or unfair advantage that they can even come close to competing with our American farmer. But, we are very proud of the Pork Producers in Southern Illinois and Central Illinois...as well as all the native farmers in our state and I think that we need to make sure that they at least get a fair shake with the State of Illinois. So, this proposal would give them that fair shake and I would ask for your 'yes' vote."

Speaker Young: "The Gentleman has moved for the passage of House Bill 1338. And on that question, is there any discussion? The Gentleman from McClean, Representative Ropp."

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

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Speaker Young: "He indicates he will yield for a question."

Ropp: "Representative, in this Bill do you have any distinction as to... placing a high priority over quality or second over price in this purchase in any way, shape or form?"

Hannig: "Well Representative, the Bill basically said that...the products that we give...that we would purchase would be American products."

Ropp: "In other words, you really don't care about quality sometimes, or even price that we're...we'll take no matter what even though it may cost us a quarter of a million dollars more when in fact, we might be able to buy something a little...well let's say cheaper and just as good a quality as somewhere else. Or, even better quality."

Hannig: "Well Representative, I think the quality of American products especially agricultural products, are going to be as good as any that they can grow overseas. So I don't really think that the quality issue is going to be an issue at the most part that we have to deal with."

Ropp: "What about the situation where there may be times when products that we normally would grow were not growing in that season but they're...grown outside the country but we have become accustomed to having let say, grapes or coffee maybe or sugar or something but, it's just not in season for example."

Hannig: "Well, as you well know our country is basically a very long country as far as...and wide and as far as I can see when you look down in Texas and Florida if you ever been down there, for example, in the winter time. They're growing tomatoes and they're growing carrots and they're growing all kinds of agricultural products. So, for the most part and obviously the products that we grow here often, times which...we produce are stored products."

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Things we eat...like wheat and corn, and those items obviously are stored. So I don't think there'll be a major problem along those lines."

Ropp: "Okay, what you're saying now is that for...let's take coffee for example where you are forcing...us the State of Illinois to purchase coffee from Hawaii, which comes a lot farther from their land of production than we currently can purchase from Brazil at a much cheaper price. So, you're saying then that we would discontinue that purchase of coffee from Brazil and make that new market in Hawaii, Okay?"

Hannig: "Well Rep...yea...Representative, basically this would only apply to the Department of Corrections and those individuals that they have in their custody."

Ropp: "Well, I'm sure they drink coffee in prisons."

Hannig: "Well, the point I would make is that if we purchased Hawaiian coffee: number 1, if we would get into that market and buy a big order we could probably get as competitive rates as any but secondly, you know if it really is a problem, I'm not so sure that it really makes that much difference if the prisoners have coffee or not. If it's such a big financial problem to the State of Illinois, I think we can deal with it in that way. But, we give them a line item for purchases, and if they can purchase those products competitively I think that they should do that, but buy American."

Ropp: "I thought I heard you said buy it competitive. Is that what you said?"

Hannig: "Buy American."

Ropp: "Okay. Well, what we're trying to say is that what your about to do here is all good intentions and I'm strongly supportive of agricultured products because I do feel that we could produce the best in the world. But, what you are

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saying to countries around the world, that here is a barrier, that now when you go to Japan you will not be able to ultimately sell soybeans which is our biggest market. You will not be able to sell wheat or corn to some of these foreign countries because you are telling us to get out of the competitive trading business, trading is one of the things that really makes our country strong. And to begin to put these kinds of trade barriers on state agencies, is not the kind of message, that I think you want to send throughout the world. This process is...not that I'm opposed to buy America because I think we can compete anywhere around. But, when you set this message into statute law you are sending the wrong message around the world and you are trying to help the very group of people that you are now going to ultimately really harm. That's the American farmer. You're telling other people around the world that yes, we can only use our own products and we want you to buy ours, but since we can't buy any of your products, we still want you to buy American products. It just isn't going to work. This legislation is bad legislation, it's going to hurt the very people that you want to help. That's the American farmer and I urge you all to vote 'no' on this Bill."

Speaker Young: "Further discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Will the Gentleman yield?"

Speaker Young: "He indicates he will yield for a question."

Stephens: "Representative, is this a part of a package of Bills that you have introduced?"

Hannig: "It too is a package, this will be my last."

Stephens: "So the other one is the recycling Bill, is that right?"

Hannig: "Yeah, we passed that one earlier this morning you'll

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recall."

Stephens: "No, I'm confused about the language and the genesis of these Bills. You were having breakfast one morning several years ago, and you were reading the paper about excuse me...you were reading the paper about the prisons and the use of Yugoslavian...pork in the prisons of Illinois, is that correct?"

Hannig: "That's correct. I read that in the prison you're familiar with over in Hillsboro that that facility was using...was serving to the prisoners over there pork products that were imported from Yugoslavia."

Stephens: "And so out of your concern for those prisoners, you wanted them to have some good Illinois pork."

Hannig: "You might say that."

Stephens: "Okay, so we've established that. The...would there be any recycled food? Used in this Bill?"

Hannig: "I don't think so."

Stephens: "Okay, the...well we're interested in that. We want to make sure that we don't confuse these two pieces of legislation. Seriously Representative, I think that your intentions may sound good, but I think that in the long run as Representative Ropp indicated, you're going to be hurting some of the very people that you're trying to represent here. People who produce corn, beans, and those major export products of our agricultural area are going to be hurt in the long run. I understand your intentions, and I too think it's right that the prisons and other state facilities when they have an opportunity to do so, use Illinois products and I think they'll find them to be more competitive, they'll usually find them to be a higher quality, but what you're going to wind up doing is sending a message to the foreign markets not to buy Illinois products and I think that's a bad message to send. So I

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urge a 'no' vote."

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

Black: "Well thank you very much, Mr. Speaker. Will the Sponsor yield? Thank you. Representative are there any penalty factors in your Bill if...if the department accepted a bid in good faith from an Illinois individual and then later we found out that that Illinois farmer or that Illinois wholesaler had indeed bought the beef or the commodity in question from an out of state or out of country source? Do you have any penalty functions in the Bill that we could go after that individual?"

Hannig: "Representative, I'm not sure what the agency does now when they find that...for example someone doesn't meet the qual...the specifications that they've spelled out for example...with the contract. But, this doesn't have anything different or anything new. So whatever it would be...the procedures that they would follow when they find that there not compli...a vendor is not in compliance with the agreements and with the law would be whatever they would do in this ...would be what they would do in this case."

Black: "I guess, what I'm driving at...was the genesis of this Bill...from what you've said was not in fact the genesis of this Bill from an incident in which the department had indeed contracted with a downstate farmer and then they later found out that the farmer had bought the commodity in question from a source in Yugoslavia?"

Hannig: "I'm not sure who they contracted with, but that could be very well be true. The point of this Bill is if we told them that we wanted them to have them buy American products, then they in turn would make that known to those vendors who potentially would bid. So, that quite frankly

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if they would simply tell them that we want to buy American products. I think it would be fairly easy to comply with."

Black: "But, couldn't you see that perhaps the very farmer that contracted with may have sold a considerable dollars worth of his commodities, to an overseas market and in return may have purchased some beef from and I think you're on the right track and I think it's unfortunate that the beef came from Yugoslavia, but I guess I'm trying to see...can you focus on the dilemma that some of us may find ourselves in that we're trying to sell our products to the world just in fact opened a trade office in Moscow and I know that the agricultural economy desperately wants to sell as much as we can to Russia, Yugoslavia, Peoples Republic of China, you name it. And yet at the same time we're telling these sources that we expect to buy from us, that indeed we may not want to buy your products in return. I mean, I think you and I represent the same kind of a district and I wonder if we're not sending some kind of mixed signal."

Hannig: "I think if you would talk to farmers in your district, just like I do in mine...in all honesty I think we'd all be hard pressed to say that someone from Yugoslavia could raise and produce hogs and then bring them to this country and sell them than an American farmer who...is sitting there right next to the prison. And, naturally what we're trying to address the situation, which I think is very unfair of the people in Yugoslavia to put to put this situation on the American farmer to take competitive advantage of us. To take advantage of our good graces and allowing this product to come in. And, perhaps it's fine if they want to market it in the United States, but I really don't think that the State of Illinois ought to be buying these goods."

Black: "Well Representative, I...think you're very well

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intentioned and I think your Bill is certainly one that those of us downstate have to give considerable attention to. I guess the dilemma is that those hogs or the beef cattle from Yugoslavia may very well originally have come from Illinois. And that's a whole nother (sic-other) issue. But...it's a tough issue, I commend you for what you're trying to do...I hope that in the long run it helps the Illinois farmer, but I think a cautionary note might be advisable that in the long run it may very well hurt the Illinois farmer and I know that's not what you want to do."

Speaker Young: "Further discussion? The Gentleman from Lake, Representative Matijevec."

Matijevec: "I'm going to vote for the Bill, but I should rise on the point of...personal privilege. The reason being you know we got a new Member here today, a new Member and she's part Croatian. She's half Croatian and you guys are throwing this Yugoslavian name around here like it's a bad name. I remember Bob Terzich gave me this bumper sticker and I keep it with me, 'Happiness is being Croatian.' I don't want any of you to hurt her feelings. This is her first day, there's nothing wrong with being a Yugoslav and a Croatian."

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

Klemm: "Thank you Mr. Speaker. Will the Sponsor yield for a short question?"

Speaker Young: "He indicates he will yield for a question."

Klemm: "Representative Hannig, you've mentioned that you thought it was pretty poor of the Yugoslavians for having the audacity of selling their hams over here. I was wondering do you feel the same way about our farmer selling our corn to Yugoslavia to help feed those hogs, that raise them?"

Hannig: "Well Representative, I think that the American farmer is

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the most competitive person and business man in the world and I think that we can win those contracts fair and square and I'm not opposed to letting them compete fairly in our country, but obviously they are not doing that."

Klemm: "So yours is a price problem, and not because they come from Yugoslavia?"

Hannig: "Well...yeah I have nothing against Yugoslavia, in fact,..."

Klemm: "Yeah, well, I didn't think you did."

Hannig: "Representative Matijevich, knows that I have good number of Croatians in my district too. But all the Croatian farmers I'd like you to know, would support this proposal."

Klemm: "So if the Ameican hams were less expensive, then central management would of bought them and we would of been in a free competitive situation again. Right?"

Hannig: "I...you know what I think is happened in this situation is they've sent these products over here from foreign countries, with a tremendous subsidy and simply marketed them. Regardless of their cost, at a price a lot lower and unfair to the American farmer."

Klemm: "Alright, but you're not opposed to our exporting our products for their consumption would that be correct?"

Hannig: "Well, I think that no one in this chamber is opposed to American farmers marketing their product overseas. We all encourage that as much as possible. Obviously it's one of the few areas where we can still have a trade surplus. But even in that arena we find that many of the foreign countries that we have to deal with still treat us unfairly."

Klemm: "And you don't think there'd be a reciprocation, or a problem in two countries trying to have this open trade, having problems of our excluding them from us buying their products and they in turn doing that. because last year

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when I was in London I was watching some of their television and they had a debate on there by members of the Parliament and they were talking about the discussion in, not in Illinois, in...the United States about the tariff barriers that we were talking about in our Congress, against some of the products from the European market; and they in turn were advocating that if that were happening then they are prepared to introduce legislation that will prevent our products to come over there. It was kind of a tit for tat type of thing. Do you envision that to be in the problem at all?"

Hannig: "Well Representative, I think we all would like to see the day where there'd be no trade barriers anywhere in the world, for any American product going out or any foreign products coming in. That we could compete without subsidies to the farmers or other people, that we could compete fairly and that it would truly be a free trade and a free market situation. But we're nowhere near that situation unfortunately, and I think this instance shows very clearly that foreign countries are taking advantage of us and we're simply trying to protect our assets and our business people here in Illinois, and in our country. And if we ever reach that point, I would be the first to say let's tear down any barriers we may have erected here in Illinois. So as not to interfere with that kind of situation."

Klemm: "Alright, thank you very much for your interest."

Speaker Young: "Further discussion? Hearing none, Representative Hannig to close."

Hannig: "Yes thank you, Mr. Speaker and Members of the House. Basically we're...we...I believe all agreed that the American farmer and particularly in this specific case that I'm talking about the Pork Producers of our country, are

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very effective and very efficient producer of goods in this country. and in fact, if all things were fair, and in fact if there were open markets, and in fact if there were no foreign subsidies, and if there were no...sweetheart deals by foreign countries we could see American farmers compete without some kind of protection without some kind of subsidy themselves. But, unfortunately in this day and age and in this real world situation that is simply not always the case. As I said, I would certainly be the first to come here and say let's tear down all the trade barriers, let's tear down any subsidies to American and Illinois producers that are on our books, if indeed there was a situation where we could say we're going to do that because now we're all going to compete fairly and evenly in a world market. But, that's not the case, we've seen abuses by foreign countries, bringing their products in here that are subsidized. Where they provided their farmers who were very inefficient in many cases with unfair subsidies and then try to market those products at...less than fair market value and undercut our producers in our country. This Bill would simply say that the Department of Corrections would be required to buy American agricultural products so that our...our citizens and our producers could be protected, and that we would insure that prisoners in our jails received an all American diet. I think it's a good proposal and I'd ask for your 'yes' vote."

Speaker Young: "The question is, 'Shall House Bill 1338 pass?' All those in favor vote 'aye', those opposed vote 'no', voting is open. This is final passage. Representative Ryder, to explain his vote."

Ryder: "Thank you Mr. Speaker. I reluctantly oppose this Bill. The Sponsor's very well intentioned, he has the best interest of...American and Illinois farmers at heart

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however, I don't think that we help Illinois farmers, especially pork farmers by indicating that we have to buy from them. Only in an open competitive system will it be best in fact as the Representative knows that the World Pork Expo will be in Springfield this coming month, next month, when folks from around the nation will come here to learn how we grow and market pork. I'm reluctantly oppose it, but not because of the intentions of the Sponsor."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 43 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1428, Representative Stern. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1428, a Bill for an Act concerning state sponsored commercials. Third Reading of the Bill."

Speaker Young: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. House Bill 1428, started out as much more controversial than it finally became. It at first aroused the anxiety of the broadcast media, but it is now been modified through an agreement with DCCA, who sat down with me and we together prepared an Amendment which says, quite simply, that no advertisement payed for at whole or in part with State Funds which depicts any office holder or declared candidate or which names any office holder or declared candidate at the state level, shall be broadcast or printed in any communications medium during the 60 days prior to either the Primary or the general election. It does not cut off commercials for the State of Illinois. It simply restricts them to a subject matter that is more appropriate than candidates for State wide office. I hope you'll join me in an 'aye' vote on this legislation."

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Speaker Young: "The Lady moves for the passage of House Bill 1428, and on that is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Stern: "You bet."

Black: "Thank you. Representative, a very intriguing Bill. What's the genesis? Has this happened?"

Stern: "When I ran for Lieutenant Governor in 1982, before you were born Mr. Black."

Black: "You're very kind, thank you."

Stern: "When there was considerable concern about some of the commercials for the State of Illinois and the Highway System of the Tourism which depicted the Governor...in way or another...inferred the presence of the Governor in the commercial and this disturbed us and this really is however a non-partisan Bill as it is now quite clearly. Any candidate or office holder...simply cannot be listed or depicted."

Black: "Well, in other words it...doesn't as I read your Bill as Amended it wouldn't prevent a promotional, you know like visit the Steamboat Festival and whatever, courtesy of Department of Commerce and Community Affairs, it wouldn't stop that."

Stern: "That's right."

Black: "But if it said Governor Walker invites you to visit the Steamboat Festival."

Stern: "Or that's right, or if it depicts Governor Walker strolling through last years Steamboat Festival, or swimming through last year Steamboat Festival."

Black: "A-ha...A-ha...does your Bill address legislative news letters?"

Stern: "No. No."

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Black: "What if...the time limit is 60 days preceding the Primary or the General."

Stern: "Right."

Black: "But it doesn't...it doesn't...have anything to do with legislative news letters or direct mail touting the accomplishments of any of...us."

Stern: "No, it does not. It deals with the Constitutional Offices, or that is its intent. Yeah...Yeah...in the Executive Branch Constitutional officer elected State wide, or a person who was declared himself a candidate for such office."

Black: "But, for...the record then no one that you're aware of has done this but, your intent is to make certain that no one will do it."

Stern: "No I can't...I am aware of situations where this has been done, and this is to prevent its happening. I am sure it was an inadvertence."

Black: "Ah...well, thank you very much, Representative."

Stern: "You bet."

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

Countryman: "Thank you Mr. Speaker. Will the Lady yield?"

Stern: "You bet."

Countryman: "Representative Stern, now who is...who's vested with making the decision that this doesn't comply with the law? Is it with the agency placing the ad, or was it with the media accepting the ad?"

Stern: "No, the agency that is placing the ad..."

Countryman: "...then I was contacted by some of my local media who were concerned that generally their small radio stations and if ads of this nature came out they didn't really edit them or review them or anything of that nature, and they didn't really want the burden of having to

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determine what the laws were and whether or not these ads were in compliance. And what you're telling me is they wouldn't have that burden."

Stern: "This would not be their responsibility. This would become the responsibility of the department that places the ad."

Countryman: "So the state agency that places the ad would be told, 'you have no monies to place that ad during that period'?"

Stern: "Right. Right."

Countryman: "If they violate that, what's the penalty?"

Stern: "We will shun them."

Countryman: "Thank you."

Speaker Young: "The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, will the Sponsor yield for a question?"

Speaker Young: "She indicates she will yield."

Deuchler: "Thank you. Yes, I was contacted Representative Stern, additionally to what Representative Countryman said by many of these small radio stations. And they were very concerned about this Bill and in fact were very opposed. Are you hearing from them still or has your Amendment removed their objections?"

Stern: "No, the Amendment has removed the objections is my understanding because in the original format it would have prohibited broadcast only. It had nothing to do with print. It also seemed to be pointed toward broadcast media only. The Amendment which as I told you DCCA helped me put together, I think has taken care of these concerns."

Deuchler: "Thank you."

Speaker Young: "Further discussion? The Lady from Lake, Representative Stern to close."

Stern: "I think this is a bi-partisan, good government Bill, that we can all support. I don't think it impacts on any

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individual or party any more than any other and I urge your 'aye' vote. Thank you."

Speaker Young: "The question is, 'Shall House Bill 1428 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is now 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 110 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 1429, Representative Stern. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1429, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Young: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, this is a Bill which permits retired Park District Commissioners to receive instead of any emoluments, they receive no reimbursement during the years that they serve as Park District Commissioners by law. But when they retire this permits park districts to allow them use of the golf course and the park facilities for life. Doesn't require them to do so, it simply gives them that option to do something nice for those who have served hard and long in service of the local community."

Speaker Young: "The Lady has moved for the passage of House Bill 1429 and on that question is there any discussion? Hearing none, the question is...the Gentleman from Vermilion, Representative Black."

Black: "Well, thank you very much Mr. Speaker. Golf courses...that caught my ear. I apologize for the lateness in pushing the speak button, but golf...what are greens fees at the course in question? Are they very expensive?"

Stern: "At any course, I don't know. I honestly...I don't play

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golf."

Black: "Well does this...does this apply...surely there's no reciprocity in your Bill if...if a Northbrook Park District member gets this...gift upon his or her retirement he couldn't come down to my district and play at one of my courses for free?"

Stern: "That is not the intention, Mr. Black."

Black: "Well, I wanted to establish intent because we need all the greens fees that we can get because we'd like to plant some grass seed next year. And I just wanted to make sure there's no reciprocity whatsoever."

Stern: "No, this deals only with the park district in which this individual served."

Black: "Well...I see. Greens fees and maybe cart rental would that be part of the emolument too?"

Stern: "I think it's just use of the golf course Sir, or the tennis courts or the swimming pool."

Black: "Okay, thank you very much. Tennis courts too?"

Stern: "Oh, I'm sorry."

Black: "I may have to come talk to you about moving up into your district. Thank you."

Speaker Young: "Further discussion? The Lady from Lake, Representative Stern to close."

Stern: "It is a very simple Bill that rewards at no expense, those who work hard for local governments and I hope you will vote 'aye'."

Speaker Young: "The question is, 'Shall House Bill 1429 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 83 voting 'yes', 22 voting 'no' and 6 voting 'present'. This Bill having received the required Constitutional Majority, is hereby

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declared passed. House Bill 1434, Representative Edley.
Out of the record. House Bill 1542, Representative Currie.
Out of the record. House Bill 1553, Representative Wojcik.
Representative Wojcik, on House Bill 1553. Mr. Clerk, read
the Bill."

Clerk O'Brien: "House Bill 1553, a Bill for an Act to amend
Sections of the Alcohol...Illinois Alcoholism and other
Drug Dependency Act. Third Reading of the Bill."

Speaker Young: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. What House
Bill 1553 does, it amends the Alcoholism and other Drug
Dependency Act and updates the references to other
professional regulation Acts. What it provides for is that
in the event a doctor has a family coming in who needs to
have some form of treatment or to be confided in talked to
regarding alcoholism or drug abuse, the doctor in question
would not have to have a advisory board and would be able
to treat the patient in such manner. This has been brought
to my attention because private practice professionals who
offer outpatient only drug and alcohol services, would not
be required to have this advisory board and because they
are a small type operation it would be a difficult project.
So I ask for its favorable passage."

Speaker Young: "The Lady has moved for passage of House Bill
1553. On that question, is there any discussion? Hearing
none, the question is, 'Shall House Bill 1553 pass?' All
those in favor vote 'aye', those opposed vote 'no'. Voting
is open. This is final passage. Have all voted who wish?
Mr. Clerk, take the record. On this question, there are
114 voting 'yes', none voting 'no' and none voting
'present'. This Bill having received the required
Constitutional Majority is hereby declared passed. House
Bill 1579, Representative Giglio. Mr. Clerk, read the

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Bill."

Clerk O'Brien: "House Bill 1579, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Young: "Representative Giglio."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1579 is a Bill that was brought to my attention by the Illinois Bus Conference Association and what it does it allows the buses who, like Greyhound, Illinois Swallow and other large bus companies to buy buses that they have...like they have in the City of Chicago with the accordion in between. And actually the basis of it...it would allow ten more passengers in the bus and it would allow these buses to go from city to city. It came out of committee about 15 to 1 and there was some concern about some safety, but it was brought out by the lobbyist for the Illinois Bus Association that in no way would these people even consider buying or using these buses if it wasn't totally safe in their estimation. So I would ask for your favorable support."

Speaker Young: "The Gentleman has moved for the passage of House Bill 1579. And on that question, is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Young: "Indicates he will yield for a question."

Black: "Representative, you had mentioned safety and let's if you could expand on that just a little bit. Most...most motor vehicles that are involved in the transport of people or goods etc., out on the open highway, interstates, etc., are generally certified either by DOT or some agency, I can't keep track of all those things. These articulated buses, I've only seen them in Chicago, I'm not familiar with them operating anywhere downstate, they might well be, but not

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in my area, are they in fact or have they in fact, been tested on the open road use at 55 plus miles an hour to your knowledge?"

Giglio: "No, in answer to your question, Representative, no I really can't answer that. The only way I can answer that is the ones that are being used in the City of Chicago and I'm sure the lobbyist for the Bus Association made emphatically clear that in no way would these people like Greyhound and other large bus companies even consider putting passengers in a vehicle if it wasn't in their estimation it didn't feel a hundred percent safe and sure."

Black: "Well, I would certainly think and hope that that's the case. I guess one of the things that...again I would hope that you can enlighten me on is if these are the buses of the future and they are indeed safe, is it just an oversight in the Vehicle Code as to why they aren't legal currently on Illinois Highways? Is it just something that didn't exist a few years ago so we didn't address that or what?"

Giglio: "No, I think right now it's just a new idea and the bottom line is I think in order to meet the requirements now that exist in the Illinois Vehicle Code, they probably figured a way that they truthfully could expand the amount of passengers on a bus by ten."

Black: "Thank you very much Representative."

Speaker Young: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you Mr. Speaker. Will the Gentleman yield?"

Speaker Young: "He indicates he will yield for a question."

Countryman: "Representative Giglio, would this add weight to the buses?"

Giglio: "I'm sorry I didn't hear the question."

Countryman: "Would these buses weigh more than the current buses

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per axle or would..."

Giglio: "Well, I would imagine that they probably would, but I'm sure they'd be...they'd be in...they'd have to live up to whatever the Motor Code provisions are. The only thing I can say...like I say, is the only ones that are being used now are the ones that you see running around in the City of Chicago."

Countryman: "Alright, but what would your Bill allow them to do? Would it allow them in any city or just between cities?"

Giglio: "Well, they would...they would go...they would be able to be used on the highways outside the municipality of the City of Chicago and it would allow them the privilege of going from city to city."

Countryman: "Would the current municipal type plate on it, is that what..."

Giglio: "Oh, that...truthfully I don't know about that Representative. I'm sure if whatever...whatever the law says these people would have to live up to it."

Countryman: "Well, in my town they run some buses and the cities complain that these buses create too much weight on the streets for the way the streets were built. And that's why we share some concern over how much these weigh on an axle basis and also I guess I'd have concerns in the way in which they turn. I mean they need fairly wide radius to turn, don't they?"

Giglio: "Well, like I say, the only thing...the only way I can answer that is I'm sure whatever the law is now or whatever DOT wants to change within the Motor Vehicle Code they'd have to adhere to."

Countryman: "So this is...this is the blessing of DOT, is that right?"

Giglio: "Well DOT...there was no witness slips and DOT never testified, but I'm sure..."

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Countryman: "So they didn't oppose it?"

Giglio: "No."

Countryman: "Okay, thank you."

Speaker Young: "Further discussion? Hearing none, the Gentleman from Cook, Representative Giglio to close."

Giglio: "Well, thank you, Mr. Speaker. I would just ask for your favorable support and say that if these buses did not conform to the Vehicle Code I'm sure the Department of Transportation would not allow them. I'd ask for your favorable support."

Speaker Young: "The question is, 'Shall House Bill 1579 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 110 voting 'yes', 1 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1623. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1623, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you Mr. Speaker and Members of the House. This Bill deals with thrift stores operated by the Salvation Army. Under present Illinois law even though all the proceeds, all the income derived from those thrift shops goes to help the needy, goes to help the poor, goes for charitable and beneficent purposes, it is impossible for the Department of Revenue so to hold. So, this Bill is intended just to make sure that the thrift store operations, because they operate separately from the other institutional purposes of the Salvation Army will continue to enjoy the tax exempt status that...that charitable and

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beneficent purpose activities should enjoy. So I'd be happy to answer your questions and would appreciate your support for the Bill."

Speaker Young: "The Lady has moved for the passage of House Bill 1623. And on that question, is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Young: "Indicates she will yield for a question."

Black: "Thank you. Representative, the genesis of this Bill, is the Salvation Army now or have they been in the past, subjected to taxation under the various revenue articles?"

Currie: "Apparently they have requested a an administrative ruling from the Department of Revenue that would define their thrift store operation as part of their general charitable activity. The Department of Revenue I think properly, looking at the statute said they could not grant that exemption and it has primarily to do with the fact that the stores operate in locations different from the charitable purposes of the Salvation Army. That is since the stores are not the places where the free meals or the free shelter are offered, that was the basis for the departments ruling and all this Bill does is to clarify that because all of the proceeds of the thrift store operation are used in the charitable operations of the Salvation Army, the exemption should apply to the stores as well as to the facilities wherein the other activities happen."

Black: "Thank you and your Bill then and your intent is to be quite specific as to the organization we know as the Salvation Army and the thrift stores that they operate. Is that correct?"

Currie: "Representative, it does not list the Salvation Army by

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name. You may be aware that some other thrift operations St. Vincent DePaul Society, for example, had been able to sustain their tax exempt status and I would assume if there are other operations that fall into the particular trap the Salvation Army falls into, then they would be covered by this language as well. But, I am aware of no other."

Black: "One other question you might wish to address because I...think I see something here that might come back in another Session, assuming that this Bill will pass and I certainly have no idea that it won't, but, why then perhaps wouldn't organizations that have tried to become exempt from property taxation via a Constitutional Amendment such as, the American Legion for example. If this Bill passes and I assume that it will, what will your response be then to other charitable or religious or civic organizations who come in and want the same kind of treatment? Some of those have even tried to do so by Constitutional Amendment and have not been successful."

Currie: "Representative, I think you're thinking of patriotic organizations which are not presently exempt under the Property Tax Statutes. The...and that's a Constitutional issue, that's why they move to the Constitution. I don't think there's any Constitutional issue in this Bill. The problem is that the present language in the statute seem to suggest to the Department of Revenue and I think quite properly that we had not provided them the authority to include these thrift operations in the tax exempt status of the Salvation Army."

Black: "Well...thank you very much, Representative. I appreciate your courtesy."

Speaker Young: "The Lady from Lake, Representative Frederick. Representative Giglio, in the Chair."

Frederick: "Yes, thank you Mr. Speaker, Ladies and Gentlemen of

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the House. I simply rise to support House Bill 1623. This Bill passed 14 to nothing out of committee. It's a remedy that we should have provided several years ago and I move for its passage. Thank you."

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

Currie: "Thank you Mr. Speaker. I think Representative Frederick did a wonderful close in my behalf. I urge your support of the Bill."

Speaker Giglio: "The question is, 'Shall House Bill 1623 pass?' All those in favor vote 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no', 2 voting 'present' and House Bill 1623 having the required Constitutional Majority, is hereby declared passed. Representative Mays, 1745. Is Representative Mays in the chamber? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1745, a Bill for an Act creating the Office of Inspector General. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much Mr. Chairman...Mr. Speaker, Ladies and Gentlemen of the chamber. House Bill 1745 does provide for the appoint of an Inspector General with joint powers by the Governor, Attorney General and Auditor General. Purpose of the thing would be to help...waste and prevent fraud and abuse in the expenditure of public funds. I would move for its passage."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify... excuse me, the Gentleman from Cook, Representative Bowman."

Bowman: "Will the Gentleman yield for a couple of questions?"

Speaker Giglio: "He indicates he will."

Bowman: "What would be the nature of the powers of this officer?"

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Mays: "In Section 4 of the Bill spells out the powers that the Inspector General may have. He may supervise or conduct audits and investigations. He may recommend and assist in the implementation of policies to prevent, detect or expose fraud, waste and abuse. He may inspect all records, reports, audits, reviews and other papers of Governmental bodies involved in the expenditure of public funds and finally he may issue subpoenas for testimony for the production of any document relating to the Inspector Generals purpose under the Act."

Bowman: "And what is the origin of the Bill?"

Mays: "I just...this is my Bill, frankly. I just thought that having a Office of Inspector General to do full time help and assist the appropriations process, frankly of the Legislature which does it in part time. Looking over the expenditure of Government funds, I thought it would be a good idea and that's why I advanced this Bill."

Bowman: "Because there is a special committee that this House established that has the Bill on the Calendar that will be recommending the creation of the Office of Inspector General primarily for other purposes dealing with abuse and neglect of patients in state facilities. And I was just wondering what the origin of this Bill was to make sure we weren't cross purposes."

Mays: "It's just mine, Representative."

Speaker Giglio: "The Gentleman from Cook, Representative Leverenz."

Leverenz: "Thank you Mr. Speaker. I think the Chairman of the Appropriations II Committee may have hit the nail right on the head why we should have this Bill passed at this time. I think it is a good idea. I commend the Sponsor of the Bill and hope it would receive a unanimous vote."

Speaker Giglio: "The Gentleman from Adams, Representative Mays to

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close."

Mays: "Well, thank you very much, Mr. Speaker. I just appreciate bi-partisan support on this fine measure."

Speaker Giglio: "The question is, 'Shall House Bill 1745 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes'...105 voting 'yes', 1 voting 'no', 2 voting 'present' and House Bill 1745 having received the required Constitutional Majority, is hereby declared passed. Representative Pullen, 1866. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1866, a Bill for an act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1866 simply provides that the Department of Public Health charge a fee reflecting the cost for each HIV test performed by a state lab at the request of a private physician. In looking at...the spending of the Department of Public Health with respect to HIV, I learned that the department is providing HIV tests in the state lab at the request of private physicians without charging them a fee. This is not a tremendously common practice. It's about 12 to 15 a month, but it is a service that the state is providing for no particular reason that I can determine and it has to do with private physicians diagnosing their patients and that is a service for which the state should not be paying through the Department of Public Health. The department supports the Bill and I would ask for your favorable consideration."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Levin."

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Levin: "Mr. Speaker, Ladies and Gentlemen of the House, I don't understand this Bill. I don't understand this Bill at all. I thought our objective was to get people to want to be voluntarily tested so they can find out whether or not they've tested positive, so they can find out if they have this dread disease. So they can take steps to change their behavior by finding out. Yet, here we have a proposal that is going to make it more difficult to be tested. It's going to make it more difficult for the individual who wants to get an AIDS test, who wants to find out, to be able to do that. I can't understand this and since I can't understand the motivation for this, I'm going to vote against it."

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House, I hadn't realized that the Department of Public Health was doing these tests at no charge. But, having read the Federal AIDS Commission Report which Representative Pullen was a part of, throughout it says that we are to encourage voluntary testing. That this is one of the reasons that I am going to be pressing my repeal of the AIDS Test Bill; is because, it is frightening people away from getting tested. I think it's terrific if the Department of Public Health is in fact doing these tests at no charge. I think it is a terrific investment in the public health of this state and I am really kind of surprised at the content of this legislation. I hope we'll vote 'no'."

Speaker Giglio: "Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "She indicates she will."

Weaver: "Representative, I think if what I'm hearing from the previous speakers, there may be some question over what the

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intent of the Bill is. As I perceive it and correct me if I'm wrong, what you're trying to correct with this Bill is the inconsistency of certain physicians being charged and certain other physicians not being charged for the tests. Is that correct?"

Pullen: "What I'm trying to correct is concept of the state providing a free of service...free of charge service to private physicians for their patients in their private practice of medicine, which has nothing to do with the states public health program in attempting to curb the HIV epidemic."

Weaver: "Under the current practice, is this free service available to all physicians in the state?"

Pullen: "I am told that they are not charging physicians for this service. But I don't think very many physicians are in on the information that this is available and I'm afraid that if they get in on it we're going to be costing a tremendous strain on the treasury for what is a physician ordered private practice diagnostic procedure rather than a public health provided service."

Weaver: "I understand. Mr. Speaker to the Bill. I think what the Sponsor's attempting to do is to either make it fair for all or fair for no one. I think if the state is in the business of providing a free HIV test results for some physicians it ought to do it for all of them or do it for none of them. I don't think the state is in a position to afford to pay for free HIV tests for the entire contingent of physicians throughout the state. I think this is a good Bill. It's a good cost conscious Bill for the state and it's a good health proponent Bill. I think it ought to be passed."

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

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Pullen: "Thank you Mr. Speaker. I think that the issue has been amply explained and I seek your support for House Bill 1866."

Speaker Giglio: "The question is, 'Shall House Bill 1866 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 voting 'yes', 22 voting 'no' and 9 voting 'present' and House Bill 1866 having received the required Constitutional Majority is hereby declared passed. Representative Pullen on 1868. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1868, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. In watching an epidemic and trying to determine what populations a communicable disease virus might be going through. It's quite important that epidemiological information be gathered that is a little more precise than age and gender and race. But that's about all we get right now from the Department of Public Health in trying to monitor the HIV epidemic. House Bill 1868 would require the department to publish a monthly report made available to the public presenting statistics as to the incidence of the latter stage of HIV infection, commonly called AIDS, as well as of the entire population of people who are carrying the AIDS virus. Broken down in categories which can more readily provide people with information as to whether or not they might be at risk. Such as prisoners, mothers of newborns, drug treatment center clients, tuberculosis clinic clients, blood donors, marriage license applicants, persons convicted of sex and drug offenses, private

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physician patients. I believe that this Bill will provide the department the emphasis to collect the information in a more systematic fashion that will enable them and other epidemiological agents to monitor this epidemic more effectively. And perhaps more importantly will provide persons in the public a better opportunity to assess their own risks than is provided currently by the very general demographic categories that the department uses. And I urge favorable consideration of House Bill 1868. Thank you."

Speaker Giglio: "Is there any discussion? The Gentleman from Cook, Representative Levin."

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

Speaker Giglio: "She indicates she will."

Levin: "Representative...what is the cost of collecting this information?"

Pullen: "The department claims that the cost associated with preparing this report is \$39,780.00."

Levin: "That's enough money to hire two or...a couple of teachers."

Pullen: "In some districts, probably not in Chicago."

Levin: "Well then, I think there's a study that just came out that shows that Chicago teachers are paid a lot less than teachers in other major urban cities around the country and in the suburbs. Representative, I understand where the data would come from in terms of one of your categories here, a marriage license applicants because that is reported and we know that I believe there were 24 positive tests in marriage testing last year."

Pullen: "That is not correct."

Levin: "Okay, what is the figure?"

Pullen: "The last figure I have been told is 28."

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Levin: "Okay, 28 out of 160,000 a year. But..."

Pullen: "That's your Bill you're debating, not this one please."

Levin: "But, I understand that there is a figure available...that would be available to the department to collect in terms of marriage tests. My question is, where would the data come from for some of these other categories like prisoners? Is there a requirement now to test prisoners?"

Pullen: "Unfortunately there is not and consequently this would not be reporting the number of prisoners as a percentage of the whole, but would only be reporting the number of prisoners who have in fact been found HIV infected."

Levin: "Likewise, I don't believe there's a requirement for testing of family planning clinic clients at the present time. Where would the data come from for that?"

Pullen: "Well, Sir this Bill does not set forth requirements for testing. What this Bill invisions is the department doing a more comprehensive job of determining proper population breakdowns of people who are reported of infections that are reported to them. Currently, the department does have a reporting system with a form that is not adequate to produce useful information and that form can very simply be changed to put these categories on it so that whoever is making the report, be it a physician or a lab can check off one of the categories."

Levin: "One of your other categories is the Armed Forces Reserves. Does the Department of the Army and the Navy support this legislation or what's their position in connection with collection of data in terms of reserves?"

Pullen: "I didn't seek their comment on this. That is a Federal Agency, this is a State Bill. But I can tell you that the Pentagon has told state health authorities that this information is available to them if they want it."

Levin: "Okay, to the Bill Mr. Speaker. It's very hard to argue

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with the collection of data, but there are many of these Bills floating around to collect AIDS data for this and to collect AIDS data for that. If we could be assured that it would all be combined into one proposal, maybe we could save the state a little bit of money. But if what we're doing is we're opening the door to the testing, the mandatory testing of these various groups maybe we ought to take a second look. We have had legislation several times before this Body to require the mandatory testing of prisoners. The Department of Corrections has strongly opposed that legislation because they believe that the mandatory testing of prisoners would be disruptive to their ability to maintain order in the prison system. If what this is doing is opening the door to that and to other types of mandatory testing that we don't have now...I would urge a 'no' vote."

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

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. It is hard to argue with the collection of data and therefore I would urge the people in this House to vote for this Bill so that we can collect some meaningful data. If this Bill were a Mandatory Testing Bill it would say so right up front. I have absolutely no bashfulness about sponsoring such a Bill, but this is not one of those Bills. This is a very simple Bill, it's to provide useful information to the public health officials and more importantly the public of Illinois. I urge an 'aye' vote. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 1868 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative

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Didrickson. Have all voted who wish? Mr. Clerk, take the record. On this question, there are...have all voted? On this question, there are 93 voting 'yes', 9 voting 'no' and 8 voting 'present'. House Bill 1868 having received the required Constitutional...record Representative Williams as voting 'present'. There are 92 'yes', 9 'no' and 9 'present' and House Bill 1868 having received the required Constitutional Majority is hereby declared passed. Representative Pullen on 1873. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1873, a Bill for an Act to amend the Illinois Alcoholism and other Drug Dependency Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. As I think most people in this chamber are aware, one of the high risk activities involved in the HIV epidemic is abuse of intravenous drugs and yet in this state we still do not have a comprehensive program for determining which intravenous drug abusers are infected with the HIV virus so that those people can access proper medical treatment and so that they can be counseled about the nature of the disease they are caring and about the fact that if they are infected they are presumed infectious for life. So that they can protect their loved ones from acquiring the disease from them. This Bill would require that Department of Alcoholism and Substance Abuse Clinics provide testing for HIV for all persons who are their clients for drug abuse, unless the person refuses the test. It sets forth the information that must be given to a person before he could refuse the test and it requires that the report...result of a confirmed positive test be confidentially reported to the Illinois Department of Public Health, in accordance with the same manner that

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other HIV tests are now reported to the Department of Public Health. The Department of Alcoholism and Substance Abuse supports this Bill in principle, and it emerged from the State Government Administration Committee on a 9 to nothing vote. I think that it is a strong step forward in dealing with the HIV epidemic and in trying to prevent the future spread of this virus as well as providing needed medical care through early diagnosis for those who are now carrying the virus, who are abusing intravenous drugs and have sought treatment. I ask for your favorable consideration of House Bill 1873."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. The Lady is not being very consistent in her approach to public policy. She was up on the floor just a few moments ago sponsoring successfully, legislation that would prohibit the Department of Public Health from providing free tests and now she is up on the floor requiring the Department of Alcoholism and Substance Abuse to do the same thing. I think that in addition to that inconsistency the Lady almost inevitably opposes legislation that provides for back door referendum tax increases. But Ladies and Gentlemen of the House, this is the equivalent of a back door referendum. The person will be given the test unless they explicitly refuse it and before they can explicitly refuse it they have got to be forced to endure a lecture or a sermon or something of that nature. Ladies and Gentlemen of the House, it seems to me that this particular legislation especially when paired with the previous Bill sponsored by this Lady is evidence of all that is wrong with our AIDS policy in Illinois. It's conflicting, it is confusing, and it is...a detriment

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to sound policy making. I would urge a defeat of this legislation."

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

Stern: "Mr. Speaker and Members of the House, will the Lady yield for a question?"

Speaker Giglio: "She indicates she will."

Stern: "I am not clear on just a couple points on this legislation. Do I...do I guess wrongly or rightly that an individual who comes to this department for assistance with a drug problem will be given this test willy nilly? I mean, if he comes for help and want's the help he's going to have to have the test."

Pullen: "If he wants the help he will be asked to take the test and he will be provided with that test unless he refuses it."

Stern: "May I...I believe we heard this in the AIDS Subcommittee is that correct?"

Pullen: "This was in State Government Administration."

Stern: "Well then, I didn't hear this one. But we did hear one where we talked back and forth about how in fact the individual could or might refuse the test. Is he going to be asked to sign a form? Is he going to be asked only...is he going to be asked, I guess is what I'm saying or will it be assumed that he agrees to the test, unless he specifically raises an uproar?"

Pullen: "No, he would be informed that this is part of...that he's going to be given the test. They're drawing his blood."

Stern: "Well you know...I can support the idea of somebody, of these tests being available at this particular place and I cannot help but believe that anyone who comes for help with drug abuse is going to have some concerns about whether or not he or she has contracted AIDS. I...the idea that is

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not so terrible if it were not some what coercive and if it were not absolutely necessary that he specifically refused. I think we need to go back to a form which says, 'yes, I would like to be tested for this' and signed by the individual. I think the assumption is on the wrong side with this Bill."

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

Satterthwaite: "Would the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Satterthwaite: "Representative, does your Bill distinguish between alcohol abusers and others who go for treatment at these centers?"

Pullen: "It's for persons accepting treatment for drug abuse which does not include alcohol abuse in the terminology used by the department."

Satterthwaite: "Well, that's what I'm asking specifically, is whether it does exclude alcohol abuse. Because the people going to these programs are frequently alcohol abusers who have gotten there by the way of DUI, suspension of license, and a requirement to take a course before they can have their license restored. And so I'm asking whether someone who was there through that route, because they are at this same center as drug abusers may be attending, would have to have this procedure to determine whether or not they were going to have an AIDS test."

Pullen: "The answer is, no."

Satterthwaite: "And the Bill is specific in that regard?"

Pullen: "It says persons who are accepting treatment for drug abuse and the department..."

Satterthwaite: "Well, there are a lot of people who feel that alcohol is a drug."

Pullen: "...the department informs me that that would be

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interpreted by them to exclude those who are there solely on the basis of alcohol abuse."

Satterthwaite: "I hope that's right, but I am afraid should this Bill pass that we will find that the people who are going in for treatment are in fact being asked to take this AIDS test as well as to go through the program on alcohol abuse. Do you have any estimate in terms of how much additional cost there will be to provide these tests for all of the drug abusers?"

Pullen: "The department is still working that up for me and I do not have that at this time."

Satterthwaite: "But we're saying..."

Pullen: "I think the cost would certainly be minimal compared to the cost of treating people who receive HIV infections for no good reason."

Satterthwaite: "Well, but in a previous Bill our analysis at any rate, said that the initial test would cost a minimum of \$3.00 and then there will be some 15 percent of those who will need a follow up test of \$20.00. Do you have any estimate as to how many drug abusers are being treated currently?"

Pullen: "The estimate that the department has given me is that they believe this would cover 80,000 clients."

Satterthwaite: "80,000 clients? And so, we are talking about a sizeable chunk of money unless most of those people refuse to take the test."

Pullen: "Probably a majority of them would not have to have the confirmatory test, so you're really dealing with the \$3.00 figure more often than you are the other figure."

Satterthwaite: "But some 10 to 15 percent would also need the \$20.00 test?"

Pullen: "Well yes, if they are...if they appear to be infected on the first test they certainly would want to have the

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confirmatory test."

Satterthwaite: "So, that they...okay, that's another 8,000 or 12,000 clients who would need the follow up?"

Pullen: "Would be a good investment, yes."

Satterthwaite: "Well, thank you. I am sorry, but I am really concerned that this is not a good investment. There are methods by which people who have any inclination to be tested for AIDS to have that testing done and to subject a number of people to that test who have absolutely no inclination or have any reason to suspect that they would have AIDS to this kind of testing, I think is not in the best interest of a state budget that is in very tight financial straits."

Speaker Giglio: "Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker. A couple of questions to the Sponsor?"

Speaker Giglio: "Proceed."

McNamara: "If I understand this correctly...what you're really doing is...is the only requirement is that the alcohol...department must offer the test to HIV...to drug abusers. Is that correct?"

Pullen: "To the clients of drug abuse clinics that the department operates or funds."

McNamara: "Right, so...what they're...all they're required to do is offer that test? That clients have the opportunity to refuse."

Pullen: "They may refuse, at their own peril"

McNamara: "Right, and this is the highest incidence of AIDS testing is due to the drug testers or the clients of drugs...that are using drugs. Is that correct?"

Pullen: "Drug abusers are considered a very high risk category. Not only for themselves, but also for their sexual partners, whether or not those people abuse drugs."

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McNamara: "Okay, just to this Amendment. I think it's very sensible that we take and we look at this...this Amendment is providing that segment of the society which are the most susceptible to HIV types of problems that we are testing those people and offering those tests free of charge to those people. I think this is where our money should be spent. We are addressing the problem where it belongs. I think it would be a crime for us to say that 600,000 or 800,000 dollars, that we would turn people that are in danger of dying out in the street. I think that that is wrong. I think this is probably the best Amendment that I've seen around. Thank you."

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

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

Speaker Giglio: "She indicates she will."

Levin: "Representative, we had a Bill...a related Bill sponsored by yourself in the Human Services Committee and in that committee, I forget if it was Family Planning Clinics, but that Bill was amended to..."

Pullen: "Sexually transmitted disease clinics, Sir."

Levin: "Pardon."

Pullen: "Sexually transmitted disease clinics."

Levin: "We agreed on a procedure that's to be added to that Bill...which was added by way of an Amendment in full committee. How does the procedure for informing the person in this Bill compare with the procedure in that Bill as far as apprising the individual of their rights not to be tested if they so choose? Is it paralleled?"

Pullen: "As a matter of fact Sir, this Bill was introduced first with that language already in it and I borrowed from this Bill for the other Bill. So that it is a parallel Bill."

Levin: "Okay, so it is your intention that a person be asked to take a test would be apprised of the fact, up front, that

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they have the right to refuse to take a test. Is that correct?"

Pullen: "I'm sorry, I couldn't hear the end of what you said and I don't want to misstate anything."

Levin: "This Bill, is it your intention that this Bill provide that an individual be in fact asked if they want to be tested...told that, 'we'd like to test you,' but you have a right to refuse to be tested?"

Pullen: "Yes, Sir. You have the essence of it."

Levin: "So that it's not just a matter of the individual saying on their own volition, 'we don't want to be tested', they are told they have the right not to be tested?"

Pullen: "That's correct."

Levin: "One final question. There was an Amendment #1 that was added to the Bill. I believe that the original version of the Bill prohibited an employee of the facility from discouraging a client from being tested. Did that Amendment remove that prohibition or what did it exactly, did it do?"

Pullen: "The Amendment removed the fine. I thought it was going a little far."

Levin: "But the prohibition still remains?"

Pullen: "Well, it's a statement of public policy. The people involved in this avenue of life are at very high risk of infection and should not be discouraged from being tested. This Bill is to encourage the greatest number of those to be tested and provide that testing for them."

Levin: "Okay, but..."

Pullen: "There isn't any enforcement mechanism on that. The language is still there, but there's no enforcement mechanism."

Levin: "There's no enforcement...so that if a staff person of one of these clinics in fact does tell an individual that, 'in

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your circumstances you might be better off refusing the test', there's nothing that's going to happen to that individual?"

Pullen: "I can't imagine an employee doing that in view of the circumstances which bring these people to the drug abuse treatment clinics. But, there is no penalty in the Bill if such an employee would make such a remark."

Levin: "Okay, thank you very much."

Speaker Giglio: "Representative Pullen to close."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I'm glad we've had a very full debate on this Bill. I think most Members understand what it asks for. It asks for the testing of a very high risk population while providing a means by which people who need drug treatment would not in any way be discouraged from getting it. I think it's an important Bill in trying to stem the tide of the HIV epidemic, not only among drug abusers themselves, but also among their sexual partners and their children. And I ask for an 'aye' vote."

Speaker Giglio: "Question is, 'Shall House Bill 1873 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 85 voting 'yes', 15 voting 'no', 12 voting 'present'. House Bill 1873, having received the required Constitutional Majority is hereby declared passed. House Bill 1879, Representative Pullen."

Clerk O'Brien: "House Bill 1879, a Bill for an Act in relation to the AIDS Registry Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the last one for the time being. It...I

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know, cheer, cheer. It requires the Department of Public Health to request monthly HIV infection reports concerning infected Illinois residents and intended residents, who have been tested by various agencies of the Federal Government. These...agencies many of these agencies have informed various State health departments that such reports are available to them. The Illinois Department of Public Health has not availed itself of the information. When the Federal Government tests for example, applicants for military service and finds that someone is infected Federal Government provides the individual the test result and gives them initial counseling and then sends them back home and has no responsibilities with respect to partner notification or follow up counseling. The Department of Public Health in Illinois says that it has a Partner Notification Service by which people who are infected can turn to trained professionals to seek help in informing their sexual partners that they may have been exposed to this deadly virus. So that the person who has the infection does not have to face doing that himself. But the people who come from tests by federal agencies do not have linkage to the Department of Public Health now. In fact, they don't even show up on any statistics anywhere in terms of the epidemic in Illinois. This Bill requires the Department of Public Health to do its job, not only for Illinois residents who are tested and found infected by private physicians, but also for those who are tested and found infected by agencies of the Federal Government. For the most part these are people who are applying for positions in the Federal Government and when they are...initially counseled they are then sent off to deal with their problems by themselves. I think that this is a step forward for proper treatment and for the potential for

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stopping the spread of the virus to other people from these Illinois residents who are tested by the Federal Government and was approved by the State Government Administration Committee and I urge your favorable consideration of House Bill 1879."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall...Representative Levin."

Levin: "Would the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Levin: "Alright, does the Federal Government have any kind of confidentiality law in terms of tests that it conducts?"

Pullen: "Yes, all these agencies have strict confidentiality policies. But those policies have reasonable exceptions such as making this information available to state public health authorities. Certainly not making it available generally and widely."

Levin: "So, what you're talking about is, it's not data you're talking about, you're not talking about how many members of the military from Illinois tested positive. You're talking about providing actual names of individuals. Is that correct?"

Pullen: "In a confidential manner to the Department of Public Health."

Levin: "And what then is your intention with the Department of Public Health would do with that information..."

Pullen: "The Bill states that the department is to use it for purposes of partner identification and notification and is to publish a monthly statistical report. My intention would also include counseling, Sir."

Levin: "Representative, how does the Federal Government know that a particular individual is going to be located in Illinois after...after there...they test positive in a federal test?"

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Pullen: "Well, if the individual provides to them the information as to where they intend to go live since they're not going to be in the Army after all, then they would consider them intended Illinois residents if that address is in Illinois. If they don't give them any indication then there is no...then there isn't any report, because there's no way for them to know it."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, it just seems that we've got one Bill on top of another, on top of another at some point it seems we've...we could better use our resources."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Pullen to close."

Pullen: "I simply ask for a favorable consideration of House Bill 1879. I think that it is an important Bill for a segment of our population that is currently being unserved in this epidemic. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 1879 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 88 voting 'yes', 11 voting 'no', 8 voting 'present'. House Bill 1879, having received the required Constitutional Majority is hereby declared passed. Representative Wojcik, 1889. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1889, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Wojcik."

Wojcik: "Mr. Speaker, may I have leave to take this Bill back to Second Reading for purpose of an Amendment?"

Speaker Giglio: "Heard the Lady's Motion, does the Lady have leave? Hearing none, leave is granted. The Bill's on

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Second Reading."

Wojcik: "Thank you Mr. Speaker and Members of the House.
Amendment #2..."

Speaker Giglio: "Representative Wojcik, could you just hold a
minute?"

Wojcik: "Sure."

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Floor...the Bill has been read a Second time
previously. Floor Amendment #2, offered by Representative
Wojcik."

Speaker Giglio: "Representative Wojcik on Amendment #2 to House
Bill 1889."

Wojcik: "Okay, Mr. Speaker and Members of the House, when I
presented House Bill 1889 to the committee they asked that
I amend the Bill to state that a municipality...that it
would add 'Mayor' or 'President' of a municipality as an
officer to which the financial information may be available
and it would also allow the Mayor or the President or
Department of Revenue to designate in writing that the
information may be available to the highest ranking
non-elected financial officer."

Speaker Giglio: "Any discussion on the Amendment? All those in
favor...the Gentleman from Cook, Representative Williams."

Williams: "Yes...this Bill pertain to the City of Chicago?"

Wojcik: "Actually, the City of Chicago is home rule. So it could
conceivably do whatever it would like to."

Williams: "But this does not mandate the city to do or not to do
anything, is that correct?"

Wojcik: "No, this is not a mandate and home rule units have there
own privileges."

Williams: "Okay, so if the cities so choose they would not have
to comply with this, is that correct?"

Wojcik: "Absolutely."

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Williams: "Okay, thank you."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Lady now asks leave to hear immediate consideration. Does she have leave by Attendance Roll Call? Hearing none, leave is granted. The Bill's on Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1889, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. What this Bill allows is that the, let me get my...that the mayor, the highest ranking official, president or the Department of Revenue will designate in writing that information may be available regarding the sales tax and that at that time they may audit the businesses."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Giglio: "She indicates she will."

McNamara: "Representative, this information is already provided to municipalities, isn't it?"

Wojcik: "Yes."

McNamara: "In general terms."

Wojcik: "In general terms."

McNamara: "Right. What you're seeking to do is to provide individual information on each and every taxpayer then to the municipalities. Is that correct?"

Wojcik: "That is correct."

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McNamara: "Could you give me the reason why you would want to do that?"

Wojcik: "Often times what you're finding in municipalities is that we don't have the opportunity to research the records and therefore the municipalities are not receiving the revenue that they should receive. Even the Department of Revenue has stated that they do not have sufficient persons to go out and audit these accounts, so therefore we feel this would be an asset not only to the locals, but to the state. So that we could collect the revenues that should be coming to us."

McNamara: "But it does apply also to the City of Chicago in as much as they would have the same information going only to their chief financial advisor or consultant. Isn't that correct?"

Wojcik: "Yes, if Chicago so choosed, to do that."

McNamara: "Well, there's no provision either it's one way or the other. Why is the Department of Revenue against this legislation?"

Wojcik: "Because of con...they feel that a confidentiality would be invaded. They feel..."

McNamara: "And also the Chamber of Commerce I understand is not enamored with this legislation."

Wojcik: "Well, when I presented this Bill in committee I did not hear the chamber was in opposition. I did hear that the Department of Revenue was in opposition, yes."

McNamara: "Okay, thank you and to this particular Bill. I understand that the Department of Revenue...the Illinois Retail Merchants Association and many other business groups are against this information, because it will allow the confidentiality of taxpayers to be destroyed and allow them to be used for political purposes. I think that is the biggest problem that we may have with this legislation."

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There is nothing wrong with the way of doing it right now. I know in my municipalities we have been able to find out who the tax people are and bring those taxes into our coffers. We have been able to work through the Department of Revenue and all the rest of them in order to do this. I think this is...although I respect the Sponsor, I think that this is a bad idea. I think that we should probably take a long look at it and take a look at a 'no' vote. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you Mr. Speaker. Will the Lady yield?"

Speaker Giglio: "She indicates she will."

Countryman: "Am I correct in understanding the Bill as you've now explained it as amended, would not apply to home rule municipalities?"

Wojcik: "It applies to home rule if they choose to have it applied to them. In other words home rule has got the same guidelines through the Department of Revenue as any other municipality, okay. Now they will have the right to have the highest ranking officer, a mayor or whomever they choose, to audit the sales accounts in their locales."

Countryman: "Now when you say highest ranking officer, you said mayor, could that be the mayor?"

Wojcik: "It could be the mayor or someone that the mayor has chosen to do this on behalf of the municipality."

Countryman: "And the information that this person can get is in essence the sales figures as reported to the Department of Revenue for that business for whatever period of time they're asking, last year or something like that."

Wojcik: "Yes, but this person who was obtaining the information, be it the mayor, the highest ranking officer as the mayor, a finance officer whomever would do this would be under the

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Confidentiality Act. So therefore, could not use it to politicize the situation, would use it only to benefit the taxpayers in that community to make sure that they're collecting the revenues that they should collect. What you find often times..."

Countryman: "Why do we need this then?"

Wojcik: "Because of fraud, cheating, I don't know..."

Countryman: "Why can't the Department of Revenue find those things if somebody suspects it?"

Wojcik: "They don't have sufficient case workers to get out there and audit. We have the vast population north of I-80, would cause a lot of auditors to be circulating throughout the area. We feel we could alleviate that problem and have each municipality have a representative to get into the books, work with the Department of Revenue, be under the Confidentiality Act and then have a true statement of revenues that are to be collected."

Countryman: "Who would conduct the audit then if...would the municipality be able to conduct an audit?"

Wojcik: "The highest ranking officer or his designee."

Countryman: "Would be able to actually go in and audit this business. Is that right?"

Wojcik: "Yes."

Countryman: "What would keep them from picking those people that they felt they wanted to audit selectively?"

Wojcik: "Well, I think that it wouldn't if they really wanted a business out of it's business, if you will, they still...the municipalities still give out their licenses, okay? What they're trying to say is that they are not getting the revenue that is due them. Neither is the state getting the revenue due them."

Countryman: "Why can't they just say we believe this business is not reporting all of its revenue to the Department of

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Revenue and let them investigate?"

Wojcik: "Well, they do say that to the Department of Revenue and the Department of Revenue reports back to the municipality and say yes they are. But the Department of Revenue doesn't know in fact that they are because they have not had one of their auditors up there. They're just going by the statements that are filed by the retailer."

Countryman: "So what we're doing is we're creating another army of auditors who can audit small businesses. Is that right?"

Wojcik: "To protect the taxpayer yes, we are."

Countryman: "Okay, so if you...could be audited by the Village of Podunk one week and the next week audited by the Department of Revenue and both audits are legitimate. Is that correct?"

Wojcik: "You could use that analogy if you would like, but I don't believe the Village of...would audit if the Department of Revenue is right there. The problem you have is not really..."

Countryman: "Well, I'm saying they'd audit first, this would not be in conjunction with the Department of Revenue as you've explained it to me."

Wojcik: "Well, that's right, it would not be. But it could be comparasive (sic-comparative) in notes, they could compare the revenues to see if there is not any fraud being created here."

Countryman: "How are they going to do that? I mean, what are they going to find out from this information that's going to lead them to believe that fraud's being conducted?"

Wojcik: "I believe that they have a sheet that the Department of Revenue could peruse if you will. The municipality would go back to the department and say these are the figures that we have come up with, are they correct? Without the

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Department of Revenue divulging."

Countryman: "How does the municipality know what sales are being conducted at an individual business?"

Wojcik: "They have sales reports down to the Department of Revenue. They report their sales tax."

Countryman: "Right, but I mean, if you send that...you're sending that information from the Department of Revenue back to the municipality, how's the municipality going to have any inclination based upon those reports that something's amuck."

Speaker Giglio: "Further discussion? The Gentleman from Bureau, Representative Mautino."

Wojcik: "Mr. Speaker, I was asked a question. I feel I should answer his."

Speaker Giglio: "Excuse me, I'm sorry."

Wojcik: "Thank you."

Speaker Giglio: "Representative Mautino, hold on, Representative Countryman."

Countryman: "I'm sorry, Mr. Speaker, I had a pending question of the Lady and she was looking..."

Wojcik: "Representative, I was just searching out so that I would answer it correctly to you. They...one moment...okay, the information that they would receive from the Department of Revenue could be used in such a way so that they know exactly where each information came from to compare the figures."

Countryman: "So that's going to tell them that they ought to be suspicious of jug hole enterprises?"

Wojcik: "I would say that it probably would be an indication and a rightful indication, because I don't know, Representative, if you understand this or feel this in your own locale, but I happen to represent a highly populated restaurant and retail area. In that area the

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restaurant..."

Countryman: "Woodfield Shopping Center, right?"

Wojcik: "A little bit. Also Walter Paytons 34th. But in some of these cases often times they don't divulge or they don't ring up everything on the cash register and a local may know that there is sufficient funds coming in and they have no witness..."

Countryman: "So, why can't they report that to the Department of Revenue and have the Department of Revenue do that investigation, rather than have all kinds of other agencies throughout the state going out on a...on a witch hunt?"

Wojcik: "It's not a witch hunt Representative, and it's also...actually when we talk about closeness to home, municipalities certainly know their jurisdiction far better than the Department of Revenue would. And the Department of Revenue does not have sufficient employees to do what we're asking. So therefore we're acting...we're asking to be a deputy if you will."

Countryman: "Well to the Bill, Mr. Speaker. I don't think this is a good idea. I think you're taking information which is vital to any business and you're disclosing it to people who can go out on witch hunts and harass small businesses or even large businesses for that matter and they'll be duplicative of what the Department of Revenue's going to do. I think this is a power we don't need to grant and I plan to vote against this Bill."

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

Mautino: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. Will the Lady yield for a question?"

Speaker Giglio: "She indicates she will."

Mautino: "The...are you confident that the confidentiality provisions will be adhered to by the so called official

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non-elected official?"

Wojcik: "I'm as confident that that confidentiality would be adhered to in as much as I would be confident that anybody who is bound by the Confidentiality Act adheres to it."

Mautino: "Are you saying that the Department of Revenue through their auditors and sales tax examiners are not doing their job?"

Wojcik: "I'm not saying they are not doing their job Representative. I am saying they do not have sufficient numbers to do their job."

Mautino: "Well then, this information has nothing to do with the audits, it has to do with the...municipal returns under the sales tax provisions for a city so that somebody can check to see if his neighbor is paying X amount that they...that other person thinks should be forwarded to the city. Is that right?"

Wojcik: "What it would do, it would create more audits and more visibility to insure that the revenues are in fact correct."

Mautino: "To the legislation if I may."

Speaker Giglio: "Proceed."

Mautino: "This is a very interesting Bill. One that I think is long before its time. What we have is a situation whereby an individual outside of Government, responsible to no one, would have access to tax information which heretofore is not provided anywhere but to the Federal or the State Government. By establishing this precedent what you're doing is saying to business men and women on Main Street, USA that you are doing something incorrect, it's sending a bad message. But, most importantly it is taking away that confidentiality provision of a taxing department, such as the Department of Revenue or IRS and putting it in the hands of someone else. I find that unacceptable and would

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hope that the Members on this side of the aisle would look very closely at this legislation and what they're establishing. And what they are establishing is providing confidential tax information to a person who has no responsibility to anyone at all, in any form of Government or under any contract and I find that unacceptable. I'd hope that you would oppose this type of legislation."

Speaker Giglio: "Representative Flinn moves the previous question. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it the previous questions been moved. The Lady from Cook, Representative Wojcik to close."

Wojcik: "Yes, Mr. Speaker and Members of the House, I think we have all heard thoughts, feelings and rhetoric concerning taxes that should be collected and fairness in the tax collection area. I think that it's a shame that we must say, often times, that people are not reporting their taxes as they should and that we have to create such pieces of legislation to insure that municipalities and that the taxpayers are represented correctly. I don't believe that this is a political issue or should it be politicized, because I would not be for that in any way. I do believe it's a good Government Bill and it truly is a Bill for the taxpayers to insure that they are not being involved in an area of, quite possibly, fraudulent experiences or very bad findings in so far as sales revenues. I think it's a good Bill. I think it's a Bill for everyone and I don't think it's an attack on small businesses or big businesses. I think that you could just call this more or less of a watch, to insure that correct figures are reported and that the Department of Revenue and the local municipalities work together to represent all and I would ask for its favorable passage."

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Speaker Giglio: "The question is, 'Shall House Bill 1889 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. To explain my vote...the debate on this Bill perhaps may have been somewhat misleading and let me give you an example. Several years ago, the Department of Revenue sent nearly one million dollars, one million dollars in local sales tax money to the wrong municipality up in the northwest suburban area. Well, that municipality because it didn't have any way of knowing how the Department of Revenue got those figures and reported those figures, spent the money. The municipality to which the money rightly belonged came back and said, 'Hey, we seem to be short' and indeed they were. They were short by a million dollars. Well, the municipality which spent the money had to repay the other municipality. Clearly, there was a breakdown on how the sales tax information was reported. All this Bill does is say to the Department of Revenue make available to a bonded officer of the municipality the information on which you are basing your payments, so that we can see whether or not it is accurate."

Speaker Giglio: "Representative...excuse me, Representative Wojcik, for what purpose do you rise?"

Wojcik: "Mr. Speaker, in view of the power of the reds I would like to take this Bill out of the record. Thank you."

Speaker Giglio: "It's been recorded, can't take it out."

Wojcik: "Oh...then I'll put it on. I don't even have enough for..."

Speaker Giglio: "Once a Roll Call has started..."

Wojcik: "On postponed consideration, please."

Speaker Giglio: "You don't have 47 votes. You might as well run

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it."

Wojcik: "Go for it."

Speaker Giglio: "Go for it. Representative Harris, are you finished, Sir? Harris. Okay, Representative Monroe Flinn."

Flinn: "Well, Mr. Speaker, I'd like to remember...the Members of the House to think about the fact that we spent 22 minutes on this Bill and it lost 13 to 70 something and I think we're wasting our time. If this is all we're going to do, why don't we quit for the night and come back tomorrow and try it again."

Speaker Giglio: "We'll take that under advisement, Representative Flinn. On this question have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question, there are 10 voting 'yes', 87 voting 'no', 11 voting 'present' and House Bill 1889, not having received the Constitutional Majority is hereby declared lost. Representative Johnson, in the chamber? Representative Johnson. Representative Johnson on House Bill 413. We took this out of the record. Is your Amendment ready? Representative Johnson."

Johnson: "Representative Lang is the Sponsor of the Amendment."

Speaker Giglio: "Representative Lang. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 413, this Bill was taken back to Second Reading and held. Floor Amendment #1, offered by Representative Lang."

Speaker Giglio: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you Mr. Speaker, Members of the House. Amendment #1 will simply add a few words to the...to the Bill which limits the effect of the Bill to police officers who are doing their work or in the line of duty at the time that they're apprehending a criminal or...in the investigation of a crime and I ask your favorable vote."

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Speaker Giglio: "Any discussion on the Amendment? All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, the Amendments adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Johnson."

Johnson: "Leave of the House to call the Bill now."

Speaker Giglio: "The Gentleman asks for leave of the House to have House Bill 413 called by the Attendance Roll Call." Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 413, a Bill for an Act to amend the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Champaign, Representative Johnson."

Johnson: "This...this Bill as amended addresses the situation that constituents of mine address and that is police officers in the line of duty being exposed to high risk AIDS individuals and then having to spend the rest of their life not knowing whether they've been exposed to it. So this Bill simply dispenses with a written in form of consent of a subject for an HIV test, where a law enforcement officer is involved in a direct skin or mucous membrane contact, bodily fluid of an individual which may transmit AIDS. Representative Lang's Bill addresses some of concern that a few Members of the Committee had with respect to limiting the Bill to law enforcement officers in the line of duty. I think it's narrowly drafted and addresses an issue or a problem that's not adequately addressed now, and I'd ask for your support."

Giglio: "Any discussion? Hearing none, all those in favor who signify by voting 'aye', those oppose 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On

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this question there are 104 voting 'yes', 3 voting 'no', 1 voting 'present'. House Bill 413, having received the required Constitutional Majority is hereby declared passed. On Special Order of Business under the heading of New Regulations, Second Reading. New Regulations, Second Reading on page 15 of the Calendar appears House Bill 23, Representative Preston. Representative Preston in the chamber? Out of the record, Mr. Clerk. Representative Giorgi? Representative? Representative Preston, are you ready? House Bill 23, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 23, a Bill for an Act in relation to certification of child care workers. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Giorgi on House Bill 257. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 257, a Bill for an Act to register landscape architects. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Young on Amendment #1 to House Bill 257. Representative Giorgi, have the Amendment?"

Giorgi: "Mr. Speaker...Mr. Speaker. What I would like to do is move the Bill and table the Amendment but if Young insists on having a hearing on the Amendment I'll take it back to Second Reading and put the Amendment on. Is that alright? Table the Amendment. Let the Bill go to Third and if Anthony Young insists on having a hearing on his Amendment,

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I'll bring it back to Second we'll have a hearing on it."

Speaker Giglio: "Gentleman moves to Table Amendment #1. Any discussion? Hearing none, the Amendment's tabled. All those in favor..."

Giorgi: "Move it to Third. 'Aye'."

Speaker Giglio: "...Say 'aye', opposed 'no'. In the opinion the 'ayes' have it. The Amendment's tabled."

Giorgi: "Move it to Third then we'll bring it back."

Speaker Giglio: "Hold on. Representative Anthony Young."

Giorgi: "It's okay with him."

Speaker Giglio: "It's alright? Did you withdraw the Amendment?"

Giorgi: "It was tabled anyway."

Speaker Giglio: "Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Mautino, Representative Mautino in this chamber? House Bill 748. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 748, a Bill for an Act to amend Sections of the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 1626, Representative Tate? Is Representative Tate in the chamber? Out of the record. Representative Ryder? Representative Ryder in the chamber? House Bill 1661. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1661, a Bill for an Act to amend the Structural Pest Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "There's been a request for a fiscal note, Representative Ryder. The Bill we'll remain on Second Reading. Representative Dunn, John Dunn in the chamber? House Bill 1695. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1695, a Bill for an Act to amend the restrict smoking in public places Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Mautino, on 20 House Bill 2030. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2030, a Bill for an Act to amend an Act in relation to educational accountability. Second Reading of the Bill. Amendments #1 and 2."

Speaker Giglio: "Out of the record Mr. Clerk, take it out of the record. It needs another Amendment. Representative Stephens, Representative Stephens, on House Bill 2694. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2694, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Gentleman from Madison, Representative Stephens on Amendment #1."

Stephens: "Thank you Mr. Speaker. House Bill 2694, deals with Selective Service registration as a requirement for employment with State of Illinois, for males age 18 and above. Amendment #1 would stop that requirement at age 27. We found out that the Selective Service doesn't keep records beyond that, and it's a reasonable Amendment, and I would move to adopt."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all excuse me. Representative Levin. Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

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Speaker Giglio: "He indicates he will."

Levin: "Can you repeat your description of what this Amendment does? Is it somehow or other we're taking over the responsibilities of the Selective Service is that what we're...I don't. Can you explain..."

Stephens: "Maybe they're messing with my microphone again, Representative Levin. I...I said nothing of that sort. I simply said that the Amendment changes the Bill, so anyone over 26 years of age is exempt, from this Bill."

Levin: "What is...what is the Bill do when we exempt anyone?"

Stephens: "I shall repeat. The Bill requires registration with the Selective Service as is Federal law, before you're allowed to be an employee of the State of Illinois. So if between the ages of 18...if an item the way the Bill is written, which was a mistake, you would have to prove that. We've found that, that requirement is in order for age 18 through age 26 and so the Amendment as I said before, would exempt those over 26 years of age. It's a reasonable Amendment and I move for its adoption."

Levin: "Does the Department of Central Management Service support the Amendment?"

Stephens: "I have no idea, I believe they are neutral on the Bill and the Amendment."

Levin: "Thank you."

Stephens: "Further discussion? All those in favor of the Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2801, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2801, a Bill for an Act to amend the State Agency Employees Child Care Service Act. Second

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Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Kulas, then Representative Myron Olson on House Bills. Third Reading under new regulation. Representative Kulas, are you ready? Out of the record. Representative Myron Olson. Mr. Clerk, House Bill 1699, read the Bill."

Clerk O'Brien: "House Bill 1699, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

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

Olson, M.: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I request permission of the House to return this Bill to Second Reading for purposes of a technical Amendment."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "This Bill has been read a second time previously. Floor Amendment #3, offered by Representative Myron Olson."

Speaker Giglio: "Representative Olson."

Olson, M.: "Thank you Mr. Speaker. The Reference Bureau sent this Amendment up to us last Friday after we had moved the Bill to Third and were taking it back to Second for purposes of a technical Amendment to describe more accurately what the intention of the Sponsor is on this Bill. I would move for adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', those oppose 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman now asks leave... consideration of Attendance Roll Call. Gentleman have

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leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1699, a Bill for an Act to amend the Medical Practice Act. Third Reading of the Bill."

Speaker Giglio: "Gentlemen from Lee, Representative Olson."

Olson, M.: "Thank you again Mr. Speaker. We discussed this Bill just a few days ago. Basically what it puts into the practice is the ability to establish a perceptorship program for chiropractors in the State of Illinois for senior students in their final term. This Bill has been looked at by a variety of interests including competing chiropractic units. The Medical Society there are now 40 states in which your perceptorship program is in place. The safe guards are there which would prohibit anyone from masquerading as a doctor, under the terms of the Act. I would move for adoption of the Bill 1699."

Speaker Giglio: "Any discussion? Hearing none all those in favor signify by voting 'aye', those oppose 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 114 voting 'yes', 2 voting 'no', none voting 'present'. House Bill 1699, having received the required Constitutional Majority is hereby declared passed. Representative Mautino 2030, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2030, a Bill for an Act to amend an Act in relation to educational accountability. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 1717, airports. 599,

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out of the record. Monroe Flinn, 629. Mr. Clerk, read the Bill."

Clerk Leone: "On page 21 of the Calendar. House Bill 629, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Stephens, on Amendment #1."

Stephens: "Well, Thank you Mr. Speaker. Amendment #1 is...has been debated in another form on the House Floor recently. It simply calls for protection of property values, of those very limited number of people who may be hurt by the expansion of Scott Air Force Base to joint use. That's the first part of the Bill...the Amendment. The second part calls for a sound proofing program guarantees that that sound proofing program will in fact be established. The people who have developed the proponents of Scott Air Force Base expansion to joint use. The proponents...endorse the idea of having a sound proofing program. They tell me that is part of their plan and if that's true and I know it to be fact, I see no reason why it shouldn't be law. So what we're talking about, protecting some few people from losing their hard earn property values and I say hard earn because were talking about 100 years of history of a single families that have farmed this land. And were talking about a sound debatement program. A sound proofing program, which the proponents endorse. So I offer Amendment #1 not to slow down the expansion of Scott Air Force Base, not because I'm a opponent, because I am not but because I think the interest of a few people can be served while were trying to promote progress. Whether you agree or disagree with the expansion of the airport you

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ought to agree that those people need to be protected and so I move for the adoption of the Amendment #1."

Speaker Giglio: "Any discussion on the Amendment? Gentleman from St. Clair, Representative Flinn."

Flinn: "Well Mr. Speaker, the Gentleman that Sponsors this Amendment spoke it correctly when he opened up his statement. This Amendment has been discussed thoroughly on another Bill. It was soundly defeated. The issues already been settled. All we're doing is wasting our time. If such an Amendment got on the Bill, it would either slow down or maybe prevent the building if a joint use airport is Scott Air Force Base and it's the best thing that's happened to the metro east area which is terribly depressed area since the building of the East Bridge in 1876. I'm telling you we've got a wonderful opportunity here, and because of petty politics by one particular person down there. I'm not picking on the Gentleman, but I want to tell you because of petty politics, all the Republicans Legislators, State Legislators, all the Democrat State Legislators, all the Congressional Legislators in both parties, and the two U.S. Senators support this as much..."

Speaker Giglio: "Excuse me, Representative Flinn. The Gentleman asks to withdraw Amendment #1. Gentleman have leave? Amendment #1 is drawn (sic-withdrawn). Any further Amendments? Floor Amendment #2, is being

Clerk Leone: "Floor Amendment #2, is being offered by Representative Stephens."

Speaker Giglio: "Representative Stephens, withdraw Amendment #2. Further Amendments?"

Clerk Leone: " Floor Amendment #2, is being offered by Representative Stephens."

Speaker Giglio: "Representative Stephens on Amendment #3."

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Stephens: "Some similarities to Amendment #1. One of those similarities is this is not 'politicizing'. This is simply trying to protect interest of a few people. It does not slow down the process. It does not and for anyone to stand on this floor, and say that it does, they are just misinformed or they are misinforming, one or the other. It simply protects the interests of a few people, and their property values. Without a tax, and without slowing down this important project. I move for its adoption."

Speaker Giglio: "Discussion on the Amendment? The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, I'm...not one of those that's noted to take up a lot of time of the House. It's very simple. I've already explained or was in the process of explaining when the Gentleman took the other Amendment out of the record of what the real purpose of this is. I'm almost tempted to let the Gentleman put the Amendment on and let him learn a hard, hard lesson in politics the hard way. Which would be the end of his serving in this House because all the peoples that I've mentioned to you before support the vast majority of the people down there, support the joint use of Scott Air Force Base joint civilian military use of that Scott Air Force Base. But I can't for the life of me figure out why I ought to do that and let a lot of people suffer just to get one guy. So I'm get him, folks. Let's let him go ahead and run again, lets beat his Amendment."

Speaker Giglio: "Further discussion. Gentleman from Cook, Representative Terzich."

Terzich: "Yes, would someone be kind enough to tell me what the heck the Amendment is? I mean that...you're talking about something, but what the heck is the Amendment? What does the Amendment do?"

Speaker Giglio: "Representative Stephens? Representative

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Stephens."

Stephens: "I'm sorry Representative Terzich, it's exactly the description I gave you for Amendment #1. I'm sorry and if you were for #1."

Terzich: "I thought there were some political discussions going on and the subject matter of the Amendment wasn't discussed."

Stephens: "The subject matter was discussed when I described the Amendment #1 and unfortunately not of my making, but there are some political discussions taking place and I resent it greatly. Because I don't think the Gentleman can teach me anything about government or politics."

Terzich: "So just give us a brief description of Amendment #3."

Stephens: "I'd be glad to. It...in brief, it provides an Equity Protection Act for those few people who might be negatively affected by the expansion of Scott Air Force Base to joint use. It would protect them from losing property value in the unlikely instance that they would, and secondly it calls for a sound debatement program for hospitals, schools, and businesses and homes that are most directly affected; and as I said before that's part of the expansion plan, and I think it makes good sense to offer protection to the people of Illinois."

Speaker Giglio: "Representative Williamson."

Williamson: "Thank you Mr. Speaker. I rise in support of the Representatives Amendment. I'm from a legislative district that is as you all know O'Hare airport. We are now facing the difficulties of sound proofing our schools and our hospitals because nobody looked at the advantage of sound proofing program, before O'Hare was expanded and constructed. What the Gentleman is simply trying to do is protect the students and the residents that live in that area. This Amendment does not affect the expansion of

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Scott Air Force Base, it is strictly just protecting those people. I come from a district where the school teachers have talk in microphones to be able to communicate with the students. The schools that cannot afford microphones for their teachers are constantly interrupted every two minutes that a plane goes over ahead. We have to start looking at the feasibility of, if the Air Force Base is going to be there, if Scott Air Force Base is going to be expanded, that's fine and I know that the Representative doesn't want to affect that at all. He's simply trying to protect a few residents and a few of the hospitals, a few of the schools before we have to worry about this in 5, 10, 8, 15 years from now coming back down here and arguing for sound proofing because we were too late and weren't paying attention to the issue as it is today. I urge you to support this measure so we do not have to deal with it in years to come."

Speaker Giglio: "Gentleman from Fulton, Representative Homer."

Homer: "Thank you Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Homer: "What is the difference between Amendment 1, and this Amendment 3?"

Stephens: "The difference is that this Amendment has no tax."

Homer: "Alright. But this Amendment also creates the airport noise sound proofing in Equity Assurance Funds, correct?"

Stephens: "That's a similarity I think."

Homer: "Where is the money going to come from that goes into the fund?"

Stephens: "Well, just like every other portion of this development that has a cost associated with it, those cost will be covered by the development authority and that authority at this point is St. Clair County."

Homer: "The cost would be developed by the authority? Where

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would they get there revenue?"

Stephens: "Wherever they choose."

Homer: "Does your Amendment give them that type of unbridled authority?"

Stephens: "No."

Homer: "Well, the Amendment #1 you specifically provided for a fuel tax...and this Amendment the only difference is there's no tax. So the question I think that those of us that don't live in that area would have who's going to pay this and what will be the revenue source?"

Stephens: "Was that a question? I'm sorry."

Homer: "Your earlier Bill...your earlier Amendment #1 provided a revenue source, there was to be a fuel tax, aviation fuel tax 5.7 cents a gallon. This Amendment creates the fund but does not provide a revenue source, and so for those of us who do not reside in the metro east area. The question is, where would the money come from for that fund?"

Stephens: "The development authority would provide the...money to pay for it. Now they can get it where wherever they so choose. That would be their responsibility. What I am saying is if their going to create the problem then they should create the solution to that problem and I think that's fair, I think that most of us would agree if you're the one who creates the cost you ought to create the revenue to cover that cost. So that's why the Amendment is written as it is."

Homer: "Well Mr. Speaker, then...to the Bill I..."

Speaker Giglio: "Proceed."

Homer: "I."

Speaker Giglio: "To the Amendment."

Homer: "To the Amendment. The earlier Amendment...Amendment #1, had in it a definitive source of funding. What the Gentleman is trying to do, I won't take exception with,

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he's trying to provide a sound proofing method...basis for hospitals, schools and residences in the area of this airport. If in fact that were to be funded by a local tax or approved by the local authorities then those of us who do not reside in that area may be inclined to support this kind of approach. But when we simply have an Amendment that...creates a fund for these elaborate purposes and yet is silent on where the revenues would come from. I think it's difficult for us to support the Gentleman in that type of open ended proposition and therefore, I must rise to oppose the Amendment."

Speaker Giglio: "Further discussion? Ladies and Gentlemen, welcome the State Treasurer of State of Illinois, Jerome Cosentino. Mr. Cosentino. Further discussion? Gentleman from Madison, Representative Wolf."

Wolf: "Thank you Mr. Speaker and Members of the House. I also rise in opposition to the Amendment for the very reasons that Representative Flinn has given before. The project that is being discussed here is one of the biggest and one of the most important that has come down for the metro east area that we have ever seen. I think it would be a shame if we allowed the issue that's being presented in this Amendment to have the effect of delaying this project. The sound proofing issue that is being discussed here has already been provided for by the Department of Transportation in their overall planning project."

Speaker Giglio: "Further discussion? The Gentleman from Madison, Representative Stephens to close."

Stephens: "Well, thank you Mr. Speaker and for the reasons just announced that's exactly why you should be for this. Because it's not true that it slows the process down. It does not slow the process down for one minute beyond the time of this debate. Which has gone on far too long and

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secondly, since it's already in the plan for the development then why would you be against putting it in the statutes? So, I would move for a favorable hearing and a favorable vote on Floor Amendment #3 to this Bill."

Speaker Giglio: "All those in favor of this Amendment signify by voting 'aye', those oppose 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 48 voting 'yes', 61 voting 'no' and 2 voting 'present'. And the Amendment fails. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Under the Special Order Calendar on the Order of Medical Practice, Second Reading, appears House Bill 574, Representative Pullen. Representative Pullen in the chamber? Out of the record. Ryder? Representative Ryder? Representative Ryder, in the chamber? Out of the record. Representative White, Jesse White? Medical Practice, Second Reading. House Bill 1769. Are you ready, Sir? Mr. Clerk, read the Bill. Levin, Cullerton, Ropp and Balanoff, in that order."

Clerk Leone: "House Bill 1769, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, is being offered by Representative Levin."

Speaker Giglio: "Representative Levin, on Amendment #2, to House Bill 1769."

Levin: "Mr. Speaker, Ladies and Gentleman of the House. Amendment #2 simply strips out much of what was in

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Amendment #1. The...under the Bill with Amendment #1 deals with the medical patients Bill of Rights and the Section that provides that insurance companies shall keep information about HIV testing confidential. Amendment #2, strips out everything else that was in Amendment #1, except that the Department of Insurance would be responsible for enforcing that confidentiality provision. So, there were other things in Amendment #1, they're all stripped out by Amendment #2."

Speaker Giglio: "Any discussion on the Amendment? Hearing none all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "There's a fiscal note filed Representative, the Bill will remain on Second Reading. Representative Cullerton? House Bill 2362. Excuse me, Representative Cullerton, hold on a second. Representative Levin, 1839. Do you want that Bill called? Mr. Clerk, read the Bill."

Clerk Leone: "On page 32 of the Calendar. House Bill 1839, a Bill for an Act to amend the AIDS Confidentiality Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

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

Speaker Giglio: "Third Reading. Representative Cullerton, on 2362. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2362, a Bill for an Act to amend an Act concerning certain rights of medical patients. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

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Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Ropp, 2552. Mr. Clerk, read the Bill."

Clerk Leone: "On page 37 of the Calendar. House Bill 2552, a Bill for an Act to amend the Illinois Nursing Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Balanoff? Out of the record. On the Order of Housing. House Bill, Second Reading, appears House Bill 525. Representative Shaw? Is Representative Shaw in the chamber? Out of the record. Representative Cullerton, 1394. Representative Cullerton, 1394, on the Order of Housing. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1394, a Bill for an Act in relationship to the purchase of certain housing. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Third Reading. Representative Breslin, 2282. On the Order of Housing. 2282. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2282, a Bill for an Act to amend the Housing Development Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, is being offered by Representative Breslin."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin on Amendment #2."

Breslin: "Thank you Mr. Speaker, Ladies and Gentlemen. Amendment #2 was recommended by the committee when this Bill was before. It would provide that municipalities that

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currently have housing authorities, or wish to establish housing authorities may do so. But they may not do so with the exclusion of the jurisdiction of the county housing authorities. I recommend its adoption."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by saying 'aye', those oppose 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments?"

Speaker Giglio: "Third Reading. Representative Williams on 2491. Out of the record. Representative Cullerton on 2548. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2548, a Bill for an Act in relationship to the prevention of homelessness. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Alright, House Bill 525, Representative Shaw. Mr. Clerk, read the Bill."

Clerk Leone: "On page 19 of the Calendar. House Bill 525, a Bill for an Act in relationship to the maintenance of certain property. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Third Reading. Alright, on this Order on Third Reading, appears House Bill 1051. Bob Olson? Mr. Clerk, read the Bill."

Clerk Leone: "On page 42 of the Calendar. House Bill 1051, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Giglio: "Representative Olson, on House Bill 1051."

Olson, B.: "Yes, House Bill 1051, is attempt to ease the accessors chores in collecting the Mobile Home Service Tax. Moblie homes in the State of Illinois carry a title much

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like a car, except in Cook county where they're listed as real estate. This Mobile Home Service Tax is assessed on the square footage of the mobile home. The assessors that I have talked to feel that it would be much easier to collect this tax if the square footage was listed on the title. This has been discussed with the Secretary of States office. The only problem they had was to defer the effective date until January the 1st 1991, which we done by Amendment and Committee, so that they would have time to use up the current title forms on hand. I ask for favorable consideration...answer any questions."

Speaker Giglio: "Any discussion on House Bill 1051? The Gentleman from Cook, Representative McNamara."

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

Speaker Giglio: "He indicates he will."

McNamara: "On this tax, is this an increase of the tax or is it a decrease of the tax? I know there is a different format for the tax. What this...is the end result?"

Olson, B.: "I have a series of Bills. One will address an increase in the tax, this one does not. It just expedites the collection procedure."

McNamara: "And how does it expedite that collection procedure?"

Olson, B.: "The assessor will be able to look at the title for the trailer. A copy is filed with their office and it will have the square footage of the trailer on it. These trailers or mobile homes are taxed on a square footage basis."

McNamara: "So, what you're doing is...you're just changing in this Bill, you're just changing to put the square footage of the trailers on to a title, and it results early on new trailers and it'll start in 1991?"

Olson, B.: "Correct."

McNamara: "Okay, Thank you."

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

Olson, B.: "This is merely a Bill that will expedite the correct assessment of mobile homes in downstate Illinois and I ask for favorable consideration."

Speaker Giglio: "The question is, 'Shall House Bill 1051 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Van Dyne, are you seeking recognition, Sir? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', none voting 'no' and none voting 'present'. House Bill 1051, having received the required Constitutional Majority is hereby declared passed. Representative Myron Olson, 1569. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1569, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Lee, Myron Olson."

Olson, M.: "Thank you very much Mr. Speaker. House Bill 1569, is an identical Bill to the one we moved a year ago by 113 to nothing vote and was caught up in Senate rules. It amends the Housing Development Act, provides that the Housing Development Authority may use its administrative funds for loans or grants to finance the cost of rehabilitative housing and in deference to our Representatives Dunn and Preston. I'm trying to give an explicit explanation to make up for not being on the Board and also it may help me pass the Bill, and we also suggest that they develop a plan for moving this Bill one more time to the Senate. I move for the adoption of House Bill 1569, be happy to answer

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questions."

Speaker Giglio: "Any discussion on the Bill? Hearing none, all those in favor signify by voting 'aye', those opposed 'nay'. This is final action, and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 111 voting 'yes', none voting 'no' and 1 voting 'present'. House Bill 1569, having received the required Constitutional Majority is hereby declared passed. Representative Pullen, House Bill 574, on the Order of Malpractice on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "On page 28 of the Calendar. Correction, that's page 20 of the Calendar. House Bill 574, a Bill for an Act to amend the Illinois Abortion Law. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Giglio: "Were there any Motions filed?"

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

Speaker Giglio: "Third Reading. House Bill 1878, Representative Pullen. House Bill 1878, on the Order of Third Reading, page 48 of the Calendar. Mr. Clerk, read the Bill. Medical practice. We went back Representative Pullen was out. She returned, these are her two Bills."

Clerk Leone: "House Bill 1878, a Bill for an Act to amend the AIDS Confidentiality Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Pullen."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. When the AIDS Confidentiality Act was adopted to insure privacy for persons who are infected with HIV with respect to their test result...there was a carefully enumerated list of exceptions to that...which was agreed to by everyone as a list that made sense. Unfortunately, there was one party left out. I think inadvertently and that was the spouse of the test subject. Consequently in

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Illinois law currently, it is illegal for a physician to notify the spouse of...of a person who tests positive, that that person has is carrying the AIDS virus. House Bill 1878, addresses that problem and provides that the physician may notify the spouse of the test subject, provided the physician has first sought unsuccessfully to persuade the patient to notify the spouse or that a reasonable time after the patient has agreed to make the notification, the physician has reason to believe that the patient has not provided the notification. In addition it does exempt from civil or criminal liability, a physician who is making this disclosure to a spouse in good faith. This Bill emerged unanimously from the Human Services Committee, and I urge its favorable adoption here. Thank you."

Speaker Giglio: "Gentleman from Cook, Representative Levin."

Levin: "Uh...yes, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2, which was added to this Bill, I think crafts some very careful language, which was promised in committee and the Sponsor lived up to her commitment and I personally have no problem with this Bill. I think it's carefully drafted as amended, and I would support it."

Speaker Giglio: "Further discussion? Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Cullerton: "For a question that is on Amendment #2. As I read it's my understanding that the immunity that's granted to a physician is when the physician acts in good faith by notifying the spouse and the immunity goes to the fact that they disclosed the results of a test...just the disclosure of the results the test so that that physician can't be sued because they disclose the results of a test. The

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reason why I ask this is, I just read in the paper where some person got notified that they had AIDS. The test was done improperly, they didn't have AIDS, and they suffered a lot of financial loss as a result of that. You can still file a law suit against the...my question is can you still file a law suit against the person who did the test, if for example they did it in a improper fashion or negligence action?"

Pullen: "Sure."

Cullerton: "Okay, so this is only meant to say to the doctor, 'there's no problem with you notifying the spouse that their spouse has AIDS' they can't be sued for that disclosure itself, is that right?"

Pullen: "That's right."

Cullerton: "Okay, Thank you very much."

Speaker Giglio: "Further discussion? Hold on, the Lady from Cook, Representative Pullen to close."

Pullen: "Thank you Mr. Speaker. I simply ask for favorable consideration of House Bill 1878."

Speaker Giglio: "The question is, 'Shall House Bill 1878 pass?' All those if favor signify by voting 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no' and none voting 'present'. House Bill 1878, having received the required Constitutional Majority is hereby declared passed. On the Order of Government Administration, Second Reading. House Bills 34. Representative Hicks, out of the record. Representative Young, out of the record. Representative Leverenz, out of the record. Representative Keane, out of the record. Giorgi, out of the record. Granberg, out of the record. Balanoff, out of the record. Preston, out of the record.

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Representative Matijevich, 591. Mr. Clerk, read the Bill."

Clerk Leone: "On page 20 of the Calendar. House Bill 591, a Bill for an Act providing for the ordinary and contingent expenses and grant-in-aid of the State Board of Education. Second Reading of the Bill. Amendment #1 was adopted in committee. Amendments #2 and 3 were withdrawn, and Amendment #4 was tabled."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Whaddya say? Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, would you hold that Bill on Second Reading please?"

Speaker Giglio: "Alright, hold the Bill on Second Reading. Alright, the Bill will remain on Second Reading. House Bill 592, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "On page 21 of the Calendar. House Bill 592, a Bill for an Act to making appropriations to the State Board of Education. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Alright, the Bill will remain on Second Reading. Alright, we're going to go back to the top of the list. Since some of our...Representatives have returned to the chambers. Representative Hicks? Representative Anthony Young? Out of the record. House Bill 38, you want it called? Out of the record. Representative Leverenz 89, Representative Leverenz 89? Mr. Clerk, read the Bill. 89, no. Out of the record. Representative Keane. Representative Keane in the chamber? Out of the record."

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Representative Giorgi, you're missing something, Representative Leverenz. Representative Granberg, out of the record. Giorgi, Representative Balanoff, here we go House Bill 494, Mr. Clerk, read the Bill."

Clerk O'Brien: "Government Administration, Second Reading. House Bill 494, on page 19 of the Calendar. House Bill 494, a Bill for an Act to amend the Minimum Wage Law. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Didrickson."

Speaker Giglio: "Representative Didrickson, Amendment #2. Is the Lady in the chamber? Gentleman moves to table. Representative Didrickson, Amendment #2, to House Bill 494. Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Amendment #2, is designed to reflect the publicly stated minimum wage recommendations of the Bush administration, with regards to allowing wage increases beginning in January 1990, and ending in January 1992. It allows for the training wage which I think most of us have become familiar with, the \$3.35 per hour for six months from the date of hire and it caps the minimum at \$4.25 per hour, and it keeps the use wage. I think the important thing to remember with regards to minimum wage at the State level is that the Federal Government, in its wisdom, eliminated certain categories of the minimum wage. For example, for teenagers. What we have done is then, picked up and added, minimum wage for those categories that in their wisdom they left out. This Amendment would simply say that if we're going to include those categories then

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we're going to include it...particularly with this training wage. I think the important fact also to mention is the fact that when we talk about minimum wage, who makes minimum wage in the State of Illinois, it's women, it's minorities and it's teenagers. I ask for an 'aye' vote."

Speaker Giglio: "Any discussion on the Amendment? Gentleman from Cook, Representative Balanoff."

Balanoff: "It's...Mr. Speaker, I rise in opposition to this Amendment. I consider it an unfriendly Amendment. As the Representative pointed out that is the Amendment that George Bush would like to have, but I will be offering an Amendment #4, which will put this Bill in line with what was passed out of both Houses in Congress, and so I would urge a 'no' vote...on Amendment #2."

Speaker Giglio: "Further discussion? Gentleman from Cook, Representative Bowman."

Bowman: "Well thank you Mr. Speaker, Ladies and Gentlemen of the House. I thought I heard the Lady who is sponsoring this Amendment use the words Federal Government and wisdom in the same sentence. I'm sure she used the words Federal Government and wisdom in the same sentence. Now, it seems to me that that is reason enough to me to vote against this legislation. I urge a 'no' vote."

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

McCracken: "Well, I understand the Bills Sponsor wanting to defer to the Congress since it's in the hands of the enemy. But, that Bill if it passes will be vetoed by our good Republican President so I think a bird in the hand is worth two in the bush, and we should take Amendment #2, because that's all you'll get at the Federal level anyway."

Speaker Giglio: "Further discussion on the Amendment? The Lady from Cook, Representative Didrickson to close."

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Didrickson: "Thank you Madam Mr. Speaker, Members of the House.

I...I think its been well said by Representative McCracken. This is your last chance, because it has been...the great chance of that being vetoed at the Federal level. So, I would ask for an 'aye' vote on this."

Speaker Giglio: "All those in favor of the Amendment signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 49 voting 'yes', 66 voting 'no' and 1 voting 'present' and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Tate."

Speaker Giglio: "Representative Tate, on Amendment #3."

Tate: "Thank you Mr. Speaker, Ladies and Gentleman of the House. Amendment #3, would essentially reflect the Democratic proposal recently passed by Congress. What this Amendment does, is it would tie the state minimum wage to that set by the Federal Government. It exempts agricultural workers anyone that is for keeping a competitive wage rate in the state should be for this Amendment. I think it would do a lot to bring us into a competitive wage bracket, and not put us out of cinc with neighboring contiguous states; and also reflect a major concern that I think many of us in downstate Illinois have expressed in regards to how this would adversely effect the operation of the family farm, and agricultural workers in that area. So, I would move for its adoption, and ask for this chamber to approve it."

Speaker Giglio: "Any discussion on the Amendment?' Gentleman from Cook, Representative Balanoff."

Balanoff: "Again I would consider this an unfriendly Amendment. If George Bush was to veto the Democratic version of the

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increase in the minimum wage, then there would be no increase in the minimum wage. I think it's very important that we do put a Bill similar to the Democratic version in Congress on the Governor's desk in Illinois. Currently, eleven states have a higher minimum wage than the Federal minimum wage, and a number of other states are considering an increase, and I think that in Illinois the working men and women in this state deserve nothing less and I would urge a 'no' vote on this Amendment."

Speaker Giglio: "Representative Tate to close."

Tate: "Well, thank you Mr. Speaker, Ladies and Gentlemen of the House. As the previous Speaker has already indicated, I guess his rationale then in opposing this Amendment is that Illinois would have the highest minimum wage in the country. Well, that's what I want to do is just bring this state in conformity with the rest of the nation. It's a good Amendment. If a Democratic controlled Congress passes this and it becomes Federal law this state would have the same law. Now if it's good for the rest of the nation it should be good enough for Illinois and we all should vote for it."

Speaker Giglio: "All those in favor of the Amendment signify by voting 'aye', those opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 53 voting 'yes', 60 voting 'no' and none voting 'present'. Representative Tate?"

Tate: "Yea, we...I don't think everybody is here, I might want to verify this Roll Call."

Speaker Giglio: "Representative Edley."

Edley: "'Aye'"

Speaker Giglio: "Vote Representative Edley, 'aye'. Representative Zickus."

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Zickus: "I would like to be recorded as a 'yes', please."

Speaker Giglio: "Vote Representative Zickus as voting 'yes'.

Representative Tate moves for verification, Mr. Clerk. On this question, there are Representative Cullerton voting 'no'. Vote Mr. Cullerton 'no'. On this question, there are 55 voting 'yes' and 60 voting 'no'. Mr. Clerk, poll those not voting. Representative Doederlein."

Doederlein: "Record my vote as 'yes'."

Speaker Giglio: "Vote the Lady voting 'yes'. Representative Doederlein. Mr. Clerk, poll those not voting."

Clerk Leone: "Representatives McPike and Morrow are not voting."

Speaker Giglio: "There are now 56 voting 'yes' and 59 voting 'no'. Representative Lang, asks leave to be verified. Representative Tate, Representative Lang. Gentlemen have leave? Hearing none leave is granted. Mr. Clerk, poll those voting in the negative."

Clerk Leone: "Balanoff, Bowman, Brunsvold, Bugielski, Capparelli, Cullerton, Curran, Currie, Davis, DeJaegher, DeLeo, Dunn, Farley, Flinn, Flowers, Giglio, Giorgi, Goforth."

Speaker Giglio: "Mr. Clerk, hold on. Vote Representative Williams 'no', and Representative McPike 'no'. Continue with the Roll Call, Mr. Clerk."

Clerk Leone: "Goforth, Granberg, Hannig, Hartke, Lou Jones, Shirley Jones, Keane, Krska, Kulas, Lang, Laurino, LeFlore, Leverenz, Levin, Martinez, Matijevich, Mautino, McGann, McPike, Mulcahey, Munizzi, Novak, Phelps, Preston, Rice, Richmond, Ronan, Saltsman, Santiago, Satterthwaite, Shaw, Steczo, Stern, Sutker, Terzich, Trotter, Turner, Van Duyne, White, Williams, Wolf, Woolard, Anthony Young, and Mr. Speaker."

Speaker Giglio: "Are there questions of the negative, Representative Tate."

Tate: "Yes, Mr. Speaker. Let me see...Representative DeLeo

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please?"

Speaker Giglio: "Is the Gentleman in the chamber? Representative Deleo. Mr. Clerk, how is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Tate."

Tate: "Representative Richmond?"

Speaker Giglio: "Representative Richmond. Is Representative Richmond, Bruce Richmond in the chamber? How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call. Go ahead."

Tate: "Representative Flinn?"

Speaker Giglio: "Representative who?"

Tate: "Flinn?"

Speaker Giglio: "Flinn, Monroe Flinn."

Tate: "Yeah."

Speaker Giglio: "Representative Monroe Flinn in the chamber? Representative Monroe Flinn? How's the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from Roll Call."

Tate: "Representative Laurino?"

Speaker Giglio: "Representative Laurino is in his Chair."

Tate: "Representative Davis?"

Speaker Giglio: "I'm sorry, Representative Tate."

Tate: "Representative Davis?"

Speaker Giglio: "Davis, is in the center of the aisle."

Tate: "Representative Bowman?"

Speaker Giglio: "Representative Bowman? He's in his Chair."

Tate: "Representative DeJaegher?"

Speaker Giglio: "DeJaegher, Representative DeJaegher. Is the

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Gentleman in the chamber? Remove...how's the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call and restore Representative Flinn, and restore Representative Richmond, and ask leave to be verified. Restore Representative DeJaegher Mr. Clerk. Representative Barnes."

Tate: "Yea, yea...Representative Breslin?"

Speaker Giglio: "We're not verifying the Affirmative Negative. Go ahead Representative Tate."

Tate: "No, no, no, Representative Sutker."

Speaker Giglio: "Representative Sutker. He's in his Chair."

Tate: "Representative Phelps?"

Speaker Giglio: "Phelps, Representative Phelps? How's the Gentleman recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Tate."

Tate: "Did...did you remove...was he in the chamber?"

Speaker Giglio: "Phelps has been removed."

Tate: "We just...we're at 59, Representative Young."

Speaker Giglio: "Anthony Young is in the chamber. He's in the center aisle."

Tate: "Okay. Representative...no I said Wyvetter Younge didn't I?"

Speaker Giglio: "Wyvetter Young is voting 'green'. She's with you."

Tate: "Well, these people are giving me bad information aren't they? Representative Williams, you got anybody else? It's gonna go?"

Speaker Giglio: "Representative Williams is in the chamber."

Tate: "Okay...Representative Mautino."

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Speaker Giglio: "Representative Mautino, Representative Mautino in the chamber? Yes, he's in the back of the chambers there, on the Republican side."

Tate: "Good place for him. Representative...did I say Van Duyne?"

Speaker Giglio: "Representative Van Duyne? Representative Van Duyne in the chamber? Somebody's waving their hand."

Tate: "That hand looks a little bit darker than Van Duyne's though."

Speaker Giglio: "How's the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Well, remove the Gentleman from the Roll Call."

Tate: "Representative Hannig."

Speaker Giglio: "Representative who?"

Tate: "Hannig?"

Speaker Giglio: "Hannig? He's in his Chair."

Tate: "Representative Keane?"

Speaker Giglio: "Representative Keane? Representative Keane in the chamber? He's sitting in his Chair."

Tate: "Representative Terzich?"

Speaker Giglio: "Representative Terzich, Terzich in the chamber? Representative Terzich? How's the Gentleman recorded?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Tate: "Representative Turner?"

Speaker Giglio: "Turner, Representative Turner in the chamber? How's the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'no'."

Speaker Giglio: "Remove the Gentleman from the Roll Call."

Tate: "Representative Goforth?"

Speaker Giglio: "Representative Goforth? Is Representative Goforth, he's in the...he's having a smoke."

Tate: "He's not in the chamber though. That's alright he can

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stay on. He can stay on."

Speaker Giglio: "He can stay out there okay. He needs a cigarette."

Tate: "Representative Krska?"

Speaker Giglio: "Representative Krska? Representative Krska in the chamber? How's Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'no'"

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Morrow, are how what...you seeking recognition Sir?"

Morrow: "Thank you Mr. Speaker. Will you vote me as 'no'?"

Speaker Giglio: "Vote the Gentleman 'no'."

Tate: "Hey, Gary?"

Speaker Giglio: "Are there further questions?"

Tate: "Yeah, Representative Kulas?"

Speaker Giglio: "Representative Kulas, he's in his Chair."

Tate: "Representative...what? I just called his name! Representative Mulcahey. Okay. You want...he waved outside the window."

Speaker Giglio: "Are there further questions of the Negative Representative Tate?"

Tate: "...let it die."

Speaker Giglio: "On this question there are 55. Representative Van Duyne. Restore Representative Van Duyne, Mr. Clerk. On this question there are 55 voting 'yes', 57 voting 'no', none voting 'present', and the Amendment fails. Are there further Amendments?"

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

Speaker Giglio: "Gentleman from Cook, Representative Balanoff on Amendment #4 to House Bill 494."

Balanoff: "What Amendment #4, would do is make it exactly the same as the version that was the Minimum Wage Increase Bill

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that was passed out of Congress with a cap of \$4.55 an hour. It would leave the 50 cent differential in and the time table would be the same as was passed by both Houses of Congress and I would suspect is going to be on the President's desk."

Speaker Giglio: "The Gentleman is moving adoption Amendment #4. On that question the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. As alluded to earlier, this Amendment would reflect the Democratic plan. President Bush has vowed to veto this if it reaches his desk and I would ask my friends on this side of the aisle to oppose the Amendment."

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

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

Speaker Giglio: "He indicates he will."

Didrickson: "Representative Balanoff, you mentioned that this is the same initiative as was passed by the Democrats in Congress?"

Balanoff: "Yes it is."

Didrickson: "Is it exactly the same?"

Balanoff: "My understanding is that it is."

Didrickson: "Okay, then I understand that this would then put into effect...is what the Federal Bill does, a commission, a commission that would then determine whether or not minimum wage would come under periodic political scrutiny. The same as, with regards to the Commission with regards to pay increases for Congressmen or for State Legislators. Is that your understanding?"

Balanoff: "No, it puts it only effect as far as wage level, wage level."

Didrickson: "So you have struck the portion that's, that leaves

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the Commission in there?"

Balanoff: "Correct."

Didrickson: "What happens if we pass this Amendment, and this becomes Law in Illinois, and yet President Bush vetoes the initiative in Congress?"

Balanoff: "It will cover people under the State, and not under the Federal."

Didrickson: "It will cover us at the State level and it won't be a Federal initiative and what does that do for us at the state level in Illinois?"

Balanoff: "Well, it would certainly increase the minimum wage."

Didrickson: "And when we increase the minimum wage what do we do?"

Balanoff: "Wh...I, I hope that we would be paying people more money."

Didrickson: "More money if there's X number of dollars that is out there, and fewer people who can not access into it, what happens then?"

Balanoff: "Well I, I think what you...we have to remember is that, when historically, when the minimum wage has been raised there has been no increase in unemployment, and that is with the exception of 1975 when were in the middle of a recession."

Didrickson: "Well, ya know that's an interesting point that you've brought up, because right around the corner the economist have been out there predicting 1991 in terms of a recession. Are we going to be in the State of Illinois, uncompetitive, uncompetitive Representative Balanoff, against other states and neighboring states in the country with regards to coming into a resession or a cycle. Is that what you're choosing to do for us in Illinois?"

Balanoff: "No, I don't think so. I think that right now as I said there are eleven states that have a minimum wage which

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is higher than Illinois, many other states are considering an increase currently and I don't think that will you know, be a problem at all."

Didrickson: "Where are those eleven states."

Balanoff: "The eleven states are: Alaska, California, Connecticut, Hawaii, Maine, Massachusettes, Minnesota, New Hampshire, Rhode Island and Vermont. As well as the District of Columbia."

Didrickson: "They all have pretty high employment rates. How about those the sun belts states down that we compete with? How about the frost belt states?"

Balanoff: "They are at the Federal or well they're at the Federal wage right now."

Didrickson: "Well, I will wait to for some final comments when we get to Third Reading on Bill. But what I think you're doing is giving us an absolute uncompetitive foot, and it's just plain wrong, and it's obviously premature."

Speaker Giglio: "Further discussion? Gentleman from Cook, Representative Trotter."

Trotter: "Thank you very much Mr. Speaker, Members of the House. I rise in support of Amendment #4, this Amendment would enhance the quality of life for a large segment of our population. It will not make them rich, it's not going to get them a car, but it will buy them some food, and will make them a little more self sufficient. I rise in support, and ask all of you to support Amendment #4 to House Bill 494."

Speaker Giglio: "Further discussion? The Gentleman from Will, Representative Regan."

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

Giglio: "He indicates he will."

Regan: "Representative, do you know what the I.M.A., the Illinois

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Manufacturer Association has rated Illinois as being attractive to business. What rating, if that it gave it?"

Balanoff: "No."

Regan: "It gave it a 44 out of 48 contiguous states, and that means that Illinois is not very attractive at the time right now for business. Do...do you realize what rating we are in regards to cost of unemployment insurance in the 48 contiguous states, excuse me Workmans Comp.

Balanoff: "Can you repeat the question?"

Regan: "How do we rate in regards to the cost of Workmans Comp, out of the 48 contiguous states?"

Balanoff: "We're lower than average I'm told. We're the highest cost in the nation. For manufacturers we are."

Regan: "I think that's, is incorrect. Do you realize Illinois is the only state in the union that still has a Scaffling Act, which makes it uncompetitive, for contractors in the State of Illinois?"

Balanoff: "I agree, but that's not germane to this discussion..."

Regan: "The germaneness is to the Bill, to the Amendment, that Illinois has one thing that, it's in favor now, and that's a relatively low corporate income tax compared to its other states. But, the other states that we're in competition with for business, which brings jobs to the State of Illinois, we're quite low on the ladder. This is just one more thorn in the side of creative business, businesses that want to stay here, businesses...that hire our youths. It's just chasing jobs from Illinois, again, which is typical of your type of legislation, and I advise a 'no' vote."

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

Satterthwaite: "I move the previous question."

Speaker Giglio: "The Lady has moved the previous question. All

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those in favor signify by saying 'aye', those oppose 'nay'. In the opinion of the Chair, the 'ayes' have it, the previous question's been moved. Representative Balanoff, to close."

Balanoff: "Well, I would just urge everybody to vote in favor of Amendment #4 to House Bill 494, for all of the working people in the State of Illinois."

Speaker Giglio: "The question is, 'Shall Amendment #4 be adopted?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Olson, are you seeking recognition? One minute to explain your vote."

Olson: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. We listen with interest to these proposals coming our way, we assume SearsRoebuck is listening to the same thing. We assume that everyone is taking into recognition the factor that we're looking at Mandatory health care prevailing wage and a whole potpourri of things which will significantly raise the cost of doing business in the state. Please, keep this in mind as you cast your vote."

Speaker Giglio: "Further discussion? Okay. On this, Mr. Clerk, take the record. On this question, there are 63 voting 'yes', 50 voting 'no' and 1 voting 'present', and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative, Representative Preston, 526. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 526, a Bill for an Act to amend an Act in relationship to compensation, and annulments of Members of the General Assembly. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Preston."

Preston: "Thank you Mr. Speaker, and Ladies and Gentleman of the House. What the Amendment does is to change the wording of the Bill so that rather than setting a stipulated preconditioned amount of money on the salary of administrative assistance, it says that the salary of administrative assistance will be the amount that is appropriated by the General Assembly in each year for that purpose. What the Bill as amended will do is permit every Member of the House and the Senate to hire administrative assistant at a salary determined by the appropriations passed for that purpose and that the administration...of the administrative assistant will be an employee and have all the benefits that any employee does of the General Assembly, and I'd ask for your 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Representative, since this is now a part of the underlying Bill, I guess I need to get clarification. We had some communications with CMS, excuse me...in trying to determine whether or not we would fall this job classification, would fall under CMS guidelines in terms of hiring and interview practices. Are you aware of any problem with that?"

Preston: "I, this is the first time I've heard of any problem. The intent and purpose of the Bill is to enable you to hire the person of your choice to act as your administrative assistant, and that discretion in who you hire is one hundred percent up to the individual Legislator."

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Weaver: "Well, as we understand it from CMS, I may be corrected later on, this may throw us into the hiring practices that the state is required to conduct in terms of interviews, in terms of veterans preference, and in terms of equal opportunity employment, which in a lot of our cases, mine specifically, which I already have an administrative assistant. I may not be able to retain that assistant that I have now."

Preston: "I am aware of no such problem whatsoever. CMS has spoken to me about none of what you have mentioned, and I have to assume, unless it is being operated in a helter skelter, unprofessional manner, that were those in fact problems, that somebody from CMS would have taken the time to contact me, which they have not done."

Weaver: "I will see if we can get them in touch with you. Thank you."

Speaker Giglio: "Further discussion. The Gentleman from Kane, Representative Kirkland."

Kirkland: "He'll yield? Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Kirkland: "Do I understand the Amendment? You're taking off the, is it 22,000 figure and making it appropriation from year to year?"

Preston: "That's correct."

Kirkland: "And can I then assure my administrative aide that her funding or his funding will be similar to the way we fund education, from year to year?"

Preston: "I'm sorry, I didn't hear what you said."

Kirkland: "That their fundings, his or her funding will be similar to the way we fund education from year to year? That kind of consistency?"

Preston: "Well, I...I can't answer that. It will be up to the General Assembly, under the original version of the Bill,

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it's still subject to the appropriation process, the same as it is under this Bill, but the original Bill before the Amendment had a preconditioned bound of 22,000. The wisdom of this Body might be to make it 23,000 or 22,5 and..."

Kirkland: "You're supposed to smile when I ask that question."

Preston: "Oh, I'm sorry, thank you, its been a long day, I apologize."

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

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

Preston: "Sure."

Speaker Giglio: "He indicates he will."

Ropp: "Okay, this Amendment or clarification, one more time is that the total amount would be given to the administrative assistant, rather than lets say you could pay anything up to that?"

Preston: "I...I'm not sure your..."

Ropp: "You are stating that this is what the salary shall be, rather than to say you could go up to that amount."

Preston: "No, you're...it is my understanding that you can lapse money so that you need not...whatever the amount thatss appropriated, is my understanding, you don't have to spend all of that if the individual Legislature does not wish to. You can determine to spend a lesser amount if you wish."

Ropp: "Okay, but it all, but it all has to go to..."

Preston: "The excess would lapse."

Ropp: "But it all has to go to this position."

Preston: "But the amount that lapsed can't be used for any other purpose, it can only be used for this."

Ropp: "You like that better than allowing the whole district allowance to be used in any way you prefer."

Preston: "I'm sorry, Representative."

Ropp: "I say, do you like this provision, where it has to go

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specifically to pay one person, versus being used for other necessities in your district?"

Preston: "Yes, I do, though I would certainly be supportive of any legislation, you or others might want to offer to increase the office allowance. This is separate and distinct from that. As you're aware the Speaker and Minority Leader now are in control and do hire staff for all of us in their infinite wisdom. This would allow those of us who have a little less infinite wisdom to look out for ourselves by getting the kind of assistance set for our needs that we deem necessary."

Ropp: "Thank you."

Speaker Giglio: "Representative Bowman."

Bowman: "Yes, a question of the Sponsor, please."

Speaker Giglio: "Go ahead."

Bowman: "Representative Preston. I don't have a copy of the Amendment in front of me, but does the Amendment specifically require that the appropriations be made to individual Legislators as opposed to say House the operations?"

Preston: "The Member...I'll read what it says here, 'The Member is authorized to approve the expenditure of amounts for the compensation of his or her legislative assistant from funds appropriated to the General Assembly for that purpose'."

Bowman: "Well, Representative Preston, I think I know what you're trying to do, however, what your Amendment would permit would be an appropriation to House operations which would then be under control of the Speaker and Minority Leaders and it seems to me that your Amendment would permit the Speaker to allocate more to one legislator than to another. If he so chose."

Preston: "That is not the intent and I don't believe that's the wording, of the Amendment."

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Bowman: "Well, unless you make the appropriation to each individual Legislator that may not be your intent, however, some future Speaker might choose to exercise the full power that the ambiguity in the law provides and do just that and so, I would say that the Amendment probably needs a little more language to clarify what your intent was."

Preston: "Well, I would be glad if we get this Amendment attached and ultimately get the Bill out of here, to be glad to work with you on any, any further Amendment that may be necessary in the Senate."

Speaker Giglio: "Further discussion? The Gentleman from Goforth, Representative Perry. Oh, I'm sorry, Representative Goforth, from Perry."

GoForth: "Thank you Mr. Speaker. Question of the Sponsor?"

Speaker Giglio: "He indicates he will."

Goforth: "You say appropriations, now, is this gonna be an appropriations from a Conference Committee or is this gonna be an appropriations Bill persay?"

Preston: "Would you repeat your question?"

Goforth: "You know, the reason why I'm asking the question Representative, if our so called 'powers to be' decide in their almighty wisdom to say, well, we're just gonna give you five thousand dollars for assistance, are we gonna have to vote for that to get anything or is this gonna be approximately the same thing as the original Bill said? That's what I'm concerned about."

Preston: "Well, the intent is to make it...at the level of the original Bill, the reason for the Amendment is in future years if there's any cost of living adjustment it should be done in the appropriation process rather than having a piece of legislation on the books, that says what the salary shall be."

Goforth: "Well, I understand if that's right...cause I'm fully

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supportive of this as you well know I voted for it the last time."

Preston: "Yea, the intent..."

Goforth: "But what I'm scared of, is like I said, all of a sudden if we dropped way down to where you can't hire decent help and I wished you would really keep an eye on this because we don't want to..."

Preston: "I...certainly will and I agree with you, I will be watching."

Goforth: "Thank you."

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

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

Speaker Giglio: "He indicates he will."

Black: "Thank you, just a couple of questions, Representative. You've taken out lines 10-17 with your Amendment. And specifically what I don't see in your Amendment is any upward limit or cap if you will, on the salary. There was a 22,000 dollar a year expressly stated in line twelve. You've removed that in your Amendment #1, and I see in the Amendment no cap, I mean does that mean it will fluctuate by the appropriation."

Preston: "That's correct."

Black: "Is it your legislative intent to keep the cap at 22 or the cap will float."

Preston: "The cap is going to be as determined by the House and the Senate with the concurrence of the Governor, in the appropriation process each year. And the reason for that is, should the Senate decide that the appropriate amount is 21,000 not 22,000 or should the Governor decide that 21.5 is the amount we can afford not 22 or the right amount next year might be 22.5, that its the appropriation process that

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will determine what the amount of the salary is."

Black: "Is it then..."

Preston: "Which incidentally is exactly how we do it for other employees of the General Assembly today."

Black: "Well...I appreciate your illuminating that point. Because I think that was a matter of some concern that some of us had. The only other question I have is that in the Amendment, would there be anything other than your intent and I'm sure I know what your intent is and its honorable, but the Amendment, I'm a little unclear if perhaps you could maybe hire a half a dozen part time people, whatever to the limit of the appropriation might be, but rather than end up with one you might end up with six or seven or eight."

Preston: "Well, actually Representative that was suggested by some Members and I rejected that because I...that's not the purpose of this legislation, somebody else can offer what they will and what you suggest can be done today out of your office allowance. Under this legislation there is one administrative or legislative assistant that's hired per Member at an amount to be determined by the General Assembly through its appropriation."

Black: "Thank you very much Representative. One last question, and I think you've answered this, in your appropriations process then, that salary might float. So one year you might have a contract for 22, the next year you might have a contract with that individual for 21, 20,000 whatever that app..."

Preston: "That certainly is not my hope, that is not my intent it is my hope and intent that it's operated in an orderly process, but the constraints of State Government might make that necessary as it does with other employees of the General Assembly today. So that my hope is that someone

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will start at a salary of 22 that the following year or year after that it might go up by three percent cost of living or whatever it is, so that an employee is satisfactorily compensated for a satisfactory job done. However, I wanted to leave it to the appropriation process in case we can't afford it."

Black: "Thank you very much, Representative."

Speaker Giglio: "Representative Kulas."

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

Speaker Giglio: "The Gentleman's moved the previous question. All those in favor signify by saying 'aye' those opposed 'nay.' In the opinion of the Chair, the 'ayes' have it. The previous questions been moved. Representative Preston to close."

Preston: "Thank you Mr. Speaker, and Ladies and Gentlemen of the House. This is not the first time we've seen this Bill. It is a Bill that will provide us in my opinion, with the necessary tools to do the kind of job that we've been sent here to Springfield to do. There are many of us who feel we need an administrative and legislative assistant to assist us in reviewing legislation to maybe add expertise in areas that we are not expert enough in. Those of us who don't feel that way you'll notice there's nothing in here that says a Legislator must hire someone. If you don't want to if you don't need it, if you want to show your constituents that you could do just as good a job as your neighbor but for less cost to your taxpayer, so be it. But for those of us who admit that we are not omnipotent or omniscient, I being one who needs help, can use this kind of assistance. For those who agree with me and think that for all of us, many of us, would do a better job with some assistance please do the right thing and vote 'aye' on this Amendment. Thank you."

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Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', those opposed 'nay.' In the opinion of the Chair...Representative McCracken moves that we have a Roll Call. All those in favor...no...all those in favor of the Amendment say 'aye', opposed, in the opinion of the Chair, the 'ayes' have it. The Amendments adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Ewing."

Speaker Giglio: "Representative Ewing on Amendment #2."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I want to give everybody a chance to correct that bad vote they made earlier today and this Amend..."

Speaker Giglio: "Excuse me, Representative Ewing. Representative Preston."

Preston: "Mr. Speaker, would you take this out of the record, please?"

Speaker Giglio: "Take the Bill out of the record. Representative McPike. Representative McPike."

McPike: "Mr. Speaker, I move the House stand adjourned until tomorrow...at the hour of 9:30 a.m."

Speaker Giglio: "You've heard the Gentleman's Motion, all in favor say 'aye', those opposed 'nay.' The House now stands adjourned, until 9:30 tomorrow morning."

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