

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "House will come to order. The Chaplain for today is Reverend Maurice Midgley from the First Nazarene Church in Morris, Illinois. Reverend Midgley is a guest of Representative Jerry Weller."

Reverend Midgley: "Let us pray together. Father, we thank You for this chance to come before You in order for this great State of Illinois that we come to do business for Lord, and take care of. We ask, Lord, that as Representatives of the people that we will do the will of the people, that Lord, we will not take our own opinions but rather Lord, we would do that which our people want us to do. We ask, Lord, that You'd help us to...stem the tide of socialistic ideas and other things that are rising so much in our society and that we would be true to the Constitution of the United States. We ask Lord, today, that we would conduct business in a manner worthy of our calling and a manner worthy of our title. We thank You, Lord, for all good things You give us. On Thee we pray. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative McGann."

McGann - 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...take the record Mr. Clerk. 117 Members answering a Roll Call a quorum is present. Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 13, John Dunn, a Bill for an Act to provide a cause of action for retaliatory discharge of an in house attorney. First Reading of the Bill. Senate Bill 176, McNamara et al, a Bill for an Act to prevent improper use of the flag. First Reading of the Bill."

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Agreed Resolutions...Representative Mulcahey we could have done these last night at 7 p.m. or we could do them morning so what ever..."

Clerk O'Brien: "Agreed Resolutions...House Resolution 375, Cullerton...I'll take that one out of the record that's a Death Resolution. Senate Joint Resolution 56, Ewing. Senate Joint Resolution 58, Stephens...House Resolution 470 Ewing, 471, Johnson, 473, Mautino, 474, Trotter, 475, Wyvetter Younger, 476, Shirley Jones, 477, Wyvetter Younger, 478, Davis, 479, Ryder, 480, Ryder..."

Speaker McPike: "Representative Matijeich."

Matijeich: "Good morning, Speaker I move the adoption of the Agreed Resolutions we've examined and they are agreed to."

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

Clerk O'Brien: "House Joint Resolution 51, Martinez, House Joint Resolution 55, Ronan."

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

Clerk O'Brien: "House Resolution 472, offered by Representative Johnson with respect to the memory of Eli G. kauffman. Senate Joint Resolution 53, offered by Representative Terzich with respect to the memory of William G. Smith."

Speaker McPike: "Gentleman moves for the adoption, Representative Matijeich of the Death Resolution. All in favor, say 'aye', all opposed say 'no'. The 'ayes' have it the Death Resolutions are adopted."

Speaker McPike: "Senate Bills First Reading. We have at least 50 Senate Bills on the Calendar with no House Sponsors. You want to take a look at the Sponsor, you want to take a look at the Bill maybe you'll find a Senate Bill that you like and pick it up."

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "Senate Bill 148, Giglio, a Bill for an Act to amend certain Acts in relation to the licensing of certain minors as drivers. First Reading of the Bill."

Speaker Cullerton: "...Second Reading, House Bill Second Reading on the Consent Calendar. The Chair believes this Consent Calendar should be called the agreed Bill List and not a Consent Calendar. Second Reading is House Bill 342, Representative Granberg. Granberg here? Out of the record five point two out of the record. 648, Representative McCracken. Representative McCracken...out of the record. House Bill 649, Representative White. Jesse White. It's a Consent Calendar. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 649, a Bill for an Act to amend the School Code. This Bill has been read a second time, previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. The Amendment has clarifying language in it and it would remove the reporting...putting the report on to the report card. That's all the Amendment does."

Speaker McPike: "Gentleman moves for the adoption of Amendment #1. All in favor, say 'aye'. Representative Didrickson."

Didrickson: "Yes, would the Sponsor yield for a question?"

Speaker McPike: "yes, he will."

Didrickson: "Representative White, what are we doing with regards to the report card reporting?"

White: "You heard the Bill in Committee and all this Amendment does is it's designed to respond to some questions that were raised in the Committee. In the beginning we had to put the report onto the report card. And this Amendment is

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

43rd Legislative Day

May 18, 1989

designed to remove it from being placed on the report card."

Didrickson: "What are we removing from being placed on the report card?"

White: "Well, you know the Bill is designed to have the school district report back to the State Board of Education on people who have been exempt from taking physical education and in the beginning we wanted to put that report on to the report card and this Amendment seeks to remove that requirement. So, all it's doing is just to clear up what could be a messy situation."

Didrickson: "So, what you are doing with this Amendment is removing the reporting requirement with regards to the number of exemptions for physical education?"

White: "No, If my memory serves me correctly, the Amendment would."

Didrickson: "This Amendment."

White: "This Amendment."

Didrickson: "Floor Amendment #1."

White: "Yes, would prevent us from putting the report on to the report card. The report now would go straight to the State Board of Education and that's all that the Bill seeks to do."

Didrickson: "So in other words the reporting as I said before, the reporting of the number of students exempt from physical education won't be on the report card?"

White: "Will not, will not."

Didrickson: "Will not, that's what I said."

White: "Yes, will not."

Didrickson: "But will go...but will be reported to the State Board of Education?"

White: "That is correct."

Didrickson: "Thank you."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Question is, 'Shall the Amendment be adopted?' All in favor, say 'aye'. Opposed 'no'. The 'ayes' have it. The Amendment's adopted. Third Reading. House Bill 854, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 854, a Bill for an Act to amend the School Code. This Bill has been read a second time previously and Amendment #1 was adopted. No Motions. No further Amendments. State mandates note has been filed."

Speaker McPike: "Third Reading...1925, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1925, a Bill for an Act in relation to property taxation. This Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Ewing."

Speaker McPike: "Representative Ewing. Representative Ewing, Amendment #1. There he is...Mr. Ewing, please..."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. The Amendment which I have to this Bill amends the Revenue Act and adds to school property which is exempt from property tax any original township section of real property which is leased to one person to be used exclusively for agricultural purposes. You may remember that our common schools used to each have a quarter section of land. Many of these schools have sold off this land but there are few in downstate Illinois that still have this property. Under current taxation they lease this out. The money goes to the School district for help to support the schools. And yet, they're required to pay property tax on it, about 60 percent of which goes to the school. This would exempt them from paying that tax. I think that the Department of Revenue is either neutral or in favor of the Bill. I think it's probably good legislation to keep from having a taxing

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

43rd Legislative Day

May 18, 1989

body pay tax on their own income which is going for the purpose of schools and I'd move for the adoption of the Amendment."

Speaker McPike: "...And on the Amendment, Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. I would rise in opposition to the Gentleman's Amendment. This is the subject of House Bill 2609 which failed in the House Revenue Committee. It failed for the good reason that the Bill is patently unconstitutional, treating property used for agricultural purposes when owned by a school district differently from other governmentally owned property that is also used for agricultural purposes. The Bill, House Bill 1925, is on the Consent Calendar. The Bill is an agreed Bill between the Minority Spokesman of the Revenue Committee and the Democratic Majority on the Revenue Committee and the adoption of this Amendment would not be in keeping with the agreement that was made in order to spring House Bill 1925 from Committee. I would encourage the House to reject this Amendment. As I say, the Bill that is the subject of the Amendment was heard, was rejected by the Revenue Committee. This Amendment should not go on this Bill at this time."

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker, I would just like to point out that in testimony in the Revenue Committee, the Department of Revenue indicated that this Amendment which was at that time a Bill, would be Unconstitutional and that was one of the reasons along with a number of other reasons that it was rejected by the Revenue Committee and I would ask the Membership to reject it now. Thank you."

Speaker McPike: "Representative Ewing."

Ewing: "Yes, Mr. Speaker, may I close on this?"

Speaker McPike: "Yes, please."

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

43rd Legislative Day

May 18, 1989

Ewing: "I would just say that Chief Justice Currie does...her opinions do not have the same weight that I would give, when she begets to be a chief justice on the Supreme Court I think she can declare Bills to be Unconstitutional or at least both in that way. This Bill makes good common sense or this Amendment and I would ask for a Roll Call vote on this Amendment, please."

Speaker McPike: "Gentleman moves for the passage of Floor Amendment #1. Question is, 'Shall the Amendment be adopted?' All in favor, vote 'aye'. Opposed vote 'no'...Have all voted? Have all voted who wish? Clerk will take the record. On the Amendment there are 43 'ayes' and 61 'nos'. The Amendment fails. You're a second late Mr. Hallock. You're one second to late. Let the record reflect that if Representative Hallock had been on the House floor on time he would have voted for that Amendment. Representative Hallock that was just a joke. That was just a joke, I know you've been here for an hour. Third Reading...House Bill 2485, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2485, a Bill for an Act in relation to state tax enforcement. This Bill's been read a second time, previously. No Floor Amendment, no Committee Amendments or Floor Amendments. Third Reading."

Speaker McPike: "House Bill 2487, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2487, a Bill for an Act to amend the Retailer's Occupation Tax Act. This Bills been read a second time, previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2529, Representative Hasara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2529, a Bill for an Act to amend the

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

43rd Legislative Day

May 18, 1989

State Employees Group Insurance Act. This Bills been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. And Representative Keane, for what reason do you rise?"

Keane: "Thank you, Mr. Speaker, I'd like to go to House Bill 2484 on Consent, Third Reading and return it, I'm sorry 2482."

Speaker McPike: "The Gentleman ask leave on page 5 of the Consent Calendar to return the Bill to Second Reading for Amendments. Being no objection leave is granted. Mr. Clerk, are there any Amendments filed?"

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

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker. Floor Amendment #1, deals with an agreement between the Department of Revenue and the Attorney General's office and it gives the department...it specifies the Department of Revenue's right to file a notice of jeopardy assessment. It's an agreed Amendment. I'd ask for its adoption."

Speaker McPike: "Is there any discussion on the Amendment? Being none the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'. Opposed 'no'. The 'ayes' have it. The Amendments adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Gentleman ask leave to return this to Third Reading on the Consent Calendar. No objections leave is granted. House Bill 2656, Representative McNamara, page 5 of the same Calendar. The Gentleman ask leave to return to Second Reading, are there any objections? Being none leave is granted. Mr. Clerk, are any of the Amendments filed?...2656..."

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

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. Amendment #1 is a clean up for the Bill, but I need to Amend it...I ask leave to amend it on its face, on line 2, and change page 7 to page 1. I have agreement with the other side of the aisle."

Speaker McPike: "Would you repeat the change that you'd like."

McNamara: "The change is on line 2. It states that Amendment #1 amends House Bill 2656 on page then it is page 7 it says in the Amendment I want to change that to page 1."

Speaker McPike: "Gentleman ask leave to change the Amendment on its face from 7 to 1. No objections, leave is granted. The Attendance Roll Call will be used. The Gentleman now moves for the adoption of Amendment #1. Is there any discussion? Being none, the question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Any Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Gentleman ask leave to return the Bill to Third Reading Consent. No objections, leave is granted. Representative Granberg. Representative Granberg, here? Are there any other Members that have a Bill on Third Reading that needs amending?...Order, Government Administration. Second Reading, Representative Anthony Young, on House Bill 38...out of the record. House Bill 113, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 113, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 165, Representative Granberg. Representative Granberg. Out of the record."

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

43rd Legislative Day

May 18, 1989

House Bill 526, Representative Preston. Out of the record. House Bill 591 is out of the record. House Bill 1200, Representative Churchill. Mr. Churchill, out of the record. House Bill 1990, Representative Cullerton? John Cullerton? John Cullerton. Out of the record. House Bill 2106, Representative DeLeo. Mr. Deleo. House Bill 2117, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2117, a Bill for an Act to amend the Highway Advertising Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker, this amends the Bill to require that the determination whether the billboard is sound structurally will be determined by the Department of Transportation. I move its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1, is there any discussion? The question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', opposed 'no'. The 'ayes' have it, the Amendments adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Special Order, State and Local Government. Second Reading. Representative Parcels, for what reason do you rise?"

Parcels: "I just wanted to ask why my House Joint Resolution which was on that order was not called? It was the last list...last item listed on that Governmental Administration Second Reading."

Speaker McPike: "Representative Parcels, the reason it wasn't called was because we were on the Order of Government

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

43rd Legislative Day

May 18, 1989

Administration, Second Reading House Bills and yours is a House Joint Resolution Constitutional Amendment and we weren't on that order."

Parcells: "Yes Sir, but it was listed in that order, I wondered why it happened to be listed there?"

Speaker McPike: "...As soon as we get the Constitutional Amendments, we will call that."

Parcells: "In other words you don't know why? Thank you."

Speaker McPike: "...Back on the Order of Government Administration Second Reading, Constitutional Amendments. Representative Prcells, we have a Special Order of Business just for you. Appears House Joint Resolution Constitutional Amendment II, Representative Parcells."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment II, this Constitutional Amendment has been read a second time previously. No Committee Amendments or no Floor Amendments."

Speaker McPike: "Third Reading. State and Local Government. Second Reading. House Bill 215, Representative Currie. Out of the record. House Bill 225, Representative Phelps. Representative Phelps. Out of the record. House Bill 509, Representative Ryder, Ryder, Mr. Ryder? Out of the record. House Bill 694, Representative Leverenz. Out of the record. House Bill 744, Representative Pullen. Representative Pullen here? House Bill 757, Representative Countryman, out of the record. House Bill 762, Representative Hannig. Out of the record. House Bill 1097, Representative Phelps. Mr. Phelps, did you want 225 called? You just passed over that."

Phelps: "Thank you, Mr. Speaker, I will not have it read a second time but I need to hold it for an Amendment that's yet to be filed."

Speaker McPike: "Alright, Mr. Clerk, read the...House Bill 225."

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "House Bill 225, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Out of the record. Read and held on Second Reading. Out of the record...Representative Hasara. The Chair was in error earlier on House Bill 2529. There is a request for a fiscal note filed and it has not been filed. We inadvertently moved it to Third Reading. The Chair at this time will return House Bill 2529 to Second Reading and waive the fiscal note. Thank you. Representative McNamara, for what reason do you rise?"

McNamara: "Thank you, Mr. Speaker, I'd like to suspend Rule 63(e) until July 15."

Speaker McPike: "Till July 15?"

McNamara: "That's correct."

Speaker McPike: "Gentleman moves to suspend Rule 63(e) until July 15th. Is there any discussion? Representative McCracken."

McCracken: "What is Rule 63(e)?"

Speaker McPike: "Representative McNamara."

McNamara: "Its a rules suspending the smoking privileges on the Floor."

McCracken: "Oh, I thought it was a partisan motion, I was worried...I don't care."

Speaker: "The question is, 'Shall Amendment 63(e) be suspended until July 15?' All those in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish?...Representative Terzich."

Terzich: "Is this the same explanation about Amendment #2? I mean, I didn't understand what 63(e) or the Sponsor of this Motion. What did they..."

Speaker McPike: "Gentleman move to suspend Rule 63(e) until July 15th."

Terzich: "Oh, he should learn to live without it."

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Have all voted? Representative Cullerton, did you wish to speak on this?"

Cullerton: "No, I wish to be recognized after the Roll Call is taken on this."

Speaker McPike: "Representative McNamara, to explain his vote."

McNamara: "Yes, Mr. Speaker. There is a tremendous problem by many of the people on the Floor that are smokers and the women in the wash rooms the womens washroom has become extremely smokey and dangerous to all. The men's washroom the same way. Let's face the facts, what has happened is that you have caused a tremendous burden on a small minority of your House Members. It is difficult to get to the Floor to answer for the Bills, it is difficult to do the job that we were elected to do by our constituents. I think it is only fair and right that we have that courtesy. I have no objection if you wish to limit that smoking to either cigarette smoking or limit it to House Members, that is no problem, but this room, certainly, is large enough and the air is certainly clear enough that we should be able to do it. I would ask for your consideration on behalf of the Members that do have the bad habit to be able to have some consideration for the other Members of this Body. I ask for your consideration on an 'aye' vote."

Speak McPike: "Have all voted? Representative Goforth."

Goforth: "Thank you, Mr. Speaker. People, this is awful important to a lot of us. I would appreciate if lot of you's would take mercy on some of us poor people, who does have a bad habit and support me on this. Also Mr. Speaker, I'd like to varify the Roll Call."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk, will take the record. On this Motion there are 41 'ayes' and 70 'nos'. Representative Goforth has asked for varification. Representative Goforth, the Chair would like

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

43rd Legislative Day

May 18, 1989

to inform you that it requires 60 'aye' votes to adopt this, so if you varify all of the negatives off of the Roll Call you would still lose."

Goforth: "Well, it looks like you've made your point, I withdraw my motion."

Speaker McPike: "The motion fails. Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Since we're on the order of rules I though it would be appropriate if we get a kind of progress report on the House Rule 3(b). We want to get a progress report as to whether or not that being complied with...from both the Majority and the Minority Leader, I think we appropriate it."

Speaker McPike: "Representative McCracken, could you inform the Chair."

McCracken: "I am pleased to report that all Members have an office and all Members have a parking place. Thank you."

Speaker McPike: "In accordance with Rule 3(b)."

McCracken: "That's the real question."

Speaker McPike: "...House Bill 1097, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1097, a Bill for an Act to amend the Uniform Commercial Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. With leave we would like to skip forward to House Bill 2031 and then return right back to this order. House Bill 2031, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2031, a Bill for an Act in relation to Fiscal Control. Second Reading of the Bill. No Committee Amendments."

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. This Amendment's an Agreed Amendment that...lives up to the commitment that was made in front of the committee and I would urge its adoption."

Speaker McPike: "...Gentleman moves for the adoption of Amendment #1. Representative Cullerton."

Cullerton: "Could you explain your so called Agreed Amendment. And who was it agreed with?"

Mays: "I think when Representative Keane made the presentation in front of the...I think it was State Government Administration Committee or whatever. There were some reservations raised by the Supreme Court about its application to this...this Bill and the Representative consented to remove the Supreme Court from its application and that's what the Amendment purports to do."

Cullerton: "Well, There's been an controversy of course, between the Supreme Court and the Auditor General and..."

Mays: "What we're trying to do is accommodate the Court."

Cullerton: "That's what it looks like I just wanted to here that from you."

Mays: "That's what I think the Amendment does and that's what we said we would do."

Cullerton: "Yeah, fine. Thank you."

Speaker Cullerton: "Question..is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', opposed 'no'. The 'ayes' have it. The Amendments adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1282, Representative DeJaegher. Read the Bill, Mr. Clerk."

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "...House Bill 1282, a Bill for an Act to amend the Illinois Act of the Aging. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. First, let me commend those people that serve on the Aging Committee with me for basically, having faith with me in the movement of this particular legislation. Amendment #1 to House Bill 1282 is an Amendment to basically what the State of Florida has on there laws pertaining to board and care. It's a serious situation because what's happening because of income factors that many of our seniors, those that have it can provide and basically, take care of themselves in the best accommodations. There are many, many seniors that because of their income do not have that distinct privilege. They're utilizing more and more board and care facilities and you may recall just a few short months ago when ABC and NBC exposed those facilities. And it's a tragic situation if you picture as I pictured that particular evening when I was sitting in my living room watching this expose where this individual was in this room and thousands and thousands of cock roaches were being showed. This is not right. We can't make a class distinction between our citizens. We have to care for them in the best possible manner. And for that reason, I ask of you to adopt Amendment #1. Amendment #1 is not the total solution, I have been meeting with health providers continually, since this Amendment was drafted and placed on your desk. There are some problems with the Amendment, but it is a start.

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

43rd Legislative Day

May 18, 1989

What I ask of you is, today, is to do this accept this Amendment and then when we take it to Third Reading, hopefully, that I can get 47 votes to put this on postponed consideration. And, there after a task force would be originated to over come these deficiencies and see how we can respond to those people that are affected in situations such as this. Many of these people, because of their own incentive, are placing themselves in facilities such as this and often times the family member does it. But then that person is forgotten. That person is in his shell, that person has no follow up. That person could be laying there dead in that room with nobody even checking. Nobody cares about the health of that person. Whether their health needs are being addressed to or what type of follow up is and basically this is what it's all about. I think that basically, there has to be some alternative to this question because as I said before, more and more states are being confronted with board and care homes. I felt that I had proper follow up on the Florida legislation because they say it's the best. And now I hear it is not the best, that there can be changes made. And basically, this what the Amendment is. Hopefully that you will support me in this endeavor to overcome this and adopt this Amendment and we proceed to Third Reading and then you'll give me the 47 votes that I request so I can put this on postponed consideration so that I can enter the organized task force to see if we can overcome this problem and have meetings throughout the State of Illinois. This is what I want. This is what I request. And if you seen what I seen on television...on network television you'll be supporting me on this endeavor. Thank you."

Speaker McPike: "On the Amendment, Representative Ropp."

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

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Yes, he will."

Ropp: "Would you tell me what the Amendment is please."

DeJaegher: "Basically, the Amendment as I stated earlier, Gordy."

Ropp: "I didn't hear what you said."

DeJaegher: "Basically, what the Amendment is, it's the content of legislation that they presently have in the State of Florida pertaining to board and care homes. It addresses ourselves to specific areas. Not nursing homes per se, but people that have board and care facilities."

Ropp: "You mean it provides better care or what does it do? What does Florida do so fantastically that we do not do here in Illinois?"

DeJaegher: "Well, what's happening and you may not be knowledgeable of it..."

Ropp: "I'm not, that's why I'm asking the question."

DeJaegher: "But I have a, I have a...I have a sincere concern about the seniors in the State of Illinois. And more and more board and care facilities are being implimented because of lack of income and they do not have the luxury of providing for themselves as others do, so they're using facilities such as this either through their own initiative or being put there by family members for their particular care. It does not basically say anything about nursing homes. Were addressing ourselves to board and care facilities."

Ropp: "Does it attempt to provide like clean beds or good food?"

DeJaegher: "Basically, yes, this would provide for inspection of the facilities that these people are using."

Ropp: "So, the Amendment is actually an inspection process for those particular facilities where people who are in their latter years are residing."

DeJaegher: "That's basically the intent of it. Yes, Gordy, it's a follow up."

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

43rd Legislative Day

May 18, 1989

Ropp: "Well, and we don't have that inspection process in the State of Illinois now?"

DeJaegher: "No, we don't have because basically the problem that I have and I know this is taking place but we really do not have the number of facilities such as this that are operating in the State of Illinois."

Ropp: "These are facilities then that are not as you mentioned nursing homes but they are...how...would you classify them, what are they?"

DeJaegher: "Gordy, what happens...people because if they have a large residency and their income is what you might say is diminishing somewhat, they're accepting these seniors into these homes and providing board and care for them. And this is what it's all about and this is happening more and more throughout the United States of America."

Ropp: "Okay, is there a definition under which these particular people are classified now?"

DeJaegher: "We've tried to define that, but again working with administrators and people who are care providers we're trying to basically put better wording into the contact of the Amendment."

Ropp: "Why do you want to put this on postponed consideration then, if it's such an urgent need? Why wouldn't you want to pass it and do something for these people?"

DeJaegher: "Well, Gordy, I met with the home providers and I told them what my concern was and what I wanted to do and basically they said they would cooperate with me. And basically, what I want to do is put their feet to the fire that something will be done that we can come up with adequate legislation, that we can address ourselves to the problem."

Ropp: "Wouldn't Interim Study do just the same thing?"

DeJaegher: "I don't believe so, Gordy. I don't believe so. This

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

43rd Legislative Day

May 18, 1989

is what... what I'm trying to do is make each and every member of this General Assembly knowledgeable of what's going on in this state and other states and the only way that I can do this is bring it to your attention. Perhaps you were not privileged to see this expose as I seen it."

Ropp: "Well, obviously, you have a great concern as the rest of us. I have some of these same facilities in my own district and I've been to a number them and I think they are very well kept and...so, I think, you might want to use those as an example of what ought to be made available for those people who are living in those kinds of facilities so...thank you."

Speaker McPike: "...Representative Williamson."

Williamson: "Thank you, Mr. Speaker, will the Sponsor yield?"

DeJaeger: "Yes."

Williamson: "Representative, has the Department expressed any concern that this will be duplication with the Nursing Home Care Act with regulation? Will this be doing the exact same thing?"

DeJaegher: "No, the only surprising thing about it."

Speaker McPike: "Excuse me, excuse me, in the middle aisle...in the middle aisle is former Representative Walter Kozubowski. Welcome back to Springfield. Proceed."

DeJaegher: "Linda, what Department are you making reference to?"

Williamson: "Public Health."

DeJaegher: "Public Health would basically telling me that they're in support of the Bill so to speak but they're concerned about the financial aspects of the Bill. And basically, that's the only conversation that I've had with the Department of Health."

Williamson: "I would be willing to support this Amendment with your agreement that you will put together a task force and work with us and hope that you will also work with me with

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

43rd Legislative Day

May 18, 1989

this task force to see if we can come up with some solutions to address the concerns that you obviously have."

DeJaegher: "One thing that I've never done, I've never went back on my word. When I brought this to the attention of the Committee on Aging, I told them then what I intended doing. I do not intend to deviate one iota from that. Because hopefully, that you and I and other members that want to participate can come up with an adequate solution to what I'm trying to accomplish."

Williamson: "Well, with respect to the Sponsor I understand what your trying to do and I will support your Amendment and hopefully we can work on this concern."

DeJaegher: "Thank you."

Speaker McPike: "...Representative Deuchler."

Deuchler: "Representative DeJaegher, are you differentiating in your definition between shelter care homes and these boarding homes that you're talking about?"

Dejaegher: "Yes, we're trying to make a class distinction between those type of facilities. This is...this is...this is a little bit different than what we're being confronted with as far nursing home care. These type of facilities are springing up quite frequently now, because as I said to Gordy many of these facilities are home because of their size and taking these people in and then they can care less if they extract their money from them. They give them a room, there's no follow up, no concern regarding whether they bathe in their clothes or etc. And nothings going on. Basically, they're in an isolated room so to speak, where no one gives a damn what's happening to them."

Williamson: "Well, I do have a facility in my district. It's called a Shelter Care Home. It's minimal cost. The residents live in rooms that have food and minimal services but they are inspected by the Department of Public Health.

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

43rd Legislative Day

May 18, 1989

I'm wondering if your definition then would be a whole new category called Boarding Homes?"

DeJaegher: "Yes."

Williamson: "And, it would not be...because, now, there is another step, there are nursing homes and there are shelter care homes."

DeJaegher: "Yes."

Williamson: "You're saying, boarding homes would be, even, another category?"

DeJaegher: "This would be a separate and distinct classification because there are outstanding facilities in the State of Illinois that do address themselves in a positive light to the plight of senior citizens. But there are other areas that basically could care less as long as they extract a certain amount of monthly income from that individual for having that particular room."

Williamson: "Thank you, Representative DeJaegher."

Speaker McPike: "Representative DeJaegher to close."

DeJaegher: "Ladies and Gentlemen, I made a committment to you. I hope to honor that committment. Hopefully, you will accept this Amendment and there will be changes made to this particular Amendment. And then when this Bill advances to Third Reading that you will give me the opportunity of persuing what I'm attempting to do and at that particular time I will not ask the total committment of the House. All I want is 47 votes on Third Reading to put this in Postponed Consideration so that I can conduct task force meetings throughout the State of Illinois in a subsequent nature. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', opposed 'no'. All in favor, vote 'aye', opposed vote 'no'...Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment,

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

43rd Legislative Day

May 18, 1989

there are 106 'ayes', and 4 'nos' Amendments adopted.
Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "There's a request for a fiscal note has been
filed so the Bill will remain on Second Reading.
Representative DeJaegher."

DeJaegher: "We will provide a fiscal note. We're already
prepared for that Mr. Speaker."

Speaker McPike: "You have it with you?"

DeJaegher: "No, but we will have it with...in just a few short
minutes and we can bring it back and then we can move it."

Speaker McPike: "Thank you."

DeJaegher: "Thank you sir."

Speaker McPike: "...House Bill 1435, Representative
Hasara...Representative Hasara. Out of the record. House
Bill 1659, Representative Churchill. Read the Bill, Mr.
Clerk."

Clerk O'Brien: "House Bill 1659, a Bill for an Act to amend the
Civil Administrative Code. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "There's a request for a fiscal note so the Bill
stays on Second Reading...Bill stays on Second Reading.
House Bill 1718, Representative McGann. Read the Bill, Mr.
Clerk."

Clerk O'Brien: "House Bill 1718, a Bill for an Act to amend the
Liquor Control Act. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading...House Bill 694, Representative
Leverenz. Read the Bill, Mr. Clerk."

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "House Bill 694, a Bill for an Act to amend an Act in relation to Storm Water Management. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Churchill...Representative Churchill on the Amendment."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this does is to provide for the creation of the Cook County Storm Water Management Planning Committee to see oversee flood control improvements and provides for the dissolution of drainage districts within Cook County."

Speaker McPike: "Representative Leverenz on the Amendment."

Leverenz: "I think would be classified as a hostile Amendment and guts the Bill from the enacting clause and I would just ask us to oppose the Amendment."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish?...Representative McCracken, to explain his vote."

McCracken: "Do you think we can get 12 Democrats off this Bill if I verified. How does it look over there? All I need is 8 off...or maybe even 7. I'll verify."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take...Representative McCracken."

McCracken: "I was wrong I need all of the 15 off. So, I'll withdraw it."

Speaker McPike: "Clerk will take the record. On the...on...this Motion there 49 'aye' and 64 'nos' and the motion...fails the Amendment fails. Further Amendments? Further Amendments?"

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

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

43rd Legislative Day

May 18, 1989

Harris."

Speaker McPike: "Representative Harris. Mr. Harris.
Representative McCracken."

McCracken: "I'd like to handle it, it's not complicated."

Speaker McPike: "Gentleman ask leave to handle the Amendment.
Representative Leverenz is indicating that that's not
acceptable. Representative Leverenz, what's your desire?"

Leverenz: "Move to table the Amendment."

Speaker McPike: "Gentleman moves to table Amendment #2. Is there
any discussion? Representative McCracken."

McCracken: "I realize the Amendment's considered to be hostile."

Speaker McPike: "Just a minute, Sir. Representative Harris has
returned to the chamber. Representative Harris, on
Amendment #2."

Harris: "Thank you, Mr. Speaker, I apologize for leaving off the
Floor. Amendment #2, quite frankly makes a very simple
change. The Bill itself...provides for what's known as
speed limits on water flowing out of a county and this
Amendment makes a slight change which provides that what's
known as speed limits, may not be imposed if the speed
limits cause any excess storm water to be retained in the
county out of which it flows. It prevents it backing up
and flooding within the county out of which it is flowing.
I think it's a reasonable Amendment and I would ask its
adoption."

Speaker McPike: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. I would consider it as
Representative indicated a hostile Amendment. I'm trying
to get to the Amendment that I am offering to change one
word in it. I would ask that we would reject Amendment
#2."

Speaker McPike: "Representative Harris to close."

Harris: "...Well I thank you, Mr. Speaker. I recognize that the

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

43rd Legislative Day

May 18, 1989

Sponsor of the Bill has some objection to this Amendment. However I believe it's reasonable. It applies fairly to all the counties, Cook County as well the other surrounding counties and I would ask its adoption."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 49 'ayes' and 64 'nos'. The Amendment fails. Further Amendments?"

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

Speaker McPike: "Representative Leverenz."

Leverenz: "The Amendment would change the word speed to the word flow throughout the Bill and I would ask for the adoption of this Amendment #3."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading...House Bill 1870, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1870, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill pertains to H.I.V. testing of indicated child sexual abusers. The Amendment is largely technical

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

43rd Legislative Day

May 18, 1989

removing some language that is medically inappropriate in defining what is meant in the Bill by the H.I.V. test. It further requires reporting of positive test results to the Illinois Department of Public Health in the same manner in which reports are currently made on other positive infections in this state and requires the Department to publish a monthly statistical report of those infections. It's needed primarily as a technical Amendment and I move its adoption."

Speaker McPike: "The lady moves for the adoption of Amendment #1. Is there any discussion? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading...House Bill 1926, Representative Currie. Mrs. Currie. House Bill 2005, Representative Peterson. Out of the record. Representative Countryman. Page 53 of the Calendar. Page 53 of the Regular Calendar appears House Bills, Third Reading. It should indicate House Bills Third Reading Consent Calendar. Mr. Clerk, would you read the one Bill that's on the Consent Calendar?"

Clerk O'Brien: "House Bill 2663, a Bill for an Act in relation to possession of waterbeds. Third Reading of the Bill."

Speaker McPike: "Representative Countryman, for what reason do you rise?"

Countryman: "Mr. Speaker, I have some questions about this Bill. I don't want to knock it off the Consent Calendar, but since it's the only Bill on the Consent Calendar I wonder if the Sponsor could explain what his intentions were in introducing this Bill and what it actually does. Just, briefly, if he could?"

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Well Representative, since this is the only Bill on the Consent Calendar I don't think it's an unreasonable request to ask the Sponsor to explain the Bill. Representative Johnson. Just so happens, Sir, that you have the only Bill on the Consent Calendar. And before calling it for a vote I wonder if you could explain what the Bill does."

Johnson: "Okay, I will. I didn't realize that...reach that distinction. John Meese, the President of the National Waterbed Retailers Association writes to the News Gazette as follows: We are pleased by the anti-discriminatory waterbed legislation, introduced by Representative Tim Johnson. As reported in the News Gazette in the April 29th's issue. The proposed Bill would prevent landlords from discriminating against tenants placing waterbeds in reted homes or apartments. Two key-stone states have already passed this legislation. Similar legislation has been introduced in other states as well. And it goes on to state the protections that are built into the Bill with respect to structure and so forth so that there's no opposition from landlord groups or the realtors or anyone else and then provides and then further states the therapeutic benefits. The people suffering from arthritis and physical disorders who would be protected by this Bill. And I just think it's an ideal Bill for the agreed list. Trial Lawyers are in support and Medical Society is neutral and as long as I have Countryman's and the Speaker's support, I feel confident that this Bill should remain on the Consent Calendar. I have Representative Homer's reluctant support as well."

Speaker McPike: "Representative McCracken."

McCracken: "I favor waterbed discrimination...One of my roommates had a waterbed when I was in law school. Now listen to

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

43rd Legislative Day

May 18, 1989

this...listen to this...They emptied the water from the 23rd floor and it was so dangerous. You should have seen that. By the time it hit the ground from 23 floors, it could have killed people. Now, can you imagine...can you imagine a waterbed in a tall hotel like the Hilton down here what could happen? It would be awesome. It's such a safety hazard. I can't believe this Bill's on Consent Calendar. I'm shocked and dismayed."

Speaker McPike: "Representative McCracken, would you charge the owner or would you charge the waterbed with the murder?"

McCracken: "That's a difficult policy issue. I think we should study it."

Speaker McPike: "Is there a Motion to remove the Bill from Consent? Mr. Clerk, read the Bill. The question is, 'Shall the Consent Calendar pass?' All those in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 102 'ayes', 6 'nos', 2 voting 'present' and this Bill having received the Constitutional Majority is hereby declared...Representative John Dunn wants to vote 'aye' and Representative Trotter votes 'aye'...104 'ayes' and 6 'nos' 2 voting 'present' and this Bill having received the Constitutional Majority is hereby declared passed. Returning to the Supplemental #1, the Consent Calendar, Representative Granberg you have 2 Bills on this Calendar. House Bill 342. Read the Bill. Out of the record. House Bill 522, Representative Granberg. Representative Granberg. We'd like to vote on this Consent Calendar and If you don't want to move these Bills then we're going to move them off. Okay. Representative Granberg. Both Bills? Mr. Clerk, read House Bill 342."

Clerk O'Brien: "House Bill 342, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill.

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

43rd Legislative Day

May 18, 1989

No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments. Third Reading."

Speaker McPike: "House Bill 522, Representative Granberg."

Clerk O'Brien: "House Bill 522, a Bill for an Act to amend the Weight and Measurement Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Representative McCracken."

McCracken: "Thank you. Representative Granberg, I thought you would have to agreed an Amendment on House Bill 342?"

Granberg: "Representative McCracken, we did agree to an Amendment with the consent of the Department of Agriculture. I spoke with Mr. Davidson, we've agreed to amend the Bill in the Senate and that's with the agreement of Dick Davidson of the Department of Agriculture."

Speaker McPike: "On the Consent Calendar, everything is on Third Reading with the exception of House Bill 648, which we can continue until tomorrow's Consent Calendar and House Bill 2006 which has been removed and House Bill 2529, Representative Hasara's which has been removed...it's been held for a fiscal note wo it will be held until tomorrows Consent Calendar. So with those three exceptions these Bills will be voted on at 12 noon and then after that Members will have an opportunity...These yellow sheets on everyone's desks. Now, this is not a Consent Calendar, this is an agreed Bill list. So, once we vote on it at 12 noon you will have 2 hours to fill this out. And if you wish to vote 'no' on any individual vote on any individual Bill you can vote 'no' on this, turn it in to the Clerk and then at 2 p.m. we will take the record. Mr. Clerk, read the Bills on Third Reading at this time. Representative

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

43rd Legislative Day

May 18, 1989

Satterthwaite, for what reason do you rise?"

Satterthwaite: "I was simply going to ask you to repeat the 3 Bills that had been removed."

Speaker McPike: "House Bill 648, McCracken. House Bill 2529, Hasara. House Bill 2006, Peterson."

Satterthwaite: "Thank you."

Speaker McPike: "Mr. Clerk, you can read the Bills at this time."

Clerk O'Brien: "House Bill 342, a Bill for an act to amend the Public Community College Act. Third Reading of the Bill. House Bill 522, a Bill for an Act to amend the Weights and Measurements Act. Third Reading of the Bill. House Bill 649, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 854, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1925, a Bill for an Act in relation to Property Taxation. Third Reading of the Bill. Third Reading of the Bill. House Bill 2485, a Bill for an Act to amend an Act in relation to State Tax Enforcement. Third Reading of the Bill. House Bill 2487, a Bill for an Act to amend Retailers Occupation Tax Act. Third Reading of the Bill. House Bill 42, a Bill for an Act to amend The Public Community College Act. Third Reading of the Bill. House Bill 250, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 308, a Bill for an Act to amend an Act in relation to Motor Vehicle Insurance. Third Reading of the Bill. House Bill 321, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill. House Bill 442, a Bill for an Act to revise the law in relation to recorders. Third Reading of the Bill. House Bill 602, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 604, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 641, a Bill for a Act to amend an Act concerning

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

43rd Legislative Day

May 18, 1989

House Bill 641, a Bill for a Act to amend an Act concerning fees and salaries. Third Reading of the Bill. House Bill 713, a Bill for an act to amend the School Code. Third Reading of the Bill. House Bill 714, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 739, a Bill for an act to amend the Public Utilities Act. Third Reading of the Bill. House Bill 753, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 777, a Bill for an Act to amend an Act in relation to telephone companies. Third Reading of the Bill. House Bill 799, a Bill for an Act to amend an Act to create the local Solid Waste Energy Generation Act. Third Reading of the Bill. House Bill 853, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill. House Bill 892, a Bill for an Act to amend the Municipal Code. Third Reading of the Bill. House Bill 895, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill. House Bill 957, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 972, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1072, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1137, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1148, a Bill for an Act to amend an Act in relation to filing a tax levee ordinances. Third Reading of the Bill. House Bill 1170, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1199, a Bill for an Act in relation to documents issued by the Secretary of State. Third Reading of the Bill. House Bill 1251, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 1252, a Bill for an Act to amend the Revenue

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

43rd Legislative Day

May 18, 1989

for an Act to amend the Illinois State Collection Act. Third Reading of the Bill. House Bill 1423, a Bill for an Act in relation to medical emergencies. Third Reading of the Bill. House Bill 1547, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1597, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1616, a Bill for an Act to amend the Downstate Public Transportation Act. Third Reading of the Bill. House Bill 1666, a Bill for an Act to amend certain Acts in relation to certain functions of State Government. Third Reading of the Bill. House Bill 1667, a Bill for an Act to amend an Act in relation to the Department of State Police. Third Reading of the Bill. House bill 1671, a Bill for an Act to amend the Health Maintenance Organization Act. Third Reading of the Bill. House Bill 1757, a Bill for an Act concerning rights of children. Third Reading of the Bill. House Bill 1842, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 1862, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill. House Bill 1904, a Bill for an Act to amend certain Acts in relation to request for certain criminal records. Third Reading of the Bill. House Bill 2014, a Bill for an Act to amend the Illinois Control Substance Act. Third Reading of the Bill. House Bill 2125, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill. House Bill 2139, a Bill for an Act in relation to hearing impaired. Third Reading of the Bill. House Bill 2198, a Bill for an Act to amend the Senior Citizens Disabled Persons Property Tax Relief. Third Reading of the Bill. House Bill 2255, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill. House Bill 2294, a Bill for an Act in relation to probation service fees.

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

43rd Legislative Day

May 18, 1989

Third Reading of the Bill. House Bill 2314, a Bill for an Act to amend an Act with respect to the medium use to present testimony. Third Reading of the Bill. House Bill 2334, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. House Bill 2437, a Bill for an Act in relation to liability. Third Reading of the Bill. House Bill 2441, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill. House Bill 2461, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Third Reading of the Bill. House Bill 2482, a Bill for an Act to amend a Cannabis Control Substance Tax Act. Third Reading of the Bill. House Bill 2497, a Bill for an Act to amend the unified Code of Corrections. Third Reading of the Bill. House Bill 2582, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill. House Bill 2589, a Bill for an Act to amend an Act in relation to the Department of Children and Family Services. Third Reading of the Bill. House Bill 2599, a Bill for an Act to revise an Act in relation to Recorders. Third Reading of the Bill. House Bill 2655, a Bill for an Act to amend the Small Business Development Act. Third Reading of the Bill. House Bill 2656, a Bill for an Act to amend the Small Business Development Act. Third Reading of the Bill. House Bill 2657, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill. House Bill 2733, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill. House Bill 2737, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill. House Bill 2786, a Bill for an Act to amend an Act relating to taxation. Third Reading of the Bill."

Speaker McPike: "These Bills have been read a third time. The Chair will repeat, we will vote on these at 12 noon. You

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

43rd Legislative Day

May 18, 1989

have two hours to fill out those slips on your desk. The subject, the Civil Law. Second Reading. House Bill 101, Representative Cullerton. Out of the record. House Bill 359, Mr. Stange. Representative Stange. Out of the record. House Bill 683, Representative Sutker. Out of the record. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 683, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 899, Representative Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 899, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative. Floor Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Dunn."

Dunn: "Floor Amendment #2, would exempt public employers and I urge the adoption of this Amendment."

Speaker McPike: "On the Amendment Representative McCracken."

McCracken: "I don't think I'm opposed to it. I'm just curious how it would work then."

Speaker McPike: "Representative Dunn."

Dunn: "The purpose of the Amendment is to exempt all public

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

43rd Legislative Day

May 18, 1989

employers from the application of this legislation. This Amendment actually was brought to me by teachers who I...pointed out and I think correctly that quite often cause teachers salaries were low and I guess romance may flourish in the teaching industry you may find a husband and wife both working in the school system and I don't think we should prohibit that."

McCracken: "Yeah, I see, okay. Thank you."

Speaker McPike: "Question is, shall the Amendment be adopted? All in favor, say 'aye', Opposed 'no',. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1198, Representative Wojcik. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1198, a Bill for an Act to amend an Act in relation to contractors. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. What Amendment #1 does, it deletes the entire Bill and just brings the interest rate up from 5 percent to 10 percent per annum on mechanic's liens."

Speaker McPike: "On the Amendment, Representative Cullerton."

Cullerton: "Could you...would you tell us what the Bill does and how the Amendment changes the Bill?"

Wojcik: "Yes, Representative, a constituent in my district contacted me and told me that he was having a difficult time collecting the monies that were due on mechanic's liens because the interest was at 5 percent and so therefore, people were not threatened by that. So, I

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

43rd Legislative Day

May 18, 1989

presented the Bill and I tried to have the mechanic's liens based on prime plus two. But in Committee, that was decided against and so it was agreed in the Committee to have the interest rate raised just up to 10 percent and that's all it does. It just puts an interest rate of 10 percent, now, on a mechanic's lien instead of the original 5 percent."

Cullerton: "Well, what else does the Bill do besides increase the rate of interest?"

Wojcik: "Nothing else. It deletes everything else. The Amendment deletes everything else in the Bill and just raises the interest up to 10 percent."

Cullerton: "There was something in here about attorney's fees being imposed on the losing party and..."

Wojcik: "That's gone. As I said, it was stricken."

Cullerton: "What would the interest rate be if it was prime plus two?"

Wojcik: "Well, whatever the current prime rate would be. If you're at a prime rate of 9, it would be 9 plus 2. If it's 10, 10 plus 2, 11, 11 plus 2."

Cullerton: "I think it's 9 1/2 now."

Wojcik: "But, as I said, it was debated in Committee and it was the consensus of the Committee that we would not have prime plus 2. It would be a fixed rate which would be 10 percent."

Cullerton: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1450, Representative Countryman. Out of the record. House Bill 1483, Representative Kirkland. Out of the record. House Bill

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

43rd Legislative Day

May 18, 1989

1741, Representative Cullerton. Out of the record. House Bill 1974, Representative Stange. Mr. Stange. Out of the record. House Bill 2328, Representative Dunn, John Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2328, a Bill for an Act to amend the Uniform Commercial Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2517, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2517, a Bill for an Act to amend the Mobile Home Landlords and Tenants Rights Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2630. Out of the record. Criminal law, Second Reading. House Bill 1056, Representative Giorgi. Its video rental. Video rental. Yes, Second Reading. You want to call it? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1056, a Bill for an Act to amend the Video Movie Sales and Rental Act. Second Reading of the Bill. Amendments #1 & 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Giorgi."

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

43rd Legislative Day

May 18, 1989

Giorgi: "Mr. Speaker, has Representative LeFlore been promulgated? Has LeFlore been promulgated?"

Speaker McPike: "Has LeFlore printed and distributed? Yes."

Giorgi: "Okay, I move for adoption for Committee Report #3."

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

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

Speaker McPike: "Representative Giorgi."

Giorgi: "I also move for the adoption of Amendment #4."

Speaker McPike: "Representative Wolf."

Wolf: "Would the Sponsor yield to a question?"

Speaker McPike: "Yes he will."

Wolf: "Representative Giorgi, did you make the corrections that we."

Speaker McPike: "Excuse me. Excuse me, erorred, 4 is not printed. Three was printed four was not. So we've got to take this out of the record. Yes. What Representative Cullerton."

Cullerton: "Well, I would just...perhaps we can ask Representative McCracken, have you received a copy of Amendment #4 cause we haven't...on this side. Maybe it was just distributed to the Democrats."

Speaker McPike: "Has it been printed...has 4 been printed?"

Giorgi: "You can take it out of the record."

Speaker McPike: "No it's not printed. Out of the record. It's distributed. but it's not printed. House Bill 1202, Representative Homer. Out of the record. House Bill 1847, Representative Countryman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1847, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No

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

43rd Legislative Day

May 18, 1989

Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2011. I'm sorry, yes, House Bill 2011, Representative Homer. Tom Homer, do you want that Bill called? Yes, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2011, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Homer."

Homer: "Okay, thank you, Mr. Speaker. Amendment #1 is offered in response to a number of counties throughout the State who have a serious problem in terms of meeting the provisions of a law that we passed two years ago, mandating that juveniles be detained in facilities separate from the adult facilities within their jurisdictions. Many of them had separate detaining areas segregating juveniles from adult offenders within the same building structure, but the Act that we passed would have mandated a separate structure. Obviously, many counties found themselves financially strapped and unable to meet the July 1, 1989 deadline of that Bill. This Amendment would not undo that mandate, but simply would allow them two additional years in order to meet their statutory duty of providing the separate space. This is a Bill that's very important to any county that find themselves in the predicament of being unable to meet the July 1, 1989 deadline. There are efforts under way in McLean County for one, where a regional juvenile detention concept is being contemplated which would take care of the needs of a number of counties. Unfortunately, the time

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

43rd Legislative Day

May 18, 1989

table of the previous Legislation would not allow them however, to fully develop and implement that plan prior to the July 1 deadline. Therefore, this Bill does simply gives them two additional years and I would urge your support."

Speaker McPike: "Yeah, Representative Countryman."

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

Speaker McPike: "Yes, he will."

Countryman: "Representative Homer, have you discussed this with anybody at the Juvenile Justice Commission who supported the Bill we passed two years ago?"

Homer: "No, I really have not discussed it with them."

Countryman: "So, if you haven't discussed it with them, I assume they haven't told you whether or not they have a position for or against it?"

Homer: "Well...in all frankness I would assume their opposed to the Amendment. I don't know that they have specifically talked to me about that. This Bill, Representative Countryman this Amendment was proposed by the Urban County's Council who represent the counties and I have not really had any direct correspondence or communications with the Juvenile Justice Commission with respect to the initiative. But, since it was their earlier legislation, my assumption and fairness to them is they would be opposed."

Countryman: "You were aware that our ability to get Federal money granted required us to pass the law which we passed two years ago so that by doing this you make take this out of the possibility of getting federal money for Juvenile Justice purposes, is that correct?"

Homer: "I understand that is a possibility."

Countryman: "And even in light of that you...want to go ahead with this Amendment?"

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

43rd Legislative Day

May 18, 1989

Homer: "Yes, because as I see it the...the consequences that...and there are many counties in the state effected by this legislation. The amount of possible loss of federal money would be dwarfed by the cost and expense that would be incurred by all of the counties involved. There are at least 30 counties to my understanding that are in noncompliance with that federal requirement."

Countryman: "If we do this, if we grant them the two years, will they agree not to push us beyond that point in time?"

Homer: "Well, I can't speak on their behalf on what they'll urge us to do. I can only tell you that the Amendment we have would simply give them a two year extension and nothing beyond."

Countryman: "Okay, well, I mean I think it's a serious matter and you and I probably need to keep our eyes on it as it really deals with the criminal justice system and I guess it's your Amendment. If you want to amend the Bill I won't stand in opposition to that, but certainly feel that we need to talk to the Juvenile Justice Authorities and get their position and be candid with the rest of the Members about it. Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes he will."

Black: "Representative, I think you've just hit the nail on the head when you said the potential loss or delay of two million dollars in federal aid would be dwarfed by the amount of money this could cost the counties. Let me just ask you...if you could have any idea how much money this might cost a county?"

Homer: "Well, I would think two million dollars would not be an unreasonable figure for each county to build a new

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

43rd Legislative Day

May 18, 1989

facility. So, if we have approximately 30 counties times two million dollars, that's 60 million dollars, just as an estimate."

Black: "Well, I thank you for that answer and I certainly agree with you. And Mr. Speaker, to the Amendment. I think the Gentleman's Amendment is one that everyone particularly if you have county government as the Sponsor has said that has financial difficulty, you'd better take a good look at this Amendment and I would urge you to vote 'aye'. My county board, by Resolution has asked me to support this Amendment as well as others. It was estimated that it would cost them in excess of one hundred and fifty thousand dollars a year to comply with this and they have a brand new public safety building less than 15 years old that they spent considerable millions of dollars on. I would further submit to you that if you don't support the Gentleman's Amendment, you'd better to be ready and willing and able to support a Bill that will either expand the powers of a public building commission or will give counties considerable state funds in order to meet the requirements of this Act. I think the Gentleman has an excellent Amendment and I urge your support of Amendment #1."

Speaker McPike: "Mr. Homer to close."

Homer: "Thank you, Mr. Speaker. I think we've heard the debate. There's nothing further really to add other than this is a Bill that's very important to a number of counties that are unable to comply with...perceived by them to be an unreasonable mandate two years ago that they have separate juvenile detention facilities opened by July 1 of 89. I think they're moving in the right direction. There are good faith efforts being made out there. It's just that that deadline was too short. All this does is it gives them another two years to solve this dilemma and I think

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

43rd Legislative Day

May 18, 1989

it's a good idea and I would hope you would support it."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Countryman, no. On the Motion, there's 114 'ayes', 1 'no', Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 2260, Representative McCracken. Out of the record. House Bill 2672, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 29 of the Calendar, House Bill 2672, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. Amendment #1, was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments."

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. Drug Enforcement. Second Reading. Appears House Bill 1409, Representative Morrow. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1409, a Bill for an Act in relationship to the acquisition of certain paging devices. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Amendments or Motions?"

Clerk Leone: "No Motions filed. Floor Amendment #2, is being offered by Representative Morrow."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would first of all like to table Amendment #1."

Speaker McPike: "Gentleman moves to table Amendment #1. There

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

43rd Legislative Day

May 18, 1989

being no discussion, the question is, 'Shall Amendment #1 be tabled?' All in favor, say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's tabled. Further Amendments?"

Clerk Leon: "Floor Amendment #2, being offered by Representative Morrow."

Morrow: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 basically clarifies some language that was in Amendment #1 that was just tabled concerning the seizure provision of the Bill in Section 44-3. This language was agreed to by the State Police and I move for its adoption. Thank you."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. Is there any discussion? Being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Representative Dunn."

Dunn: "Yes, Mr. Speaker, while this Bill's up on the record I'd like to...on the board I'd like to state for the record that I may have a potential conflict of interest of interest in regard to this Bill and I'll vote conscious both on Second and Third Reading on this Bill."

Speaker McPike: "No further Amendments. Third Reading. House Bill 2451, Representative Parcells. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2451, a Bill for an Act to amend the Illinois Alcoholism and Other Drug Dependency Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Economic Development. Second Reading. House Bill 217. Out of the Record. House Bill

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

43rd Legislative Day

May 18, 1989

255. Read the Bill, Mr. Clerk. Representative Breslin, 255, okay. Out of the record. House Bill 645, Representative Richmond. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 645, a Bill for an Act to amend the SIU Revenue Bond Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1066, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1066, a Bill for an Act to create the Alexander Pulaski Port District. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2421. Read the Bill, Mr. Clerk. Representative Preston."

Preston: "Thank you, Mr. Speaker. I just wondered if the rules permit the introduction of parents and students from St. Gertrude's School...Gertrude's School from my district and Rogers Park who are in the gallery behind us."

Speaker McPike: "No, I don't think so."

Preston: "No."

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

Clerk Leone: "House Bill 2421, a Bill for an Act to amend the Illinois Development Finance Authority Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. Environment and Natural Resources. Second Reading. House Bill 914, Representative Cullerton. Out of the record. House Bill 1001, Representative Edley. There's one further Bill that's been read a Third time on the Consent agreed Bill Calendar and that's House Bill 321. Representative John Dunn asks leave to return this to Second Reading for purposes of an Amendment. Leave granted? No objections, leave is granted. Mr. Clerk, House Bill 321. Are there any Amendments filed?"

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

43rd Legislative Day

May 18, 1989

Clerk Leone: "House Bill 321, having been returned to Second Reading. Floor Amendment #2, is being offered by Representatives McPike and McCracken."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #2 would amend the Bill to include all operator assisted services within its application. I move its adoption."

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Representative Dunn now asks leave to return this back to Third Reading on the Consent Calendar agreed Bill list. Hearing no objections, leave is granted and Attendance Roll Call will be used. House Bill 1223, Representative Ryder. Mr. Ryder. Out of the record. House Bill 1557, Representative Wait. Mr. Wait. Out of the record. House Bill 1854, Representative Balanoff. You want the Bill called? Out of the record. House Bill 2306, Representative Preston. Preston, yes or no? Yes. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2306, a Bill for an Act to amend the Urban Forestry Assistance Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 just makes a technical change in the Bill. What the Bill does is establishes a fund to receive

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

43rd Legislative Day

May 18, 1989

monies from various sources for the planting of trees throughout the State of Illinois and it just changes some language in sub-paragraph C and sub-paragraph C of Section 1 and sub-paragraph C of Section 5 in the original Bill. And it does nothing further, I'll be glad to answer any questions."

Speaker McPike: "Gentleman moves for the adoption of Amendment #1, and on that Representative Kulas."

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

Speaker McPike: "Yes, he indicates he will."

Kulas: "Representative Preston, where are these monies going to come from?"

Preston: "I'm sorry, I didn't hear you."

Kulas: "Where are these monies going to come from for this fund?"

Preston: "That's the subject of Amendment #2 which will be from a change in the original Bill, also. The money will come from..."

Kulas: "Amendment #1 doesn't address the funding?"

Preston: "Amendment #2 will indicate where the fees come from and it'll be into a vehicle emissions inspection fee account of the Environmental Protection Trust Fund. So now I told you all about Amendments 1 and 2."

Kulas: "I'll wait for #2 then."

Speaker McPike: "Any questions on Amendment #1? Question is, 'Shall Amendment #1 be adopted?' All in favor, say 'aye', opposed 'no'. The 'ayes' have it and Amendment #1 is adopted. Further Amendments?"

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

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 changes the manner of funding for this program. Originally there was to be a...well, in this

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

43rd Legislative Day

May 18, 1989

Amendment there's a \$2.00 fee that will be charged to the motor vehicle owners for obtaining inspections, emissions inspections and this \$2.00 fee will go into the vehicle emissions inspection fee account of the Environmental Protection Trust Fund and with that money that is raised there'll be a environmental fund that will provide for the planting of trees throughout the State of Illinois. And I'd be glad to answer any very important questions?"

Speaker McPike: "Yeah, Representative Kulas."

Kulas: "Representative Preston, so what you're telling this Body now, is that when I go to inspect my automobile in the City of Chicago or in East St. Louis I'll be charged \$2.00 for planting trees?"

Preston: "That's correct. And the reason for that if I can...in answer to your question. The reason for that is that the emissions that come from Motor Vehicles has created many environmental problems. One of which is the 'greenhouse effect'. The planting of trees will do two things throughout the state. One, not only will it combat the 'greenhouse effect', which has throughout this country and really frankly throughout the world increased the temperature and changed the environment but at the same time it increases our health benefits. It provides beautification of our state, and with this money there will be trees planted throughout Illinois. And also, the establishment of fund where people will be able to contribute money for the planting of trees to honor individuals in their community or in their family or whatever. So this fund is established for you to also contribute money voluntarily, to have trees named in honor of whoever you wish."

Kulas: "Well, Mr. Speaker, to the Amendment. I would just caution my colleagues to take a good look at this

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

43rd Legislative Day

May 18, 1989

Amendment. First of all, I was one of the officers of the Vehicle Emission Program. It's a good program. It's a program that working. But this Bill, which is laudatory. I've got nothing against planting trees. But you're discriminating, you're picking on people who live in Chicago or East St. Louis and they're going to be paying for planting trees. Other people throughout the state also drive automobiles and these people aren't going to be paying for these trees. I think trees are important, but they shouldn't be funded in this way and I would ask for the defeat of this Amendment."

Speaker McPike: "Representative Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. I would just like to echo the remarks of the last Speaker. From what I can gather, this Amendment contains a provision which will charge motor vehicle owners \$2.00 for each emission testing test. However, the emissions testing program only covers about two areas in the whole State of Illinois. I think this Amendment in effect, violates the provision that we agreed to when the admissions testing program was enacted in the State of Illinois. At that particular time we indicated that we would implement the program. However; we also indicated that the cost of these tests would be born by the State of Illinois. This particular Amendment, I think violates that agreement and I would urge all Members on the Floor of this House to oppose this Amendment."

Speaker McPike: "Representative Preston, there are a lot of people that would like to speak against this. Representative Preston proceed."

Preston: "Thank you, Mr. Speaker, I...greatly respect some of the previous Speakers and...as I do all of my colleagues in the House and I'd like at this time to take this Bill out of

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

43rd Legislative Day

May 18, 1989

the record to provide me with an opportunity to discuss this with them."

Speaker McPike: "Gentleman takes the Bill out of the record. House Bill 2308, Representative Preston. Do you want to call the next Bill, 2308? Representative Preston, do you want to go with this Bill? Yeah, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2308, a Bill for an Act to amend an Act creating the Environmental Protection Trust Fund. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Preston."

Speaker McPike: "Mr. Preston."

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I hope I have better luck with this Amendment. This, what the Bill does, the Bill itself amends the Environmental Protection Trust Fund Act to authorize grants from the fund to promote to propagation of trees in Illinois. The Amendment makes technical language changes in the Bill itself. It does nothing that I know of that's substantive and it does not create a fee to be paid from anywhere for this purpose but it promotes a propagation and the planning of trees throughout Illinois. I'd be glad to answer any questions."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. Representative Myron Olson."

Olson, M.: "Will the Sponsor yield, Mr. Speaker?"

Speaker McPike: "Yes."

Olson, M.: "Representative Preston?"

Preston: "Yes."

Olson, M.: "May I ask you a question relative to your proposed Amendment?"

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

43rd Legislative Day

May 18, 1989

Preston: "Of course."

Olson, M.: "Are we believe that they need to further research trees, is that what you're saying?"

Preston: "I'm sorry, would you repeat that."

Olson, M.: "Do we...are we to believe that we need...Conservation needs further monies to research trees and their..."

Preston: "Not to research but for the planting of trees. They do and if I could just add because I don't want to misrepresent anything to my learned colleagues, Amendment #1 also adds the Director of Conservation to the Environmental Protection Trust Fund Commission. That was at the request of the Department of Conservation so we...they wanted their director to be part of this commission and I agrees."

Olson, M.: "Well."

Preston: "But, in answer to your question Representative Olson, I'm sorry...yes, there is new funding that is needed for the planting of trees in Illinois. We do not have enough trees. Certainly in my area we don't and throughout the state I am told by the Department of Conservation we do not. This legislation promotes that planning and propagation of trees throughout the state."

Olson, M.: "Is this Amendment similar to but not exactly like the one we just talked about a few minutes ago?"

Preston: "No it's not, the one we talked about a few moments ago had to do with funding. This does not say anything about where the funds are going to come from and obviously that idea needs some work at this point."

Olson, M.: "It just direct where the money should be spent, not where the money comes..."

Preston: "That's right. It's the best of all piece of legislation."

Olson, M.: "You put it extremely well Representative Preston and

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

43rd Legislative Day

May 18, 1989

I would urge the defeat of this Amendment because it sounds very similar to what we just talked about and apparently Representative Balanoff has a wonderful Bill he'd like to keep intact just as it is. I urge the defeat of this Amendment."

Preston: "Well, Representative, this Amendment was requested by the Republican Administration so...if you're against it you're welcome on this side of the aisle any time you'd like."

Olson, M.: "I still urge its defeat."

Speaker McPike: "Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, I'd like to speak in behalf of this Amendment. I think if you ride around the countryside you'll see that we have a lot of needs to have more trees planted. I got some trees from the Conservation Department. I planted about 100 trees. I spent two weekends planting them and I water them faithfully to make sure they're going to grow. We have a lot of controversy about the 'greenhouse effect'. I don't think there's anything wrong at all in having the state nurseries grow more trees to give them to our citizens or sell them to our citizens so they can plant trees. We need this...just for the sake of...beauty. I don't think there's anything more beautiful than trees in the springtime when they first blossom out. I don't see how anybody could really be against a Bill like this, I think it's something to enhance the natural beauty of Illinois and I certainly am in favor of it."

Speaker McPike: "Representative McNamara."

McNamara: "Well, thank you, Mr. Speaker. On this Amendment, several years ago we had a similar Amendment or a similar Bill that it was an issue in the small business community

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

43rd Legislative Day

May 18, 1989

which objected to our state's giving away the trees to people because what it did is it destroyed the tax paying industries which were the nurseries in this state. And I think it's an important concept that although we all agree that trees are beautiful, everyone can plant their own johnnie apple seed, go around the state and plant whatever trees that they wish. But we ought to leave private and small business to do the job that they are suppose to do and let's leave those duties up to them. We can encourage them locally, but we don't have to have a law that will allow this. Thank you."

Speaker McPike: "Representative Preston, to close."

Preston: "Thank you, Mr. Speaker. I have a feeling that people are making up what this Amendment is about and I know they have every good intention though their heads let's say, might be in the sand. What the Amendment says, and it's a very lengthy Amendment of about less than one sentence. It says, that the Department of Conservation that the pollution...the Amendment says the Pollution Control Board or the Department of Energy and Natural Resources and the Department of Conservation, in order to conduct research and develop educational programs to promote the use of trees in this state and educate the public as to the environmental importance of trees and forests and to carry out the other provisions of the Act. That's all the Amendment does. I don't know why there are so many people against educating members of the public on the beauty and the importance of trees, but so be it and I'd encourage your 'aye' vote."

Speaker McPike: "Question is, 'Shall this Amendment be adopted?' All in favor, vote 'aye', opposed vote 'no'. Representative Kulas, to explain his vote."

Kulas: "Thank you, Mr. Speaker. I would echo the remarks of

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

43rd Legislative Day

May 18, 1989

Representative Preston. The Bill does not...or the Amendment does not address the problem that we had discussed in the previous Bill and the previous Amendment. It has nothing to do with the funding portion of the problem and it just states that the...the situation with the trees...there should be more educational program, more things done in this area. And I would agree with the Sponsor that things have to be done in this area. I didn't agree with the Sponsor on where the funds were suppose to come from like he had in the previous Amendment but I would suggest that we put more green votes on this Amendment."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 59 'ayes', 48 'nos' and the Amendment is adopted. Representative Preston, did you want him to Poll the Absentees? Is that what you wanted? Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 2310, Representative Churchill. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2310, a Bill for an Act to reduce the likelihood and to minimize the severity of accidents at nuclear facilities in Illinois. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2463, Representative Parcels. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2463, on Page 10 of the Calendar. A Bill for an Act to amend the Illinois Solid Waste Management Act. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted previously."

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

43rd Legislative Day

May 18, 1989

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No further Floor Amendments."

Speaker McPike: "Representative Parcels."

Parcels: "Mr. Speaker, I would like to have Amendment #3 tabled.

I've spoken to the Sponsor of the Amendment and we agreed that the fiscal note came in so very high that we think it would be detrimental at this time to propose that and we would like to have Amendment #3 tabled."

Speaker McPike: "The Lady has moved to table Amendment #3. Representative, perhaps you could explain what Amendment #3 is."

Parcels: "Amendment #3 gave tax breaks to the industry that would be buying, recycling and composting machinery. The Department of Revenue thinks that could cost three million dollars, which is very expensive at this time in our budgeting down here and we know that it's a growing field and those machines are going to be purchased anyway. The ones that are purchased by municipalities, no tax is paid on at any rate and we think that it is inappropriate at this time to have that great expense. We were hoping it would come in at a much lower figure, but their fiscal note came in very high and that's why we think at this time we should table the Amendment."

Speaker McPike: "And on the Motion, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of House. As a Sponsor of Amendment #3, I concur on the Motion to table. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #3 be tabled?' All in... Representative Cullerton."

Cullerton: "Would the Sponsor yield?"

Speaker McPike: "Yes, she will."

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

43rd Legislative Day

May 18, 1989

Cullerton: "Representative, this is Representative Wennlund's Amendment?"

Parcells: "Yes it was and he just concurred."

Cullerton: "Are you saying that Representative Wennlund offered an Amendment that would cost the state three million dollars?"

Parcells: "He didn't think it would at the time."

Cullerton: "How much did he think it was going to cost?"

Parcells: "Closer to eight...five hundred or eight hundred thousand at the most. That was the first figure we got but then Revenue came in at a much higher figure."

Cullerton: "If it was eight hundred thousand would you have moved to table?"

Parcells: "It certainly would have been more reasonable. At the time we had no fiscal note when he put it on."

Cullerton: "I see. Okay, thank you."

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

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Laurino in the Chair. Representative McPike in the Chair. Returning to State and Local Government, Second Reading, House Bill 1282. Mr. Clerk, has the fiscal note been filed?"

Clerk Leone: "The fiscal is on file."

Speaker McPike: "Alright, Third Reading. Representative Laurino in the Chair."

Speaker Laurino: "House Bill 2712 (sic—House Bill 2713), Representative Mays. Representative Mays. Representative Mays. Out of the record. House Bill 2713, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2712, on Page 11 of the Calendar."

Speaker Laurino: "Any Motions? Any Floor Amendments Mr. Clerk?"

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

43rd Legislative Day

May 18, 1989

Clerk Leone: "A Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Representative Peterson, there's a request for a fiscal note and the Bill cannot be moved to Third."

Peterson: "Mr. Speaker, that would be 2713 you're referring to?"

Speaker Laurino: "Correct."

Peterson: "Okay, thank you, Mr. Speaker. The Bill will remain on Second Reading. On the Environmental Natural Resources on Third Readings, there's a Bill that the Sponsor desires to send back to Second Reading. Does the House have leave? Leave being granted, House Bill 1507, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1507, on Page 54 correction, on Page 47 of the Calendar."

Speaker Laurino: "Are there any Floor Amendments?"

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

Speaker Laurino: "Representative Currie."

Currie: "Thank you, Mr. Speaker, and Members of the House. Amendment #2 to House Bill 1507 makes three changes. First, it clarifies that the underlined Bill applies only prospectively not retrospectively. It clarifies that it is non hazardous wastes that we would encourage recycled and it defines particulate matters in sulphur dioxide rather than nitrogen oxides as subject to best available technology requirements for the reason that the nitrous material right now is without any kind of technical guidance on what would count as best available technology."

Speaker Laurino: "Is there any discussion? Being no discussion, all those in favor...oh, excuse me. Representative Peterson."

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

43rd Legislative Day

May 18, 1989

Peterson: "Will the Sponsor yield, please?"

Speaker Laurino: "She indicates she will."

Peterson: "Representative, is this an Agreed Amendment that the Illinois Hospital Association agreed to this Amendment? I know it was in negotiations."

Currie: "This was recommended in discussion between the IEPA and a particular hospital, the University of Chicago Hospital, which has a petition currently pending before that agency. And two of them are really corrections of what were mistakes in the Bill. And the third item, the question of nitrogen dioxide was, it was pointed out to us and IEPA agreed, that there was no technological criteria for best available control equipment."

Peterson: "But the Hospital Association to your knowledge, has not taken a position for or against this Amendment?"

Currie: "They have not. I can't imagine that they would object to the Amendment."

Peterson: "Thank you, Representative."

Speaker Laurino: "Is there any other discussion? Not being any, all those in favor of Amendment #2 to House Bill 1507 indicate by saying 'aye', all those in dissent, 'nay'. The 'ayes' have it. The Amendment is adopted. Are there any other Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment just clarifies that...that for an application, a permanent application pending passage of this Bill should not delay agency action on that permit program. Again, this particular facility, the University of Chicago Hospital has applied for an incinerator permit and we were happy that they were willing to be regulated under the

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

43rd Legislative Day

May 18, 1989

requirements of House Bill 1507 and we felt it would be fair to permit them to carry forward without delays imposed by passage of a new set of requirements."

Speaker Laurino: "Is there any discussion? If not, Amendment #3 to House Bill 1507, all those in favor indicate by saying 'aye', all those in dissent, 'nay'. The 'ayes' have it, Amendment #3 to House Bill 1507 is adopted. Any other Amendments, Mr. Clerk."

Clerk Leone: "There are no other Amendments."

Speaker Laurino: "Third Reading. With leave of the House will go back to Civil Law. House Bill 1974, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1974, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Representative Stange. Third Reading. House Bill 2106, Representative DeLeo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2106, a Bill for an Act to amend the Home Equity Assurance Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee. Amendment #3 lost in Committee."

Speaker Laurino: "Are there any Floor Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #4 is being offered by Representative Parke."

Speaker Laurino: "Representative Parke."

Parke: "Yes Representative, on Amendment #4, puts back into the Bill the wording on allowing people who wish to sell their homes the ability to list their home with any realtor in which they want. I think that's the way that we would like to have the free market place work where a person who's in the real estate business has the ability to put out their

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

43rd Legislative Day

May 18, 1989

name and be listed in terms of being able to sell any home in any place in Illinois. I know that this is something that I've put on on behalf of the realtors of Illinois and I think it is most reasonable kind of legislation and I would ask that I have the support of the Members of the General Assembly."

Speaker Laurino: "Is there any discussion? None being indicated, all those in favor indicate by saying 'aye', in favor of Amendment #4 to House Bill 2106 'nay'. The 'ayes' have it, the Amendment is adopted. Any other Amendments, Mr. Clerk."

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

Speaker Laurino: "Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 takes out one Section of the original Bill that calls for adding of additional precincts that had not been added in the original election and I move for its adoption."

Speaker Laurino: "Is there any discussion? If not, all those in favor of Amendment #5 to House Bill 2106 indicate by saying 'aye'. Representative DeLeo."

DeLeo: "I haven't seen Floor Amendment #5, so I'd ask to take the Bill out of the record."

Speaker Laurino: "Take the Bill out of the record, Mr. Clerk. On the Special Order of Business of Environment, House Bill 2713, Representative Peterson. Mr. Clerk."

Clerk Leone: "House Bill 2713, a Bill for an Act in relationship to the Environmental Protection Act. It's been read a second time previously. There are no Committee or Floor Amendments. Fiscal note is now on file."

Speaker Laurino: "Third Reading. House Bill 1659, Representative Churchill."

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

43rd Legislative Day

May 18, 1989

Clerk Leone: "House Bill 1659, it's been read a second time previously. There are no Committee or Floor Amendments. A fiscal note is now on file."

Speaker Laurino: "Third Reading. Representative Black."

Black: "Well, thank you, very much, Mr. Speaker. An inquiry of the Chair. We're having a little problem following your call. Are we still on a Special Order of Call? And if so, which one are we on? We seem to be jumping all around here."

Speaker Laurino: "We're on Higher Education, Mr. Black. We were just trying to pick up some of the Bills that the fiscal notes had been filed and moved them down to Third Reading."

Black: "Fine. Mr. Speaker, if you would, you know...perhaps give us a little bit of time if you're jumping around so we can kind of follow you. We'd appreciate it. And I thank you very much."

Speaker Laurino: "We were just trying to accommodate one of your leaders, Mr. Black. House Bill 2033, Representative McGann. Read the Bill, Mr. Clerk. It is on the Order of Higher Education, Representative Black."

Clerk Leone: "House Bill 2033, a Bill for an Act to amend an Act relating to the Illinois Mathematics and Science Academy. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions? Any Floor Amendments?"

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

Speaker Laurino: "Out of the record, Mr. Clerk. The Order of Sports Reform. House Bill 2623, Representative Lang. Out of the record, Mr. Clerk. Special Call of Rural Assistance, House Bill 701, Representative Richmond. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 701, a Bill for an Act to amend the

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

43rd Legislative Day

May 18, 1989

Illinois Farm Industrial and Construction Equipment Fair
Dealership Law."

Speaker Laurino: "For what purpose do you rise, Mr. Tate?"

Tate: "Well thank you, Mr. Speaker. We're just having a little difficulty over here and I think all the other Members are having the same kind of difficulty and if you'll look around the chamber right now, there's a lot seats empty in the chamber and we'd just like a reasonable idea of where you're going on the Calendar. It's almost impossible to follow you right now. We've been on five different Special Orders and five different Bills in the last 15 minutes and it's going to be difficult to keep Members...in this place if we don't that. I mean let's have some kind of orderly conduct on the..."

Speaker Laurino: "Representative Tate, we are going down the list, we were just trying to accommodate some of the Representatives that came up and asked their Bills to be moved."

Tate: "Well, can you give us the courtesy to tell us just where we're gonna go for the next 15 minutes to a half an hour so Members that are leaving can have an idea of what we're going to be voting on?"

Speaker Laurino: "We'll be going down the Calendar in order as they appear."

Tate: "So, what Special Order are we on right now? Special Order of calling Bill that Members have come up to you and asked you to call?"

Speaker Laurino: "I'm just a nice guy. We're following the Calendar and we're trying to accommodate everybody."

Tate: "I understand that. I think you're a nice guy, too. And that's why I'm asking you these questions, because I think you're going to be nice enough to give us an answer."

Speaker Laurino: "I am giving you an answer. We're going down

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

43rd Legislative Day

May 18, 1989

the list. We just tried to accommodate a few of the Representatives, but from now on more than likely we will follow the Calendar itself."

Tate: "Okay, then my last request is you're going down the list, can we have a copy of list you're going down then?"

Speaker Laurino: "Read your Calendar."

Tate: "Read the Calendar, okay."

Speaker Laurino: "We're on Rural Assistance right now."

Tate: "We've been trying to read this Calendar. That's our whole problem. We can't figure it out."

Speaker Laurino: "Alright we're on Rural Assistance right now and we're on House Bill 701. Representative Richmond."

Clerk Leone: "House Bill 701, Second Reading of that Bill. Amendments #2 were adopted in Committee."

Speaker Laurino: "Any Motions? Any Floor Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #3 is being offered by Representative Richmond."

Speaker Laurino: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 changes the definition of retailer to delete requirement...The retailer has to be engaged primarily in the business and so forth and also deletes from the definition the exemption for retailers of lawn and garden equipment who are not primarily engaged in the farm equipment or construction or industrial equipment business. I move for the adoption of this Amendment."

Speaker Laurino: "Is there any discussion on Amendment #3 to House Bill 701? If not, all those in favor indicate by saying 'aye', all those in dissent, 'nay'. The 'ayes' have it, Amendment #3 is adopted. Any other Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments?"

Speaker Laurino: "Third Reading. House Bill 938, Representative

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

43rd Legislative Day

May 18, 1989

Richmond. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 938."

Speaker Laurino: "Out of the record. House Bill 2520, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2520, a Bill for an Act to establish the Illinois Rural Bond Bank. It's been read a second time previously. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2765, Representative Phelps. Out of the record. An Order of Special Call, we're on New Regulation. House Bill #1661, Representative Ryder. Out of the record. Is there any Motions or Amendments filed to House Bill 1661? A fiscal note has been requested. It has not been filed so the Bill will stay on Second Reading. I'll be on Medical Practice. Second Reading. House Bill 1662, Representative Ryder. Out of the record. House Bill 2038, Representative McGann. Out of the record. House Bill 2684, Representative Balanoff. Out of the record. Members of the House, we're going back to Rural Assistance, House Bill 2765, Representative Phelps. Any Motions or Amendments, Mr. Clerk?"

Clerk Leone: "House Bill 2765, a Bill for an Act to amend an Act in relationship to indigent Health Care. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Laurino: "Any other Amendments? Is there a fiscal request?"

Clerk Leone: "There's a request for a fiscal note. No fiscal note is on file."

Speaker Laurino: "Mr. Phelps, there's a fiscal note requested? Representative Phelps."

Phelps: "Yes, thank you, Mr. Speaker. There is a request and we've had it in for some time. We haven't heard a response. We had a request for a fiscal note and we did

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

43rd Legislative Day

May 18, 1989

ask for that information and it is forthcoming."

Speaker Laurino: "And the Bill will stay on Second Reading.
Representative Phelps."

Phelps: "Thank you, Mr. Speaker. This particular item the fiscal
note request actually raises revenue for the State and so I
would move at this time that the fiscal note is
inapplicable."

Speaker Laurino: "Representative Phelps, are you moving that the
fiscal note does not apply?"

Phelps: "Yes, it does not."

Speaker Laurino: "The Gentleman moves that a fiscal note does not
apply to House Bill 2765. Is there any discussion?
Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Laurino: "He indicates he will."

McCracken: "Why do you say there's no fiscal impact?"

Phelps: "Representative, McCracken, the provisions that we
amended out took everything out with the exception of
leaving the physician's license fee increasing \$100.00
which will raise three to four million rather than costs.
So, I've been waiting for that response to come back, but
since it's not coming I feel that we need to provide the
information that it raises revenue rather than decreases."

McCracken: "Does it take any of the Revenue or is this a new
source of revenue entirely?"

Phelps: "It's a new source in the fact that we are raising
physician fees \$100.00."

McCracken: "You're raising physician fees?"

Phelps: "Yes."

McCracken: "And how much will it cost to implement this program?"

Phelps: "What program?"

McCracken: "Whatever it is you're doing. The check off box?"

Phelps: "That's all out of the Bill. The only thing left is the

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

43rd Legislative Day

May 18, 1989

physician fees. That's what the Amendment did in Committee."

McCracken: "Alright. How are the doctors on this Amendment or on this Bill?"

Phelps: "They are opposing this and I'm having discussions with the Medical Society now on how we can best handle it if it does get in the Senate because there are other health care Bills coming from the Senate and hopefully we can reach an agreement. But, I told him I'd plan to try to move it at this time, not with the attitude that we couldn't work out something later."

McCracken: "Alright, thank you."

Speaker Laurino: "Any other discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I doubt the Medical Society has a position on the Gentleman's Motion. The Gentleman's Motion is on the question whether the Fiscal Note Act applies to his Bill. He did as he told the Members of this chamber substantially amend the Bill when it was before the House Revenue Committee. No state dollars are involved in the program that is set forth under House Bill 2765 as amended. So it seems clear to me that his Motion is well taken. The fiscal note has not applicability whatsoever."

Speaker Laurino: "Any other discussions? If not, the question is, 'Is the fiscal note to House Bill 2765 inapplicable?' All those in favor indicate by voting 'aye', those against, vote 'nay'. Take the record, Mr. Clerk. The vote being 75 'aye' and 34 'nay', the Motion carries. Mr. Clerk, Third Reading. And now, we're on the Housing. House Bill 2491, Representative Williams. Is Representative Williams in the chamber? Out of the record, Mr. Clerk. We will now hear Revenue Bills. House Bill #7, Representative McGann. Is Representative McGann in the chamber. Out of the record,

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

43rd Legislative Day

May 18, 1989

Mr. Clerk. House Bill 35, Representative Myron Olson.

Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 35, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill.

There are no Committee Amendments."

Speaker Laurino: "Representative Young, for what reason do you rise?"

Young: "Could the Sponsor take this out of the record for just a minute please, while we get our box in order?"

Speaker Laurino: "He indicates he will. Mr. Clerk, out of the record. House Bill 2484, Representative Keane. Is Representative Keane in the chamber? Out of the record. No, he indicates he wants the Bill heard. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2484, a Bill for an Act to amend the Retailers' Occupation Tax Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2486, Representative Keane. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2486, a Bill for an Act to amend the Retailers' Occupation and Tax Act. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2519, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2519, a Bill for an Act to amend the Revenue Act."

Speaker Laurino: "Out of the record Mr. Clerk. We will now move to House Joint Resolutions Constitutional Amendment #4, Representative Lang. Read the Amendment, Mr. Clerk."

Clerk Leone: "House Joint Resolution Constitutional Amendment on Page 54 has been read a second time previously."

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Any Floor discussion? Any Floor Amendments?"

Clerk Leone: "There are no Amendments filed."

Speaker Laurino: "Third Reading. The Chair moves to Special Order of Business on Education. House Bill 145, Representative Mulcahey. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 145, a Bill for an Act to amend the School Code. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "There are no Committee or Floor Amendments?"

Speaker Laurino: "Third Reading. House Bill 1222, Representative Curran. Out of the record, Mr. Clerk. House Bill 1395, Representative Steczko. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1395..."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "A Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee. There are no Motions filed in respect to Amendment #1. Floor Amendment #2 is being offered by Representative Steczko."

Speaker Laurino: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 presents...provides an Agreement amongst all parties, that were dealing with the subject matter on handicapped children being mainstreamed and the language of the Amendment basically parallels that of federal and state rule which provides that handicapped children who are recommended to be placed in regular educational programs should be provided with supplementary services to assist them from the benefit of regular classroom instructions. So I would move for the adoption Mr. Speaker, of Amendment #2."

Speaker Laurino: "Is there any discussion? Representative Cowlishaw?"

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

43rd Legislative Day

May 18, 1989

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

Speaker Laurino: "He indicates he will."

Cowlshaw: "Thank you, Representative Steczo, do you envision that this Amendment would impose any additional costs on local school districts?"

Steczko: "Representative Cowlshaw, no. The language is taken by rule that is...from rule that is already I believe implemented both on the federal and state Level. This is just a matter of putting that language in the statutes and it is expected according to my discussions with the State Board of Education to post no additional costs."

Cowlshaw: "Thank you very much."

Speaker Laurino: "Is there any other discussion? If not, all those in favor of Amendment #2 to House Bill 1395 indicate by saying 'aye', those opposed, 'nay'. The 'ayes' have it, Amendment #2 is adopted. Are there any other Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Steczo and Kubik."

Speaker Laurino: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Amendment #3 provides permissive and I stress the word permissive language in the Statutes that allows the State Board of Education to award nursing shortage scholarships annually and I stress that this is a permissive provision and would answer any questions that the Members might have."

Speaker Laurino: "Is there any discussion? Representative Black."

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

Speaker Laurino: "He indicates he will."

Black: "Thank you, Representative, you're stressing the fact that

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

43rd Legislative Day

May 18, 1989

this is permissive...so I take it then you have no intention of filing the appropriate Appropriation Bill to fund such scholarship, is that correct?"

Steczo: "Representative Black, let me read to you the last Section of this Amendment which says, 'that appropriations for the scholarships outlined in this Section shall be made to the State Board of Education from funds appropriated by the General Assembly,' meaning that if we do not provide the funds there simply will be no...scholarships."

Black: "Well, it certainly sounds reasonable. I guess...I guess could you enlighten me on whether we should perhaps put another scholarship into the books that we may or may not have any intention of funding."

Steczo: "Representative Black, I think the important...important factors in this discussion are two. Number one, we don't know exactly what is going to be happening fiscally and appropriations wise at it relates to education. Number two, because there is such a large and drastic nursing shortage, it is important to perhaps provide a mechanism where if funds do become available and they may be available this year or they may be available next, to attempt to try to address that problem."

Black: "Well thank you very much, Representative. To the Amendment, I...I guess Mr. Speaker and Members of the House, I'm like most of you I don't think that I would rise in opposition to the Amendment. But, I do think we...we at some point have to become somewhat more realistic with what we put in the statutes. We don't fund the merit recognition program. We certainly don't fund the ISSC to the level that does the maximum amount of good for the students who need that funding. And here perhaps and the Sponsor is absolutely right, there's no question that we have a nursing shortage. But, here perhaps comes another

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

43rd Legislative Day

May 18, 1989

scholarship that we may or may not be able to fund and I think we sometimes raise some hopes out there that we have no intention of rewarding and I guess...it's a pretty good Amendment, but I think at some point in time we're going to have to look at what we truly are going to fund in the area of Scholarships and what we're not."

Speaker Laurino: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. An inquiry of the Chair. I believe that all of the other teacher scholarships are...are scholarships that apply to people who are taking an educational program are in Section 30-4. This nursing shortage scholarship is added to the Special Education Section of the School Code, Section 30-14. Consequently, I would question the germaneness of this Amendment and would ask for a ruling from the Chair."

Speaker Laurino: "Is there any other discussion that we can continue on with while the Parliamentarian looks at the question? The Amendment is germane. The Amendment amends Sections of the School Code and this Amendment just adds to the School Code. Any other discussion? If not all those in favor of Amendment #3 to House Bill 1395 will indicate by saying 'aye', 'nay'. The 'ayes' have it, the Amendment #3 is adopted. Any other Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading. House Bill 2151, Representative Hoffman. Out of the record, Mr. Clerk. House Bill 2671, Representative Phelps. Is Representative Phelps in the chamber? Out of the record, Mr. Clerk. House Bill 2796, Representative Capparelli. Read the Bill, Mr. Clerk. Representative Black."

Black: "Yeah, thank you very much, Mr. Speaker. An inquiry of the Chair. We've been doing Second Readings and I think a lot of people might be out talking, trying to get some

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

43rd Legislative Day

May 18, 1989

lunch or something and all of a sudden you move very quickly to Third Reading. Are we going to pick up Third Readings now? The last two Bills you called are on Third Reading. We've been doing Seconds all morning."

Speaker Laurino: "Your point is well taken, the Bill will be taken out of the record."

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

Speaker Laurino: "We will now go to the Consent Calendar. All these Bills have been read a Third time previously. The question is, 'Shall these Bills pass?' We'll take a record at 2:00. Allowing the Members approximately an hour and ten minutes to file their changes with the Clerk on their vote slips. So, read your Consent Calendar over and if you have any changes please come up to the well. This is the Consent Calendar and the slips that you can file with the Clerk. The question is, 'Shall these Bills pass?' All those in favor will vote 'aye', opposed 'no'. Voting is open. Mr. Clerk, we will take the record at 2:00. Mr. Clerk, take a temporary record and at approximately...some time this afternoon we will announce if there are any changes or a final vote on the Consent Calendar. Proceed to Consumer Protection, Second Reading. House Bill 603, Representative Dunn. Is the Gentleman in the chamber? Representative Dunn. Out of the record, Mr. Clerk. House Bill 1514, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill, 1514, a Bill for an Act in relationship to Charitable Trust and Solicitations. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative McCracken."

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

43rd Legislative Day

May 18, 1989

McCracken: "Thank you, Mr. Speaker, we discussed this Amendment yesterday before the Sponsor took the Bill out of the record. This is the Truth In Advertising Amendment. This would require 501C3 organizations which receive funds from political action Committees of one thousand dollars or more. To make that fact known in all solicitations of a written form. We discussed this at length yesterday and this is something which I find hard to believe anybody could be opposed to. You know back home when they say IPAC doesn't like a Republican or they don't like Representative McCracken, we know well enough to know that that's a badge of honor. But, the public doesn't realize that IPAC for example, is funded...in part by the Democratic Party. And we think that people would want to know that, that that would affect their opinion of the credibility of this organization and we think that that is something which as a consumer group or an alleged consumer group, IPAC could have no quarrel with. What this Amendment does, is require in those situations that such fact be made known in all written solicitations. I move its adoption."

Speaker Laurino: "Is there any discussion? Representative Preston."

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. While I greatly respect the previous Speaker, I disagree with every single thing that that man has said. It is indeed no badge of honor to dislike Representative McCracken. He is a respected, articulate, intelligent Member of the General Assembly. And secondly, it is misguided to vote in favor of this Amendment that does not only target the Illinois Public Action Council. But, in addition, public...targets, every charity in the State of Illinois. Many of us give contributions to charities throughout this state and to require those charities from

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

43rd Legislative Day

May 18, 1989

the United Fund to...you name the charity that you've contributed to to have to now have an additional requirement to disclose...to go and have typeset for all of their printed material we receive funds from public action committees is an outrageous interference with the proper conduct of business of those charities. I am a friend of Representative McCracken. I'm a friend of the charities of the State of Illinois and I am an opponent to Floor Amendment #1 and I would very seriously encourage Members on both sides of the aisle to defeat this Amendment because not only is it misguided but it hinders the proper passage of the underlying Bill, House Bill 1514 which has been worked on for many months by...Attorney General Hartigan and by charities and by others who feel that in some cases there are fund raisers who have taken advantage of the charities they are working for through misrepresentation and through charging an extraordinary amount of money for the sometimes non-service that they perform. That's what the underlying Bill does. We don't want it fettered with unnecessary Amendments. So please vote 'no' on this well intentioned, but I think a bit tongue in cheek, Amendment to this Bill."

Speaker Laurino: "Representative Klemm."

Klemm: "Well, I stand in support of the Amendment and I guess it's a basic reason. One, is a charitable trust organization, it is a non-political organization. In fact, they are prohibited from entering into political activities. They are I think in the public's eye, somebody who's working non-partisan on issues of public interest for the good of the people. Now a political action committee is just the totally opposite in some respects, in that it's totally devoted for political action, for...good purposes but for the politics involved. Now to end up having a

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

43rd Legislative Day

May 18, 1989

dedicated political action group giving money to a non-profit charitable organization seems that it violates the whole intent of a charitable organization, because in fact it is tainted money if you will, because a charitable organization can't even collect that for political purposes. So it seems regardless of the charitable organization when you mix-pac money with charitable organizations and those in the trust, we are confusing the public and I think they have a right to know. And that is consumer protection. And I favor the Amendment."

Speaker Laurino: "Is there any other discussion? Representative Homer."

Homer: "Thank you, Mr. Speaker. I oppose this Amendment. And the previous speaker...I think perhaps has misread the Amendments or misunderstands what it would do. It has to do with charitable organization requiring such organization who have received in any year a thousand dollars or more from some political action Committee. It would require those charitable organization to publish in all their literature a notice of its solicitations. That would mean, that for example the Heart Fund which may in a year receive a thousand dollars or more accumulatively from political action committees. Perhaps...it's a situation where Members of this General Assembly have used their Political Action Fund to make donations to such worthy causes justified because it advanced not only that cause but because it advanced a legitimate campaign function. But because of the way this Bill was written, it would strap that charitable organization whether it be the March of Dimes, St. Jude's, the Heart Fund or any of those other kind or charitable organization which qualify for tax exemptions under 501C3 of the Internal Revenue Code with its onerous obligation to...disclose in written

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

43rd Legislative Day

May 18, 1989

solicitations that the fact that it receives funds. Not even that it solicit fund, but simply that it happened to receive funds. I would say to you that if this Amendment passes and these charitable organizations find out what you have done to them, be prepared to explain your 'yes' vote on this Amendment. It's a bad Amendment. Its design is one to invoke mischief on the IPAC, but it's the scope of its jurisdiction would extend far beyond that and reach into areas that I don't think you want to meddle in. So, I would hope you would join Representative Preston. A 'no' vote on the Amendment is the right vote and I hope that we'll have that outcome."

Speaker Laurino: "Is there any other discussion? If not Representative Preston, to close. Representative McCracken, I'm sorry."

McCracken: "Thank you, Mr. Speaker. You know I think that's a red herring. This...this talk that this is an invasion of charitable trust activity. How many 501C3 organizations do you think receive political action committee funds? Do you think the United Way receives political action committee funds? Do you think any of those traditionally known charities to receive political action committee funds? What has happened, is that 501C3 over the years has been used for two purposes. On just the traditional charitable functions It's also been non-profit what they claim to be public issue organizations are in 501C3 and that's what this matter addresses. Now, think of IPAC let me give you an example of IPAC and how it works. In the campaign disclosure reports of IPAC from 10-10-88 to 1-7-89, it received a total of 23,561 dollars over \$13,000 from friends of Michael Madigan or \$10,000 from the Illinois House Democratic Majority. During that period it made expenditures on behalf of more than 40 different Democratic

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

43rd Legislative Day

May 18, 1989

Legislative candidates. Zero Republican candidates, zero Republican candidates endorsed. Now, I don't care if they don't endorse us, because we know that we don't want their endorsement. But, the public should be told of what they do. They are not some disinterested public action council as they would lead the public to believe. The public is smart enough to make its own decisions based on the facts when those facts are presented to them. That is consumer protection. And what we have here is an attempt to obviate that consumer protection. This is a good Amendment and we should vote for it. And frankly, Democrats should vote for it to because it's good consumer legislation."

Speaker Laurino: "Representative Preston, to close."

Black: "Mr. Speaker, I rise to question the germaneness of the Gentleman's Amendment. The underlying Bill amends...the underlying Bill Mr. Speaker, amends the Charitable Trust Act and the Amendment affects Chapter 23, a different Chapter, the Charitable Trust Act is Chapter 14, I believe and this Amendment has to do with Chapter 23 and puts in a new paragraph in that and I question the germaneness. And while the Speaker is checking on that I might indicate to those of my esteemed colleagues on the other side of the aisle and especially Mr. McCracken."

Hallock: "Mr. Speaker..."

Speaker Laurino: "Representative Hallock."

Hallock: "Mr. Speaker, we've already debated the Amendment for a length of time here, I think it's hardly time to talk about the germaneness... I would just suggest we take a vote. If you're against it, vote against it. If you're for it, vote for it. But we've already talked about the Amendment for quite a long time and this is a kind of a moot issue. Let's go on with the vote."

Speaker Laurino: "Representative McCracken."

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

43rd Legislative Day

May 18, 1989

McCracken: "Are you considering the question? The point of order?"

Speaker Laurino: "We'll get back to you. We're thinking about it."

McCracken: "Well let's...why don't we just vote on it and then if you hold it not germane."

Speaker Laurino: "Well, the Sponsor of the Bill has a question. Representative Preston, do you withdraw...your Motion?"

Preston: "Mr. Speaker, I would like to proceed with my Motion on my inquiry I should say, as to the germaneness."

Speaker Laurino: "Mr. McCracken, do you withdraw your point of order?"

McCracken: "Sure. It's his point of order."

Speaker Laurino: "Representative McCracken."

McCracken: "Don't be embarrassed by your position on this, let's just vote on it. Don't get hung up on some technical issue of germaneness. Let's address the public policy. That's why we're here."

Speaker Laurino: "Representative Preston."

Preston: "Thank you, Mr. Speaker. As an additional point, there should be some indication to Mr. McCracken that the Illinois Public Action Council is not a 501C3 organization. It's a 501C4 organization. This esteemed learned Amendment effects them in no way or wit whatsoever and for that reason among many others this Amendment ought to be withdrawn. It effects the charities throughout Illinois and it does not effect...I'm underscoring that, it does not effect in any way the Illinois Public Action Council. However, it does effect the Heart Fund, the Cancer Funds and charities throughout Illinois, various church groups and their charities and United Way and others. But though you would like to aim at the Illinois Public Action Council you're Amendment does not accomplish that."

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Representative McCracken."

McCracken: "Well, if the Gentleman concedes this addresses the issue of charitable trust then it is germane. I suggest that you're inquiry be put at an end. The admission of the Sponsor that demonstrates conclusively the Germaneness of this Amendment."

Speaker Laurino: "Representative Preston, you're point is now well taken and the Amendment is germane. Representative Preston."

Preston: "Just a question of the Chair. Is it too late to get a new Parliamentarian? Mr. Morphey thinks that that question is in order."

Speaker Laurino: "Your question is always in order. It's just that the decision against you was also. Alright, the question is, 'Shall Amendment #1 to House Bill 1514 be adopted.' All those in favor, indicate by saying 'aye'. All those against 'nay'. Roll Call Mr. Clerk. All those in favor vote 'aye'. All those in dissent, vote 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment having received 50 'aye' votes and 63 'nay' votes, fails. Any other Amendments, Mr. Clerk."

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

Speaker Laurion: "Amendment #2, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to this Bill becomes the Bill and to give you a bit of background, though we touched upon it in debate over the previous Amendment, what Amendment #2 does is aim at charities or more appropriately, fund raisers for charities who have involved themselves in not only deception but borderlining on fraud in the methods that have been used to raise funds for charities or frankly for

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

43rd Legislative Day

May 18, 1989

themselves and giving to the charity a small amount of the money raised. In some instances it has been discovered that fund raisers who contact consumers throughout Illinois to tell consumers that we're calling on behalf of a given charity a name that sounds familiar and may in fact only sound deceptively similar to a well known charity is raising money for that charity, but using the majority of the funds sometimes as high as 90 percent of the funds raised not to go to the charitable purpose but, indeed, rather to go to line the pockets of the fundraiser. So, you might get a call from someone on the phone saying we're calling for some organization for the homeless and find out later if ever, that a dollar that you contributed didn't go for the homeless at all but 90¢ of that dollar went to the person or the organization, the profit making organization that made the call and perhaps only 10¢ of the dollar you contribute went for the purpose of aiding or assisting the homeless. That's what this Amendment is designed to attack. That's the problem we want to attack. This Amendment, the statute replaces two prior separate statutes relating to charitable trusts and solicitation of funds for charitable purposes. This Act expands definitions and reduces ambiguities as to who must register and file reports for the solicitation and expenditure of charitable funds and who is exempt from the requirements of this Act. The Bill now requires...or the statute now requires charitable trust and organizations, who solicit less than \$4,000 annually to register and report while streamlining and simplifying registration and reporting requirements for all those who have to register. This Bill tightens up registration reporting requirements for professional fundraisers as well as prohibits certain individuals from fund raising. It provides for felony penalties for

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

43rd Legislative Day

May 18, 1989

registration violations and for forfeiture of profits when someone involves themselves in violations prohibited by this Act. This has been the subject of great work and effort on behalf of Attorney General Neil Hardigan, his office and various charities throughout the State of Illinois who have been the victims of unscrupulous fundraisers. I'd be glad to answer any of your questions and I encourage and urge both sides of the aisle to please vote 'yes' for this Amendment and then after that for the underlying Bill."

Speaker Cullerton: "Representative Cullerton in the Chair. The Gentleman has moved for the adoption of Amendment #2 to House Bill 1514. On that, is there any discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Is this Amendment germane?"

Speaker Cullerton: "The Gentleman has questioned the germaneness of the Amendment."

Hallock: "No, strike that."

Speaker Cullerton: "Do you wish to speak...to the Amendment? Representative Stephens from Madison."

Stephens: "Will the Gentleman yield?"

Speaker Cullerton: "He indicates, he will."

Stephens: "Representative Preston, this Amendment...your Amendment would prevent similar names being created for organizations and the misrepresentation that might result from that...basically is that my understanding?"

Preston: "It...it...Representative it touches on that problem, but quite honestly...though we've worked very hard to get at it because speaking English is the only language we use here it is possible that somebody can develop an organization get a 501C-3 treatment for that organization and solicit funds even though the name may be similar. However; what this Amendment does is see to it that once

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

43rd Legislative Day

May 18, 1989

that is done that the monies collected have to go for the charitable purpose and not an inordinate amount of those monies going into the pocket of the person who raises the funds."

Stephens: "Well...the initials IPAC have come up in conversations on previous Amendments on this Bill and that reminds me that the Chamber of Commerce has a solicitation group that was named IPAC. And now there's the Illinois Public Action Council and I guess the way I understood what you were trying to accomplish in your Amendment was that...let's say a group decides to call itself the Illinois Public Acne Council...would they...would this prevent the Illinois Public Acne Council from soliciting funds, kind of under the pretense that they were really the Illinois Public Action Council?"

Preston: "Well, if they do it under the pretense that they are the Illinois Public Action Council, yes. This Amendment would prohibit that."

Stephens: "Would the pretense be that...that they would be requesting it for similar use such as the promotion of socialism and things like that or would it be that we are IPAC period."

Preston: "What this...what the Bill requires is that for any charitable organization to register with the Attorney General to include in that registration what the purpose of that charity is. So anyone who wants to know what this organization that uses initials similar to some other organization wants to check up on it, there is a registration with the Attorney General's office saying who the trustees are, what the charitable purpose is, who the organizers are and in addition to that there are provisions of this Amendment that require the monies raised to be raised and used for that charitable purpose."

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

43rd Legislative Day

May 18, 1989

Stephens: "Okay, so if the Illinois Public Acne Council went door to door and solicited funds for the purpose of prevention of acne then they would not be effected negatively by your Amendment?"

Preston: "If those monies were spent for the prevention of acne that would be alright as long as they properly filed with the Attorney General."

Stephens: "I...I appreciate your response and...to the Amendment I am very concerned about this because...again the Illinois Public Action Council, not to be confused with the Illinois Public Acne Council. Is a...is always in my mind because heres a...and that's the purpose of some of the Amendments that we have offered. One of our concerns is a group that's being investigated by the Federal Government for fraudulent activities, one that has already paid \$5,000 in fines. Now, I'll remind you, I'm not talking about the Illinois Public Acne Council because they are not guilty of anything. It's the Illinois Public Action Council that's under investigation. They are the one who have paid the fines. They are the ones that...we believe that misrepresented facts in local elections. They are the ones that are being backed by political action committees that are not represented on this side of the aisle. They are the ones that bring us the most concern because they are the ones that caused distrust of the public trust of elected officials in Illinois. They are the ones who are running down elected politics in Illinois and giving us all a bad name and so you must understand my concern. And again I'm referring to the Illinois Public Action Council."

Speaker Cullerton: "Gentleman from Cook, Representative Terzich."

Terzich: "Representative Preston, does this simply address the... what is it 503 organizations and that's basically a charitable organization? And how does that differ from an

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

43rd Legislative Day

May 18, 1989

association?"

Preston: "It...does not say in the statute by reference to the Federal Code Number and I believe you're referring to 501C-3 organizations. But it does define charitable organizations in the Act and it defines a charitable organization to mean any person as...which is or holds itself out to be established for charitable purposes as defined herein or is recognized as charitable by common law."

Terzich: "Well, how would this effect...for example, these professional fund raising organizations that basically go out and maybe say we'll solicit for you for your charitable cause..."

Preston: "It...it permits them to do that. But the purpose of this is so that you as a contributor know the nature of the charitable organization, who's behind it, who is raising funds for it and what those funds are used for in what proportions so that you can find out if an inordinate amount of this money goes to the fundraiser as opposed to going to the charity for the charitable purpose."

Terzich: "In other words if they were soliciting for a charity by phone solicitation and also by mail solicitation. Would they...would they have..."

Preston: "It prohibits that and it has serious severe penalties for that."

Terzich: "And they would basically have to stipulate that what their service fee is or what their taking."

Preston: "That is correct. That is correct."

Terzich: "Thank you."

Speaker Cullerton: "Any further discussion? The Gentleman from McHenry, Representative Klemm."

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

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "He indicates he will."

Klemm: "Does your Amendment address the problem of which I heard in earlier debate about the duplication of call numbers if you want or initials that are confusing between one charitable group or another one pack group from another or is this allowed right now to have that confusion exist?"

Preston: "Well, the confusion isn't in the name. There is a confusion in the abbreviation that people use for the name. And this Bill will not stop that confusion."

Klemm: "But wouldn't that be deceptive in that..."

Preston: "Yes, well that's the rest of it. If I use my initials to deceive you into thinking I'm some other organization, that's prohibited in this Act."

Klemm: "Alright, but then just the use of those initials on an envelope with the return address with just that being on the letterhead and telling me what the great things you're doing, 'please contribute,' isn't that misleading when you don't clearly identify that you're different from somebody else?"

Preston: "This does require you in your written matters to identify who you are so on the return envelope you can use initials. But, in the material...you send out there has to be a disclosure of who you are so that you can be identified by a consumer who wants to check with the AG's office to determine what the charitable purpose of that specific organization is."

Klemm: "In...in registering corporations in Illinois, I think the registration will...will not allow similar names to be used obviously or names that could be confusing to the consumer or close enough to cause some problem. But, apparently we don't have that protection in somewhat of this."

Preston: "Yes, we do Representative."

Klemm: "Because I can use an example here that was given to a

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

43rd Legislative Day

May 18, 1989

previous speaker. I can make up some silly name and then use those initials for my purpose."

Preston: "The same protection that exists here is what...is the...the law you referred to exists for all these charitable organizations right now without this because you still can't...these are not-for-profit corporations and you can not under existing law incorporate a deceptively similar name as a not-for-profit corporation. However; you're not talking about a name, you're talking about the euphemistic calling of IPAC. There can be a lot of IPACS or COPEs or a lot of organizations that refer to themselves not officially, but unofficially by initials. This does not prohibit that just like I can't be stopped from adding a...middle name. But it does require no deception in who you present yourself to be to the consumer or to people you're soliciting funds from and in addition, it requires the registration with Attorney General so that if there's any doubt in your mind you check with the AG and you have to be able to check so that the name you check under doesn't have two or three organizations using the same name."

Klemm: "Alright, thank you very much."

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

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

Speaker Cullerton: "He indicates he will."

Weaver: "Representative, I guess just to clarify a...a little bit as to what your Amendment does. Does it deal with misleading information that say, a solicitor might provide other than a name?"

Preston: "It certainly does."

Weaver: "Okay, does this...does this require that that information, whether it's misleading or not be in print or

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

43rd Legislative Day

May 18, 1989

can it be orally communicated misinformation to be prosecuted under this."

Preston: "Either one."

Weaver: "Either one."

Preston: "Orally or in writing you can be prosecuted under this."

Weaver: "If...if for example, some misleading information is communicated orally...is the organization subject to the provisions of this Amendment in addition to the solicitor?"

Preston: "The individual solicitor can be prosecuted. The organization that hired that solicitor who did a prohibited activity can be...can be enjoined from doing that further and there's criminal liability if they...if the organization hired somebody and instructed or went along with their misinformation they also can be prosecuted...and fined."

Weaver: "Okay, this is sounding better and better. And I really think I may support this Amendment. Let me give you a brief scenerio and see if this would apply. Last summer I had an individual coming to my front door to solicit for, of all things IPAC. We've talked a lot about that."

Preston: "So have I."

Weaver: "But, in his communication to me, he was asking that I sign a petition not telling me that...and luckily I read the petition very closely, that the petition also committed me to a series of payments. Apparently, that had not been communicated. Now, would that fall under this Amendment as either misleading or inadequate information that that solicitor was providing to me."

Preston: "Representative, under Section 14, Paragraph (b) of the Amendment on Paragraph 21. It say's under the title, material misrepresentation in any solicitation of contributions, so that would mean orally or in writing. For a charitable organization it shall be a material

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

43rd Legislative Day

May 18, 1989

misrepresentation where any person falsely states the nature of the charitable purposes for which the charitable solicitation campaign is being made. So if somebody came to you and asked you to sign something that...you without knowledge end up signing up for something that makes you liable for a series of payments. In my interpretation of this, that's a material misrepresentation and criminal penalties go along with it."

Weaver: "It sounds good. What kind of criminal penalties are we talking about?"

Preston: "Some are just in general, some are felonies and...I'll get that answer for you in one moment. Any person who knowingly makes a material misrepresentation as defined in this Section, is guilty of a Class 4 Felony."

Weaver: "A Class 4 Felony?"

Preston: "Yes."

Weaver: "Thank you, very much."

Speaker Cullerton: "Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

McCracken: "Is there a reason that the Attorney General is given the authority to enforce this? Wouldn't it be better for the local State's Attorney's to do it?"

Preston: "There is a reason Representative. It's because the Attorney General...these charities solicit throughout the State of Illinois. So it's a statewide problem and the Attorney General is eminently qualified especially the currently sitting Attorney General is eminently qualified...to deal with fraud on a statewide basis because he has involved himself and his office for many years in protecting consumers, senior citizens and others from the ravages of these fraudulent fundraisers."

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

43rd Legislative Day

May 18, 1989

McCracken: "Do you think the Democratic Attorney General would go after the Democratic front group known as IPAC if it violated this?"

Preston: "I can guarantee you that the Attorney General...who happens to live in the 49th Ward of Chicago, would go after..."

McCracken: "Do you know the Committeeman of that Ward?"

Preston: "An outstanding young fellow, yes. The Attorney General would go after...I know you're making a serious question and I want to give you a serious answer. I have absolutely no doubt that the Attorney General of Illinois would go after any wrongdoer who violates the provisions of this or any other law under his...responsibility in this State."

McCracken: "Okay, thank you. Given that assurance, I stand in support of this Amendment and I'll tell you why. Section 14, Sub-Sections A & B on material misrepresentation could apply to IPAC and make them felons as they so richly deserve. In fact, what IPAC does under the guise of a consumer action group is solicit funds for the sole purpose of supporting Democratic candidates for office, and in that sense, misrepresents the charitable purpose in the use of those funds. As I read this Amendment, that would make them Class 4 felons under the law. And on the assumption that our Democratic Attorney General will vigorously enforce this, I am all for any Bill that does that."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1514. All in favor, say 'aye', all opposed 'no'. The 'ayes' have it and the Amendment's adopted. Any further Amendments?"

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

Speaker Cullerton: "Representative McCracken on Amendment #3."

McCracken: "I won't take up to much time. On the assumption that

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

43rd Legislative Day

May 18, 1989

Representative Preston is correct. We...improperly identified the...affected organizations in our first Amendment. Amendment #3 requires that charitable trusts registered with the Attorney General would be required to identify in all written solicitations the fact that they receive more than \$1,000.00 from a political action committee. Currently...IPAC is registered with the Attorney General as a charitable organization. Again assuming that the 501C3 designation was wrong, this cleans that up. And I move its adoption."

Speaker Cullerton: "Gentleman has moved for the adoption of Amendment #3 to House Bill 1514. On that is there any discussion? The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I oppose this Amendment because of the harm it may cause the underlying Bill. But for your...the information those who might feel otherwise constrained to support this Amendment, I received a card in from IPAC during our debate. They said they have no problem whatsoever, with this Amendment. It doesn't effect them at all. So for that and many other reasons and...just one added incentive for a 'no' vote, IPAC, every time I've ever had a contested election, has seen fit to support my opponent. So...I would certainly ask for this Amendment to be defeated."

Speaker Cullerton: "Any further discussion? The Gentleman from Adams, Representative Mays."

Mays: "I've got a question of the Sponsor, would he yield please?"

Speaker Cullerton: "Representative McCracken, do you wish to yield? He indicates he will."

Mays: "Would this Amendment also apply to off shoots of public action council such as State Council on Senior Citizens or

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

43rd Legislative Day

May 18, 1989

Coalition of Consumer Rights. Would those front groups also be brought into this umbrella or what?"

McCracken: "Yes they would."

Mays: "Okay, I just wanted to be sure that these guys get smoked out any way possible so that the public knows exactly what their intentions are and what their capabilities should be are not what they're selling themselves as. Thank you."

Speaker Cullerton: "Any further discussion? Gentleman from Cook, Representative Leverenz."

Leverenz: "I would just ask leave that all Republicans would then have leave to revise and extend their remarks in the official record."

Speaker Cullerton: "Any further discussion? Gentleman... Representative McCracken has moved for the adoption of Amendment #3 to House Bill 1514. On that question, all those in favor, vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 54 voting 'aye', 58 voting 'no', 2 voting present. Representative McCracken."

McCracken: "Verification."

Speaker Cullerton: "Seeks a verification of the prevailing side. Representative Preston asks for a Poll of the Absentees."

Clerk O'Brien: "A poll of those not voting; Flinn, Krska and Richmond. No further."

Speaker Cullerton: "Mr. Clerk, if you could please read the names of the prevailing side. Representative Levin, for what purpose do seek recognition."

Levin: "May I have leave to be verified."

Speaker Cullerton: "Yes, the Gentleman has indicated you have leave to be verified. Representative Hartke and McNamara seek leave to be verified. Representative McCracken. Representative Hartke and McNamara seek leave to be

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

43rd Legislative Day

May 18, 1989

verified. Representative Currie seeks leave to be verified. Representative DeJaegher...that's granted."

Clerk O'Brien: "A Poll of the Negative vote: Balanoff, Bowman, Breslin, Brunsvold, Bugielski, Capparelli, Cullerton, Curran, Currie, Davis, DeJaegher, DeLeo, Dunn, Edley, Farley, Flowers, Giglio, Giorgi, Granberg, Hannig, Hartke, Homer, Lou Jones, Shirley Jones, Keane, Lang, Laurino, LeFlore, Levin, Martinez, Matijevich, McGann, McNamara, McPike, Morrow, Munizzi, Novak, Phelps, Preston, Rice, Ronan, Saltsman, Santiago, Satterthwaite, Shaw, Steczo, Stern, Sutker, Terzich, Trotter, Turner, Van Dwyne, White, Williams, Wolf, Anthony Young, Wyvetter Young and Mr. Speaker."

Speaker Cullerton: "Representative Kulas, for what purpose do you rise?"

Kulas: "I change my vote to 'no'."

Speaker Cullerton: "Representative Kulas votes 'no'. Representative McCracken, any questions of the negative vote?"

McCracken: "Yes, Mr. Speaker, thank you. Representative Davis?"

Speaker Cullerton: "Representative Davis. Is Representative Davis in the chamber? How's the Lady recorded?"

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

Speaker Cullerton: "Remove her."

McCracken: "Representative Dunn?"

Speaker Cullerton: "Representative John Dunn? Representative Preston, for what purpose do you rise?"

Preston: "Mr. Speaker, Mr. Dunn is in the nurses station. He wasn't feeling well and was lying down. If...the Gentleman would just like to reconsider verifying him off."

McCracken: "That's alright. Representative Rice."

Speaker Cullerton: "Is Representative Rice in the chamber? How is the Gentleman recorded?"

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

43rd Legislative Day

May 18, 1989

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Terzich?"

Speaker Cullerton: "Yes, Representative Davis has returned to the chamber. Would you please add her to the Roll Call as a negative vote. Representative ..."

McCracken: "Terzich?"

Speaker Cullerton: "Terzich is in the rear of the chamber."

McCracken: "Representative Martinez?"

Speaker Cullerton: "Representative Martinez? Is Representative Martinez in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Shirley Jones?"

Speaker Cullerton: "Representative Shirley Jones is in the center aisle."

McCracken: "Shirley Jones?"

Speaker Cullerton: "She's still in the center aisle. She hasn't moved."

McCracken: "Oh, I'm sorry. Representative Turner?"

Speaker Cullerton: "Representative Art Turner is in...on the Democratic side, near Representative Shaw's desk."

McCracken: "Representative...Keane?"

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Farley?"

Speaker Cullerton: "Representative Bruce Farley? Is Representative Farley in the chamber? How is the Gentleman recorded?"

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

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Remove him."

McCracken: "Representative Giglio?"

Speaker Cullerton: "Representative Giglio is in his Chair."

McCracken: "Representative Van Duyne?"

Speaker Cullerton: "Representative Van Duyne? Is Representative Van Duyne in the chamber?"

McCracken: "Representative Flinn?"

Speaker Cullerton: "Representative Van Duyne is in his seat. Representative Flinn is not recorded as voting."

McCracken: "Representative...Hartke."

Speaker Cullerton: "Representative Hartke? Is Representative Hartke in the chamber? Representative Hartke? How is the Gentleman...Representative Hartke is in the rear of the chamber."

McCracken: "Representative McNamara?"

Speaker Cullerton: "Representative McNamara? Is Representative McNamara in the chamber? Representative McNamara? How is the Gentleman recorded?"

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

Speaker Cullerton: "Please remove him."

McCracken: "Representative Flowers?"

Speaker Cullerton: "Representative McCracken, if someone has already been verified...they're asking leave. Representative Davis's is asking leave to be verified. She's already been verified so I don't believe that you can even verify her again anyway but I just wanted to let you know that. What was the last questions?"

McCracken: "Representative Flowers?"

Speaker Cullerton: "Is Representative Flowers in the chamber? Representative Flowers? How's the Lady recorded?"

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

Speaker Cullerton: "Please remove her. Representative Granberg, for what purpose do you rise? Representative Granberg?"

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

43rd Legislative Day

May 18, 1989

Granberg: "Mr. Speaker, may I have leave to be verified please?"

Speaker Cullerton: "Gentleman asks leave to be verified. Representative Granberg, that's granted. Representative Bowman asks leave to be verified. He's down here at the well, that is also granted."

McCracken: "Representative Anthony Young. Representative Giorgi?"

Speaker Cullerton: "Representative McNamara had asked leave to be verified. He's also here in the chamber now, so please add Representative McNamara as a 'no' vote. Representative Hartke has returned to the chamber. Please add him as a 'no' vote."

McCracken: "Representative Williams?"

Speaker Cullerton: "Representative Williams is in the center aisle."

McCracken: "Representative DeLeo?"

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

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

Speaker Cullerton: "Please remove him. Representative Flinn, for what purpose do you rise? He wishes to be recorded as voting 'no'. Representative Richmond...also wishes to be recorded as voting 'no'."

McCracken: "Representative Breslin?"

Speaker Cullerton: "Representative Breslin? Is Representative Breslin in the chamber? How is the Lady recorded?"

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

Speaker Cullerton: "She is...here down at the well."

McCracken: "Representative Laurino?"

Speaker Cullerton: "Representative Laurino? Representative Laurino? How is the Gentleman recorded?"

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

Speaker Cullerton: "Please remove him for now. Representative

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

43rd Legislative Day

May 18, 1989

DeLeo has returned to the chamber. Please add Representative DeLeo as a negative vote. Representative Woolard, for what purpose do you rise?"

Woolard: "I'd like to be recorded as 'aye', please."

Speaker Cullerton: "You are recorded as 'aye'."

Woolard: "No."

Speaker Cullerton: "You wanted to be recorded as 'no'. He wishes to change his vote to 'no'. Representative Woolard. Representative Farley? Representative Farley should be added as a 'no' vote to the Roll Call."

McCracken: "Nothing further."

Speaker Cullerton: "An on this question, there are 52 'aye', 57 'no', Representative Weller."

Weller: "Mr. Speaker, I believe when Representative Woolard asked for his vote to be changed, mistakenly my vote was changed. I wish to be recorded as an 'aye' vote."

Speaker Cullerton: "Okay, Representative Weller wishes to be recorded as 'aye'. Representative Woolard wishes to be recorded as 'no'. Let's add Representative Flowers to the Roll Call. Let's change Representative Woolard to 'no', okay. That should be it. On the final Roll Call, then, it's 52 voting 'yes', 58 voting 'no'. The Amendment fails. Any further Amendments?"

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

Speaker Cullerton: "Third Reading. On the Order of Consumer Protection, House Bill 1827, Representative Saltsman?"

McCracken: "...My microphones still on...Mr. Speaker."

Speaker Cullerton: "Would you like to say something? Representative Saltsman, on House Bill 1827. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 1827, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Any Motions with regard to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2171,
Representative Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2171, a Bill for an Act in relation to
fire safety. Second Reading of the Bill. This Bill has
been read a second time previously. Amendment #1 was
adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment
#1?"

Clerk O'Brien: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2690,
Representative Hasara? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2690, a Bill for an Act to amend an
Act regarding fireworks. Second Reading of the Bill. No
Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. It's the Chair's intent to go
to the Order of Mental Health, Second Reading. And the
first Bill on that order is House Bill 69, Representative
Andrew McGann. Mr. Clerk, could you please read the Bill."

Clerk O'Brien: "House Bill 69, a Bill for an Act to establish a
Bill of Rights for persons with developmental disabilities.
Second Reading of the Bill. Amendment #1 was adopted in
Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment
#1?"

Clerk O'Brien: "No Motions filed."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Gentleman from Vermilion, Representative Black on Amendment #2 to House Bill 69."

Black: "Well, thank you very much, Mr. Speaker, and Members of the House. Amendment #2 deletes provisions in the Bill for creation of an advisory Committee to prepare and submit a report with an implementation plan. I stress the word implementation plan. An estimate of cost and proposal for implementing legislation for a Bill of Rights for persons with developmental disabilities. It retains the language originally sponsored by Representative Daniels to provide adults with severe mental and developmental disabilities and families of same with assistance and services to support home based living situations and I would be more than happy to answer any questions that you have."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 69. On that, is there any discussion? The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I rise in opposition of Amendment #2 to House Bill 69. When I introduced House Bill 69, my purpose was to begin the process of developing a Bill of Rights for developmentally disabled persons in Illinois. We...throughthe...Committee process came out with numerous Bills to help the mentally disabled of this State for which part of it has the questioned Amendment on House Bill 69. What thou...is being attempted is that we will...destroy...the other parts of House Bill 69 and satisfy the whims in one category and for one individual. I ask...that the Members of this House...defeat this Amendment #2 and let us proceed in

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

43rd Legislative Day

May 18, 1989

finally...addressing the needs of the mentally disabled of this State. I ask for a 'no' vote on House...or Amendment #2 to House Bill 69."

Speaker Cullerton: "Further discussion? Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I was distressed to hear the previous speaker's talk about the process being abused. He knows that there was a great amount of controversy and problems created by the manner in which the Mental Health Bills were collapsed, the manner in which ideas were taken from various asundry Bills in order to put together just two or three. This is not to distress the process, but rather to return the process to one in which you can truly vote upon a bill on its merits. We would like to be able to do that. We recognize the previous speaker's dedication to the cause that he has so ably espouses. However, we also believe that there are other ideas that deserve an independent vote. The Gentleman's Amendment will accomplish that and I would like to then continue to work on the kind of level that we have had in the past in an attempt to create a good environment for those who are developmentally disabled."

Speaker Cullerton: "Further discussion? There being none, Representative Black to close."

Black: "Well, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I guess in closing let me just echo what Representative Ryder said...the Sponsor of the underlying Bill I don't think anyone here would question his sincerity or his intent to serve the people in this state so desperately need...sound substantive legislation. I guess all we're attempting to do...with Amendment #2 is to bring about some of those services that were embodied in House Bill 555. I guess I would in closing say...that I'm

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

43rd Legislative Day

May 18, 1989

not sure that it makes any sense to study how to implement a program that depending on whose figures you want to listen to or who's figures you want to believe that could cost the state hundreds of millions of dollars each year. So, I would simply ask that you...give this...considerable attention, that you do you're best to vote you're conscience and I think the Amendment is sound and worthy of your support and would simply ask for your 'aye' vote."

Cullerton: "Gentleman has moved for the passage of Amendment#2 to House Bill 69. Question is, 'Shall that Amendment be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Representative McCracken...requests a verification. Representative McGann requests a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting; Krska. No further."

Speaker Cullerton: "Mr. Clerk, could you please...Poll the negative votes."

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

Speaker Cullerton: "Yes, are there any questions of the negative votes Representative McCracken?"

McCracken: "Yes, thank you. Representative Rice?"

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Representative Nelson Rice? Is Representative Rice in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Edley?"

Speaker Cullerton: "Representative Edley is in his Chair."

McCracken: "Representative Bugielski?"

Speaker Cullerton: "Representative Bugielski?"

McCracken: "Yeah, he's here. Representative Saltsman?"

Speaker Cullerton: "He's over on the Republican side."

McCracken: "Where he belongs, I might add."

Speaker Cullerton: "Representative Saltsman? Is Representative Saltsman in the Chair...in the chamber? How's the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Is Representative Dunn, still in the nurses station?"

Speaker Cullerton: "Representative Shaw, did you asked leave to be verified? Representative Shaw is in the rear of the chamber and asks leave to be verified. With regard to Representative Dunn, I don't know the answer. Representative Young, Representative Wvvetter Younge, for what purpose do you rise?"

Younge, W.: "Thank you, Mr. Speaker, I inadvertantly pushed the wrong button. I want to be recorded as no."

Speaker Cullerton: "The Lady wishes to be recorded as 'no'."

McCracken: "Representative Kulas?"

Speaker Cullerton: "Representative Myron Kulas is in his Chair."

McCracken: "Representative Mulcahey."

Speaker Cullerton: "Representative Mulcahey...he's voting 'present'. Do you wish to verify him?"

McCracken: "It doesn't matter. Representative Ronan?"

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Representative Ronan? Is Representative Ronan in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Farley?"

Speaker Cullerton: "Representative Farley? Is Representative Farley?"

McCracken: "Yes, I see him over there."

Speaker Cullerton: "He's in the chamber."

McCracken: "Representative Granberg?"

Speaker Cullerton: "Representative Granberg. Is Representative Granberg in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him. Representative Flowers, at the well requests leave to be verified."

McCracken: "Yes."

Speaker Cullerton: "So that's Flowers and Shaw?"

McCracken: "Representative Woolard?"

Speaker Cullerton: "Representative Woolard is present."

McCracken: "Representative...Louanna Jones?"

Speaker Cullerton: "I'm sorry I didn't hear that name."

McCracken: "Representative Jones?"

Speaker Cullerton: "Representative Lou Jones?"

McCracken: "Yes."

Speaker Cullerton: "Is the Lady in the chamber? Is Representative Lou Jones in the chamber? How is the Lady recorded?"

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

Speaker Cullerton: "Please remove her."

McCracken: "Representative LeFlore?"

Speaker Cullerton: "Representative LeFlore...is in the rear of the chamber."

McCracken: "Representative Williams?"

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Representative Paul Williams? Is Representative Paul Williams in the chamber? Representative Lou Jones has returned to the chamber. Please add her as a negative vote to the Roll Call. Representative Paul Williams? Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him. Representative Ronan has returned to the chamber, please add him as a negative vote to the Roll Call."

McCracken: "Representative Brunsvold?"

Speaker Cullerton: "Representative Brunsvold? Is Representative Brunsvold in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative DeLeo?"

Speaker Cullerton: "Representative DeLeo? Representative DeLeo, he's in the chamber."

McCracken: "Representative Breslin?"

Speaker Cullerton: "Representative Breslin? Representative Breslin? Is the Lady in the chamber? Not yet. Representative Saltsman has returned. Please add Representative Saltsman to the negative Roll Call. Representative Breslin? How is the Lady recorded?"

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

Speaker Cullerton: "Remove her. Remove her...but then add her back. She just came into the chamber."

McCracken: "My, we're fickle. Representative Levin?"

Speaker Cullerton: "Representative Levin? Ellis Levin? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Currie?"

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Representative Barbara Flinn Currie? Representative Currie? Is the Lady in the chamber? Yes, she is. She just returned. She's down here at the well."

McCracken: "Alright. Nothing further."

Speaker Cullerton: "On this question, there are 52 voting 'yes', 57 voting 'no'. The Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. The next Bill on this order is House Bill 1025. It's a Committee Amendment. Representative McGann, the Chairman of the Committee will...handle the Bill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1025...a Bill for an Act to amend certain Acts in relation to Mental Health and Developmental Disability. Second Reading of the Bill. Amendment #1, was adopted in Committee."

Cullerton: "Was there any Motions filed with respect to the Amendment #1."

Clerk O'Brien: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative McGann, on Amendment #2 to House Bill 1025."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Amendment #2 to House Bill 1025 is a...request of the Protection Advocacy Agency to have access to the reports and complaints of these abuses that have occurred in our mental health facilities so as that they can process accordingly and also that they would be able to receive information on what resolution took place in regards to addressing these abuses. That's pretty much what the Amendment does. And I would ask for the support of the

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

43rd Legislative Day

May 18, 1989

entire House on Amendment #2 to 1025. It's a good Amendment and once again it's addressing the problems that we had in the...nursing home and also...the Reed, the Chicago Reed Center, here a little over a year ago. I'd ask for support of Amendment #2."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1025. Is there any discussion on that question? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. A question of the Sponsor. Representative McGann, this file getting somewhat thick and I can't find the fiscal note that you have filed. In reference to...I know it's in here, I just can't find it. I'm sorry. In reference to Amendment #2, I believe this requires a physician to authorize any medical treatment and procedures in any private mental health facility. I assume as I recall our discussion, there's a cost to that. Can you remind me...is there a cost?"

McGann: "No...no Representative Black, it really is just a codification of a present rule that's in there and there's really no cost involved in this at all. We're just tightening it up and...allowing the advocacy and protection and Advocacy Agency, excuse me to have access to the reports. So they're the ones that really are the advocates of these individuals that are in these...facilities and further that they find out what the resolution...how the Department handled it down the road."

Black: "So...the Department of Public Aid then, from what you're telling me would not be asked to incur the liability for any of these doctor's bills or what have you that might emanate from this Amendment is...that correct."

McGann: "No more so than they are presently Representative Black."

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

43rd Legislative Day

May 18, 1989

Black: "Alright, thank you very much. I did find the fiscal note. Thank you, Representative. To the Amendment...Mr. Speaker. Again, I think the Gentleman is certainly well intentioned and very sincere in his attempts to address what is indeed a very serious problem in this state. And as the Gentleman knows there is an honest difference of opinion on how we might best do that within the financial resources that are available to us and with that honest difference of opinion in mind Mr. Speaker, I would simply ask for a Roll Call vote on this Amendment."

Speaker Cullerton: "Yes, the Chair would like to make an announcement that if anyone wishes to change their vote on the agreed Bill list that they should bring those forms up right now. We're about ready to...shut off the time to change your votes. So those yellow...sheets of paper that are on your desk if you wish to change your vote please bring those up to the well...immediately. Representative Bowman on further discussion on Amendment #2."

Bowman: "Yes, the last speaker encourages me to file Amendment of the House Rules that would suggest that people could have access to the microphones only if they had read the particular legislation their speaking on. In this particular case...the Gentleman acknowledges that his...that he couldn't find something in the file and relied upon the oral...oral presentation and then totally disregarded the oral presentation...in his remarks. The fact is that the Amendment contains two kinds of provisions. In one case, the provisions codifies certain things that are already in the rules. The reason for the codification is to prevent backsliding and backtracking. But these are codifications of...requirements that are already in rule. So now if the Department is following some rules, there should be absolutely zero cost

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

43rd Legislative Day

May 18, 1989

Representative Black. Zero, okay? Zero. Now, there is another category that involves access to records and so forth which is sought by the Protection Advocacy Authority. Well...if there is any cost involved, they're the ones that incur the cost. So there again...there is either zero cost or at least the agency in question is prepared to bear the cost and I might add, they get zero appropriation from the legislature. Zero, Representative Black. So I think maybe we ought to have an Amendment to the rules that requires before people speak on a Bill that they actually read it."

Speaker Cullerton: "Representative McGann, to close on Amendment #2."

McGann: "Thank you, Mr. Speaker, Members of the Assembly on both sides of the aisle. I would just ask a favorable vote for Amendment #2 to House Bill 1025 to further put the House in order in caring and addressing the possible abuses that do occur from time to time. I appreciate an 'aye' vote."

Speaker Cullerton: "The Gentleman has moved for the...do you want to explain you're vote, Representative Black?"

Black: "Thank you very much, Mr. Speaker. Point of personal privilege since my name was not only used by a previous Speaker, but I think somewhat abused by the previous Speaker. If he wants to run for statewide public office that's certainly his due and that's certainly his right. But he doesn't have to stand up on the Floor of the House and attack my credibility. If he wants to come home with me every night and see what homework I...I do then have him do that. But I don't think any Member of this House has to stand up and be chastised by any other Member of this Body on whether or not they've read the Amendment. If he had read the Amendment and I'm sure that he has, it requires all public and private mental health facilities to keep files of all reports of abuse and neglect and so forth and

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

43rd Legislative Day

May 18, 1989

so on. Now if that isn't going to add to somebody's cost, I'd like to know what is. Now, in conclusion, since the Gentleman saw fit to chastise me and I'm properly chastised, I will request a fiscal note once this Amendment is adopted. Thank you."

Speaker Cullerton: "Fine, so the question is, 'Shall Amendment #2 be adopted?' All those in favor, vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish. Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 51 voting 'no'. Representative McCracken?"

McCracken: "I'm going to verify Representative Bowman off this Roll Call. Woody, would you leave for a few minutes?"

Speaker Cullerton: "Representative McGann, for what purpose do you rise?"

McGann: "No...I'm going to..."

Speaker Cullerton: "You want to ask for a verification of the..."

McGann: "No, I'm going to request something...it'd be after you register this vote."

Speaker Cullerton: "First, I'll indicate that the Amendment has 66 'aye' votes, 51 'no' votes. The Amendment is adopted. Now Representative McGann did you."

McGann: "Yes, I would move that the..."

Speaker Cullerton: "Well, Representative McGann, let's see if there is any more Amendments. Any further Amendments to this Bill, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, offered by Representative Bowman."

Speaker Cullerton: "Representative Bowman on Amendment #3 to House Bill 1025. Representative Bowman?"

Bowman: "Thank you, Ladies and Gentlemen of the House. A couple of days ago we passed...House Bill 1745, a Republican Bill that creates the Office of Inspector General. The Bill

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

43rd Legislative Day

May 18, 1989

1025, before us now..."

Speaker Cullerton: "Excuse me...Representative Black, for what purpose do you rise?"

Black: "I just rise to a point of order Mr. Speaker. I haven't been able to read Amendment #3 because I don't think it's been printed and distributed."

Speaker Cullerton: "Mr. Clerk, has Amendment #3 been printed and distributed? No, it has not. Representative McGann. Amendment #3 has not been printed and distributed."

Black: "Well, then we take the Bill out of the record until it's printed and distributed."

Speaker Cullerton: "That would be the option of the Sponsor of the Bill and that's why I asked Representative McGann whether or not he wishes to take it out of the record or...?"

McGann: "I would...excuse me Mr. Speaker."

Speaker Cullerton: "Yes."

McGann: "I would ask that the Bill be moved to Third and then as soon as we've...gotten the Amendment distributed and so forth I'd ask permission to leave the House to return it to Second for...discussion debate on that Amendment."

Speaker Cullerton: "Representative Bowman, do you wish to withdraw the Amendment...at this time?"

Bowman: "We'll withdraw the Amendment at this time."

Speaker Cullerton: "Alright, so, are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Representative McGann, there is a request for a fiscal note on this Bill. There's a request for a fiscal note on House Bill 1025."

McGann: "The...Mr. Speaker. The original fiscal note has been filed."

Speaker Cullerton: "Yes, the request is for a fiscal note as

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

43rd Legislative Day

May 18, 1989

amended."

McGann: "And then on the one on the Amendment, I would move that...that Motion that is...inevitable to Amendment #2."

Speaker Cullerton: "The Gentleman has moved that the fiscal note as Amended to House Bill 1025 be...inapplicable. On that question, Representative McCracken?"

McCracken: "I suppose there are two ways to look at this. One is...being the General Assembly...we're above the law. So mere facts don't bind us. I suppose one could argue that as a political decision we want to find that it's not applicable so you can move the Bill and avoid Representative Bowman's Amendment. I don't think there's anything wrong though with considering the facts of the case. As Representative Bowman noted in debate...this undoubtedly has a fiscal impact. So if you are interested in the facts and you want to determine whether this is applicable based on the facts, I submit the answer is no. If you want to ignore the fiscal note Act and if you want to ignore the purpose for its creation in the first place to determine how much money we're spending by virtue of these things then I don't want to have it...then you might not want to have it applied. But that is not the case here. We're...on the facts, it clearly does have an impact and there is some debate over how much. Now I think that we should have a right in this Assembly to rely on the Fiscal Note Act to determine how much that is. And that's very important. And I don't see how any political rationale can outweigh that. So let's consider this on the merits. Let's acknowledge the fact that it will have fiscal impact and find out how much."

Speaker Cullerton: "Representative from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Member of the House. We have a

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

43rd Legislative Day

May 18, 1989

Fiscal Note Act for a very basic reason and that is that the General Assembly in our wisdom believes that we ought to have a right to know just what some of these programs that we passed cost. Cost us and cost the taxpayers of Illinois. Obviously, this Bill as Amended has some fiscal impact. That's clear from this previous Sponsor of the Amendment's discussion...and I think to capriciously try to waive this because politically it's not expedient, that's the wrong attitude to take. It's clear on the facts if you look at what this Bill does. It requires the agency to keep certain records and documents of what's going on within that situation. That of course...will take some money. We know that. It may in fact, even take more staff. They'll probably have to hire some staff people to keep these records and documents and so on. This may cost thousands, it may cost millions. We don't know. But whatever it is, we have a right to know. You know that and I know that. So I would move to defeat this Motion."

Speaker Cullerton: "Representative Tate on the question."

Tate: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Motion. There...I rise in opposition to the Motion very simply because..."

Speaker Cullerton: "Representative Tate..."

Tate: "We're getting it straight here, Mr. Speaker. We're...trying to figure it out."

Speaker Cullerton: "You've indicated you're both for and against the Motion."

Tate: "Yeah, and...that way you can be versatile on both sides of the issue. But, the fiscal note has...was created by this chamber for a reason. In this case...just yesterday...this chamber passed out a tax increase and if we continue to pass out money Bills, I guess maybe the real intent of the yesterday's tax increase was so we could just spend more

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

43rd Legislative Day

May 18, 1989

and more money. Now, listen, let's be practical about it, and if we continue to pass spending Bills out of this chamber, I would suggest that the Speaker will come back and ask all of you for 60 more 'yes' votes for a tax increase before July's out. So, let's support...or let's oppose this Motion."

Speaker Cullerton: "Representative Keane. Representative Keane."

Keane: "Thank you, Mr. Speaker. I rise in sup...I rise in support of the...Motion. If you read the analysis this...the Protection and Advocacy Agency has requested this..."

Speaker Cullerton: "Representative Keane I...Representative Keane. Try it now, Sir."

Keane: "Thank you..."

Speaker Cullerton: "Alright, try Representative Farley's microphone. Representative Keane."

Keane: "Thank you, I rise in support of the Gentlemans Motion. The protective...Protection Advocacy Agents...agency has asked for this Amendment. They're a private agency, they generally are supported by federal funds. The impact...fiscal impact of the Amendment will be born and are under their responsibility and for that reason the fiscal note does not apply. Thank you."

Speaker Cullerton: "Okay, Representative McGann, to close on your Motion."

McGann: "Thank you. I want it to be known by all Members of this House that in no way do I want to disrupt any of the rules that have been set forth in this chamber. But sometimes we have to look at it in a proper perspective and when there's not a necessity of doing something why should we do it? And for this reason, I'm going to ask for an 'aye' vote on my Motion on this...that it's inapplicable, the fiscal note in this Amendment #2. So I'd ask all the Members of this

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

43rd Legislative Day

May 18, 1989

House to join with me in an 'aye' vote. Thank you."

Speaker Cullerton: "The question is, 'Is the Fiscal Note Act inapplicable to House Bill 1025?' The question is, those in favor vote 'aye', those opposed vote 'no'. Voting's open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 62 voting 'aye', 50 voting 'no'. The Motion prevails. Third Reading. On the Order of Mental Health, House Bill 1508. Mr. Clerk, please read the Bill. Representative Laurino, in the Chair."

Clerk Leone: "House Bill 1508, a Bill for an Act to amend an Act codifying the powers and duties of the Department of Mental Health. Second Reading of this Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Are there any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2, is being offered by Representative Black."

Speaker Laurino: "Representative Black? Representative McGann, for what reason do you rise? Turn Representative McGann on. Proceed, Representative McGann."

McGann: "Pardon me?"

Speaker Laurino: "Proceed, your microphone was not on."

McGann: "Yes, Mr. Speaker, has this Amendment been circulated? I don't seem to have it here."

Speaker Laurino: "Representative McGann, the Amendment was not distributed. What's the pleasure of the Sponsor of the Amendment?"

McGann: "Alright, I would move then to table the Amendment Mr. Speaker."

Speaker Laurino: "The Gentleman has moved to table the Amendment. All those in favor, indicate by saying 'aye', 'nay'. The 'ayes' have it, the Amendment is tabled. Further Amendments, Mr. Clerk?"

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

43rd Legislative Day

May 18, 1989

Clerk Leone: "Floor Amendment #3, offered by Representative Black."

Speaker Laurino: "Representative Black? Representative Black, the Amendment has not been distributed. What's the pleasure of the Sponsor of the Bill?"

McGann: "I would...Mr. Speaker, I would move to table this Amendment."

Speaker Laurino: "Is there any discussion? Hearing none, the Gentleman moves that Amendment #3 to House Bill 1508 be tabled. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. Amendment #3 is tabled. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Black the Amendment has not been distributed. Representative McGann, what's your pleasure?"

McGann: "Mr. Speaker, I would ask that this Amendment be tabled...on #4, table Amendment #4."

Speaker Laurino: "Is there any discussion? Hearing no discussion, the Motion is that the Amendment #4 to House Bill 1508 be tabled. All those in favor, indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, the Amendment is tabled. Further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading. House Bill 1571, Representative McGann. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1571, a Bill for an Act to establish a comprehensive community based mental health service system. Second Reading of the Bill."

Speaker Laurino: "Are there any Motions or Floor Amendments?"

Clerk Leone: "There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. The House will now be hearing Welfare Reform. Human Services Committee, House Bill 300,

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

43rd Legislative Day

May 18, 1989

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

Clerk Leone: "House Bill 300, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of this Bill. Amendments #1, 2, 3 and 4 were adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #5, is being offered by Representative Ryder."

Speaker Laurino: "Representative Ryder...is he in the chamber? Representative Ryder? Representative Ryder?"

Ryder: "Thank you, Mr. Speaker. As many may know during the Human Services Committee there was a process in which a...number of Bills were collapsed into one Bill. This is one of those Bills. In fact...this is a product that was indicated to be a Committee Bill as I recall although the name doesn't...doesn't carry that out of the Sponsor at this point. The purpose of this Bill is to return some of that integrity to the process by taking out the other parts of the Bill, which I might add I believe includes some Republican ideas and Bills that were copied for this. Leaving in the exemption for Childrens Hospital from the I Care rate setting. It's our intent for that...because that is so important. Because the Childrens Hospitals create such a special circumstance that they should be able to receive that treatment. This...the purpose of this Amendment is to return some of the integrity back to that process. There are...the Childrens Hospitals are so important that we believe they should be treated as such."

Speaker Laurino: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. I certainly agree with the Representative proposing Amendment 5, that the Childrens Hospitals are critical, vitally important and I would remind the Members of the chamber that the Childrens Hospital provision is included in the

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

43rd Legislative Day

May 18, 1989

underlying Bill, House Bill 300. A Bill drawn by the House Committee on Human Services and will be included in an Amendment later to come, Amendment 8. So the...Members of that committee...the Members who supported House Bill 300, would certainly want to oppose the Gentleman's Amendment. If you support the Amendment, you deny to people who are on public aid the opportunity for longer term day care, now permitted by the Federal Government and proposed by the Thompson Administration. You deny those individuals the opportunity for longer term medical care, now reimbursed by the Federal Government and proposed by the Thompson Administration. So I think that although he suggests this is the way to protect the Childrens Hospitals, the Childrens Hospitals are protected in House Bill 300 as it comes before you and as it will be after Amendment 8. But there are items in this Bill which are critical to the people of the state, approved by the Thompson Administration. And I think he hasn't suggested, but you should know that to adopt his Amendment will be to say 'no' to those people with those problems when we are prepared to offer them help."

Speaker Laurino: "Further discussion? Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, while I appreciate...the well intended thought on such a fine Sponsor regarding this Amendment, I would like to point out that if this Amendment became a part of House Bill 300 and if it did in fact become the subject that we're talking about, we're going to open up a door for exemptions across the board. What we're talking about here is a fiscal impact estimated at just nine to sixteen million dollars. That's just for this Amendment. In that Bill of House Bill 300, there's an approximate cost to us and to the taxpayers of almost fifty million dollars. I think this is a good

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

43rd Legislative Day

May 18, 1989

Amendment. I think we should be doing something for the Childrens Hospitals, but I do not believe that this Amendment should be attached onto House Bill 300. So I reluctantly oppose the Amendment."

Speaker Laurino: "Further discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Well I appreciate Representative Wojcik's motivation...or at least her...support in opposition to the Amendment. I also am opposed to the Amendment for perhaps a different reason...but nonetheless, also opposed. I was the original Sponsor of the Bill that took the four Childrens Hospitals out of the I Care program. If you want to vote for the Childrens Hospitals, you should vote 'no' on this Amendment. They are down here lobbying against this Amendment. I would agree with Representative Currie, Representative Wojcik. Please vote 'no' on the Amendment."

Speaker Laurino: "Is there further discussion? Representative Currie, to close."

Currie: "Representative Ryder, to close."

Speaker Laurino: "Oh, excuse me."

Ryder: "Can I close?"

Speaker Laurino: "You may."

Ryder: "Thank you, Mr. Speaker..."

Speaker Laurino: "Representative Ryder, to close."

Ryder: "Thank you, Mr. Speaker, I appreciate the courtesy. I think that perhaps some folks are misunderstanding the intent of this Amendment and confusing it with the overall intent of the Bill. The price tag on the overall Bill is some fifty plus million dollars. Frankly, that's more than we can afford. Some of the ideas may be good. Some of the ideas may not be. But, that's not something we can afford. What we can and should be able to do is to afford these Childrens Hospital exemptions, which I think are

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

43rd Legislative Day

May 18, 1989

appropriate in this situation. There are only four in the entire...that serve the entire state. There are only four. They provide unique and special circumstances. Now, I'm going to indicate that in the event that this Amendment does not go on and some other Amendments do not go on, then the Bill is approximately in the same shape as it is right now. Then we're going to oppose the Bill. And if you oppose the Bill, you'd oppose the Childrens Hospitals. I don't want to see that happen. It's just too important. I appreciate the previous speaker and the Representative before him and their feelings of support for what it is that we're trying to do. But, frankly at this point the Childrens Hospitals are just too important to ignore. For that reason, I ask for a favorable vote on this Amendment."

Speaker Laurino: "The question is, 'Shall Amendment #5 to House Bill 300 be adopted?' All those in favor, indicate by saying...saying 'aye', opposed 'nay'. Mr. Clerk, we'll have a Roll Call on House Bill 300 for Amendment #5. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Amendment #5, having received 48 'ayes', 63 'nays', 0 voting 'present'...hereby fails. Are there any other Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #6, is being offered by Representative Bernard Pedersen."

Speaker Laurino: "Representative Pedersen."

Pedersen: "Thank you...thank you, Mr. Speaker, Ladies and Gentlemen of the House. The purpose of this Amendment is very clear. It would eliminate any public subsidy to those who choose to strike. A strike as...an employer is a collective, hopefully well thought and planned decision by a union and its membership. General assistance funds are to be used for the help of individuals, who through no fault of their own, find themselves in need. These funds

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

43rd Legislative Day

May 18, 1989

are limited. Once used in a fiscal year, the limited resources of townships do not allow for these funds to be replaced. Now, I think it's important to understand that in townships these amounts fluctuate year by year. They're...not always very large and if you have something like this hitting the township general assistance they could wipe it out in no time at all. And it's really unfair to those people who are in real need through no fault of their own. In addition to that, Public Aid has...is able to avoid paying these kind of bills and they certainly have no problem with this Amendment for townships. So I would recommend that we be consistent so that we're not really subsidizing people who are...go out on strike through their own free will. I'd ask the Assembly to reject Public Aid Subsidized Labor Action and to make sure that general assistance funds are used as originally intended and I urge...passage of this Bill."

Speaker Laurino: "Is there further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This anti-labor proposal has been consistently, repeatedly defeated in the House Labor and Commerce Committee. I think that the Members of...this full chamber on this floor will give this Amendment the same kind of trashing that it's received at the hands of the Labor and Commerce Committee and certainly that the Amendment deserves."

Speaker Laurino: "Is there further discussion? Representative Pedersen to close."

Pedersen: "Well, I think one thing that Members should remember, that we're talking townships throughout the State of Illinois and that includes a lot of people on both sides of the aisle whose...township general assistance funds would be at risk. And so I would certainly recommend that people

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

43rd Legislative Day

May 18, 1989

very carefully think about this before they vote and I would ask for a Roll Call vote."

Speaker Laurino: "The question is, 'Shall Amendment #6 to House Bill 300 be adopted?' All those in favor indicate by saying 'aye', those opposed 'nay'. Roll Call, Mr. Clerk. We'll have a Roll Call. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Amendment #6 having received 48 'ayes', 63 'nays', and 3 voting 'present' fails. Are there any other Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Currie."

Currie: "Withdraw Amendment 7, please."

Speaker Laurino: "Withdraw Amendment #7, Mr. Clerk. Any other Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading."

Currie: "No...no...no, #8. Number 8 is filed."

Speaker Laurino: "Representative Currie indicates there's another Amendment."

Clerk Leone: "Floor Amendment #8...being offered by Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. We too are concerned about costs. The people who propose this Bill as it came out of committee were concerned with the high price tag the Department of Public Aid assigned to the provisions of the Bill. And so in an effort to be...fiscally responsible we offer Amendment #8 to the Bill. It would remove certain cost provisions from the Bill including the requirement for literacy testing for all Project Chance participants, the automatic switching provisions, the requirement of 'pass through' of some child

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

43rd Legislative Day

May 18, 1989

support payments for food stamp eligibility...deletes the requirement of a specific written case management plan and deletes the floor provision with respect to Public Aid grant levels. Finally, extends the effective date for the child care extension and would increase funeral allowances from 6 to 7 hundred dollars. With this Amendment the costs identified by the Department of Public Aid would be substantially reduced until they would be little above the Governor's recommended budget and I would urge your support for the Amendment."

Speaker Laurino: "Is there further discussion? Representative Wojcik."

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

Speaker Laurino: "She indicates she will."

Wojcik: "Representative, according to my analysis here it says that you have removed the requirement that recipients be notified...of other programs they may be eligible for when they are terminated?"

Currie: "Representative, that's in another Bill. House Bill 219, which is presently on Third Reading...on this floor."

Wojcik: "So...what I have here though is that you have removed it from 300."

Currie: "Removed it from 300, because it is in another Bill."

Wojcik: "Okay, I have some more questions. You have raised the funeral and burial benefits by one hundred dollars in this Bill?"

Currie: "That's right. That's right."

Wojcik: "You have also..."

Currie: "Not the burial, it's the funeral director...the funeral allowance."

Wojcik: "I...okay, you just have raised the funeral benefits?"

Currie: "That's right."

Wojcik: "Okay"

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

43rd Legislative Day

May 18, 1989

Currie: "Our understanding is that the cost of that is about three hundred thousand dollars." Wojcik: "I have four hundred thousand dollars."

Currie: "Maybe it's three hundred and fifty thousand dollars."

Wojcik: "That's your compromise."

Currie: "But it would be reimbursable."

Wojcik: "Alright, you also have here that you deleted the 'child support food stamp pass through' from this?"

Currie: "Yes I did reluctantly Representative. I did so because of the cost that the Department identified with that proposal."

Wojcik: "And also you make the provision of 12 month day care effective..."

Currie: "April 1st, 1990."

Wojcik: "And that is to conform with the federal mandates?"

Currie: "Insuring them that reimbursement will be available for Illinois participation of the program."

Wojcik: "And do you know what the cost will be?"

Currie: "That cost was in the Governors budget and I believe I have here the Departments...two point six million in FY90 state costs. Those dollars are already included in the Governor's proposed budget recommendation."

Wojcik: "Thank you."

Speaker Laurino: "Representative...is there further discussion? Representative Currie, to close."

Currie: "I appreciate your support for the Bill."

Speaker Laurino: "The Bill or the Amendment? The Bill or the Amendment?"

Currie: "Thank you, Mr. Speaker, for the Amendment."

Speaker Laurino: "All...the question is, 'Shall Amendment #8 to House Bill 300 be adopted?' All those in favor, indicate by saying 'aye', those opposed vote, 'nay'. Let's rephrase that. All those in favor indicate by saying 'aye', those

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

43rd Legislative Day

May 18, 1989

opposed say, 'nay'. The 'ayes' have it. The Amendment is adopted. Representative Currie, there is a fiscal note. Representative Currie, there has been a fiscal note request."

Currie: "Mr. Speaker, I...would...because the Department filed a fiscal note and the effective Amendment 8, is to reduce specific items in that fiscal note and because the Department although it knew about Amendment 8 failed to provide a fiscal note on this particular Amendment, I would move that the fiscal note is inapplicable."

Speaker Laurino: "Is there further discussion? Representative Cullerton."

Cullerton: "Mr. Speaker, I wonder if we could ask of the Clerk who it was that filed the request and perhaps we could ask that Representative in light of...the Lady's explanation perhaps they can ask...if they could withdraw the request."

Clerk Leone: "The request for the fiscal note is filed by Representative McCracken."

Speaker Laurino: "Is there further discussion? Representative Wojcik."

Wojcik: "I was just going to question the fiscal note...and it's..."

Speaker Laurino: "Well, the Sponsor is on your side of the aisle."

Wojcik: "I understand that, but she was discussing the...inapplicable process of the fiscal note and I wanted to get into the debate on this."

Speaker Laurino: "You want to hold off on your debate until the discussion has ended? Representative Cullerton do you wish recognition?"

Cullerton: "Yes, apparently the Motion is in order because the fiscal note request will not be withdrawn. Let's...make this real clear. A fiscal note was filed to the Bill when

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

43rd Legislative Day

May 18, 1989

it was on the floor. That fiscal note said that the Bill was going to cost fifty seven point nine million dollars in state costs. Amendment #8 reduced that cost by about forty million dollars. Now, we don't have the fiscal note from the Department to verify that. That's what the staff says. So the fiscal note's been filed. Now we know we're voting for a Bill that costs less than what it was before the Amendment was passed...a lot less. And therefore, the effort to request the fiscal note while I'm sure well intentioned, is answered by the debate and therefore we should move the Bill to Third Reading and therefore vote 'aye' on the Lady's Motion that the fiscal note Act is inapplicable."

Speaker Laurino: "Thank you, Representative Wojcik, you have a question?"

Wojcik: "Yes, thank you. I stand in opposition to the suggestion to vote 'aye'. Because there has been a reduction, we certainly should have a new fiscal note filed so we know exactly what figures we are working with. This Bill has got quite a few ideas, quite a few deletions and it would only be fair and correct for all of us in the House to know what the actual cost is. So I would urge everybody to vote 'no'."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker. If Representative Wojcik would just turn to the Department of Public Aid functionary, who is standing beside her, perhaps she could get an answer to her question. I'm sure we'll have a specific answer by Third Reading, but the point is clear, we already have a fiscal note on this Bill. The fiscal cost of the Bill now amended is only lower than the fiscal note that has been filed and I urge support of the Motion to rule that the fiscal note request...the fiscal note Act is not applicable

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

43rd Legislative Day

May 18, 1989

at this time."

Speaker Laurino: "Representative Wojcik."

Wojcik: "Again, I must state that Amendment #8 has just now been approved and so therefore, we have not perused all the deductions and we do not know the correct figure. And since my name was mentioned a few moments ago, I have the right to do this."

Speaker Laurino: "Okay...okay the question is...the Lady's Motion is...'is the fiscal note to House Bill 300 inapplicable?' All those in favor of the Lady's Motion will vote 'aye'. Those opposed will vote 'nay'. The board is open. Take the record, Mr. Clerk. Hold it. Representative Hallock."

Hallock: "Well, Mr. Speaker, I wanted to speak to the Motion. The...this is the second time today that the House has made this Motion. I should say the Democrats have made this Motion. It seems to me, we're really making a farce of the Fiscal Note Act. Clearly, without any doubt and there's not even any disagreement in this chamber, this Bill has fiscal impact. We know that. The only question is, how much? We're entitled to know that as well. You know that and let's do it. Let's in fact make sure that this Fiscal Note Act is either utilized and not abused. If you're going to abuse it over and over again as you have here today for the second time now...let's just abolish the Act itself. Let's not play games. Vote 'no' on this."

Speaker Laurino: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. It's difficult to determine what's the reason for ruling the Fiscal Note Act inapplicable. It seems to me that there's only three alternatives. One, that the Bill doesn't cost any money. The Sponsor knows better. The Sponsor knows that that's not the case. Two, we're afraid of how much it is and we don't want to know. We'd rather close our eyes and vote

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

43rd Legislative Day

May 18, 1989

for it. Three, it's just simply part of the program, that we're going to spend money without being fiscally responsible. Any of those three are not satisfactory for me. I think those that are voting green ought to reconsider that because those are not good reasons to be green on this issue. We have the law so that we abide by the law. And we should be abiding by it at this point."

Speaker Laurino: "Further discussion? Representative McCracken?"

McCracken: "Verification, if it appears to receive the requisite number."

Speaker Laurino: "Representative Wojcik, do you wish to...verification?"

Wojcik: "Yes."

Speaker Laurino: "The board is still open. We have not taken the record. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Mr. Clerk, poll those not voting."

Clerk Leone: "All the Members who are present are voting."

Speaker Laurino: "Thank you. Poll those voting the affirmative."

Clerk Leone: "Poll the Affirmative. Balanoff, Bowman, Breslin, Brunsvold, Bugielski, Capparelli, Cullerton, Curran, Currie, Davis, DeJaegher, DeLeó, 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, McGann, McPike, Morrow, Mulcahey, Munizzi, Novak, Phelps, Preston, Rice, Richmond, Ronan, Saltsman, Santiago, Satterthwaite, Shaw, Steczo, Stern, Sutker, Terzich, Trotter, Turner, White, Williams, Wolf, Woolard, Anthony Young, Wyvetter Younge and Mr. Speaker."

Speaker Laurino: "Mr. McCracken are there questions of the Affirmative Roll Call?"

McCracken: "Yes, thank you."

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Proceed."

McCracken: "Representative Keane?"

Speaker Laurino: "Representative Keane. Representative Keane in the chambers? Remove him."

McCracken: "Representative Farley?"

Speaker Laurino: "Representative Farley? Representative Farley? Is the Gentleman in the chambers? Appears he is not. Hold on, Representative McCracken. Appears that there's some people wishing to be verified. Representative Stern, does she have leave? Representative Lang? Representative Van Dwyne? Oh, you want to be recorded as 'aye'? Record Mr. Van Dwyne as 'aye', Mr. Clerk. Proceed, Representative McCracken."

McCracken: "Alright, Representative Hannig?"

Speaker Laurino: "Return Representative Keane to the Roll Call, he's at the foot of the well. Hannig?"

McCracken: "I see him."

Speaker Laurino: "He's in the rear of the chamber."

McCracken: "Representative Flowers?"

Speaker Laurino: "Who's that?"

McCracken: "Representative Flowers?"

Speaker Laurino: "Representative Flowers? Representative Flowers? Is the Lady in the chamber? She's in the rear of the chamber, Representative."

McCracken: "Alright, Representative Williams?"

Speaker Laurino: "Representative Williams?"

McCracken: "Representative Homer?"

Speaker Laurino: "Representative Homer? Is Representative Homer in the chamber? Representative Homer? Remove him, Mr. Clerk."

McCracken: "Representative Kulas wants leave?"

Speaker Laurino: "Representative Kulas, leave to be verified?"

McCracken: "Yes, Representative..."

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Proceed."

McCracken: "Representative Giglio?"

Speaker Laurino: "Representative Giglio? Representative Giglio?
Is the Gentleman in the chamber? Return Representative
Homer to the Roll Call."

McCracken: "My, Representative Giglio's changed."

Speaker Laurino: "Representative Preston...is asking leave of the
House for verification. Representative McCracken,
Representative Preston, leave granted."

McCracken: "Yes."

Speaker Laurino: "Representative Giglio has returned to the
chambers."

McCracken: "Okay."

Speaker Laurino: "Representative Steczo, for what reason do you
rise?"

McCracken: "For leave."

Speaker Laurino: "Leave to be verified."

McCracken: "Representative Brunsvold?"

Speaker Laurino: "Who?"

McCracken: "Brunsvold?"

Speaker Laurino: "Representative Brunsvold? Is the Gentleman in
the chamber?"

McCracken: "Oh, alright."

Speaker Laurino: "He's down here...he's an acting page."

McCracken: "Representative Phelps?"

Speaker Laurino: "Representative Phelps is in his Chair."

McCracken: "Representative DeLeo?"

Speaker Laurino: "Representative DeLeo is in his Chair."

McCracken: "Representative Breslin?"

Speaker Laurino: "Representative Breslin? Representative
Breslin. Is the Lady in the chambers? Remove her, Mr.
Clerk."

McCracken: "Representative Krska?"

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Representative Krska? Is the Gentleman in the chambers? Remove him, Mr. Clerk."

McCracken: "Representative McNamara?"

Speaker Laurino: "Representative Breslin has returned to the chamber. She's in the middle aisle. Return her to the Roll Call."

McCracken: "Representative...McNamara?"

Speaker Laurino: "Representative McNamara? Representative McNamara, are you in the chambers?"

McCracken: "Oh, he voted 'present'. That's alright. Representative McGann?"

Speaker Laurino: "Representative McGann? Representative McGann? Is the Gentleman...he's right at the front of the well."

McCracken: "Okay. Representative Leverenz?"

Speaker Laurino: "Representative Leverenz is in his Chair."

McCracken: "Nothing further."

Speaker Laurino: "Representative Homer was returned to the Roll. The 'aye' vote for Amendment #8 to House Bill 300 is 64 'ayes', 51 'nays', 1 voting 'present'. The Amendment is adopted. Are...the Motion is carried. Are there further Motions or Amendments?"

Clerk Leone: "No further Motions or Amendments."

Speaker Laurino: "Third Reading. House Bill 745, Representative Trotter."

Clerk Leone: "House Bill 745, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #3, is being offered by Representative Ryder."

Speaker Laurino: "Representative Ryder? Representative Ryder? Is the Gentleman in the chamber? Representative Trotter?"

Trotter: "Yes, Mr. Speaker, since Representative Ryder is not

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

43rd Legislative Day

May 18, 1989

here we'd ask that they will table the Amendment?"

Speaker Laurino: "Is there further discussion? Representative McCracken?"

McCracken: "He's on his way, if we could have just a moment. He'll be right in."

Speaker Laurino: "For what reason do you rise Mr. Mays? Representative Ryder, on Amendment #3 to House Bill 745."

Ryder: "Thank you, Mr. Speaker. This is not a new Amendment in concept. It does the same as we attempted by Amendment #3 on House Bill 300. It eliminates the contents of the Bill and benefits the...childrens hospitals in the manner in which we discussed previously. The work that the childrens hospitals do...is so important to the State of Illinois and the inequity's that they have in the...manner in which that they are paid is such that this Bill...this Amendment should be and I hope will be ratified and made part of the Bill. The cost is minimal considering the care that is given and I appreciate a favorable vote."

Speaker Laurino: "Is there further discussion? Representative Trotter."

Trotter: "Yes, Mr. Speaker, Members of the House, having been given the honor and the responsibility to carry House Bill 745, I rise in opposition to the Amendment that has been presented by Representative Ryder. The Amendment as you know guts the Bill and negates the work that was done in committee. For the children of our state and for the mothers, the pregnant mothers...we cannot have this happen. I ask my friends and my colleagues to please stand with me and vote 'no' on this Amendment."

Speaker Laurino: "Is there further discussion? Representative Mays."

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

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "He indicates he will."

Mays: "Mr. Ryder..."

Speaker Laurino: "Who are you asking the question of?"

Mays: "Representative Ryder."

Speaker Laurino: "I see, okay. Representative Ryder will you answer a question?"

Ryder: "Certainly."

Mays: "Alright, you mentioned that this Amendment deletes all these provisions in there, but it somehow works for the benefit of the children in this state. How can that possibly be? I want to help the children in this state. I want to know exactly how this Amendment helps them?"

Ryder: "Well Representative Mays, let me see if I can explain it to you like this."

Mays: "Simply."

Ryder: "The Bill contains a number of provisions that previously had been Bills. Some...all of which appear to have been sponsored by our friends across the aisle. There is a certain price tag to all of them. However; the particular Amendment that I have eliminates the first three and only allows the children's hospital exemption from the I Care Program. The Department of Public Aid has a means by which they compensate hospitals for the work that they do for Public Aid recipients. And most, as with many plans in most areas, it does a very good job. However, because children's hospitals are so few, there are only four that serve the State of Illinois and because the work that they do is so special, the I Care methodology doesn't adequately compensate them for that which they do for children. As a result...we're sponsoring this Amendment so that the children can continue to be served by these hospitals so that they can continue to receive the care. There's a great, great concern I think by...the hospitals of an

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

43rd Legislative Day

May 18, 1989

inability to allow access to these public aid folks, the children, in the event the methodology is not changed. Does that help explain it Representative Mays?"

Mays: "Well, that's pretty good. Let me try to paraphrase and if I'm wrong, you tell me how."

Ryder: "That's rare, but I will."

Mays: "Okay. What you're trying to do here is isolate the issue so that we can focus on the biggest problem area that you feel we have in this state in this particular arena and that's the children's hospitals. You want to get them out from the under the I Care provision so that you can give them a fair reimbursement and that's what this Amendment will do. It won't cloud the issue with a whole bunch of other sacred cows in the public aid field. It will focus us all on the children's hospital issues. Is that not correct?"

Ryder: "Yes."

Mays: "I'm all for it."

Ryder: "Thank you."

Mays: "And I want a Roll Call."

Ryder: "Thank you."

Speaker Laurino: "Further discussion? Representative Cullerton?"

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Motion. Once again, I would remind you that I was the original Sponsor of the Bill that took the Childrens Hospitals out of the I Care Program. And I quite frankly, am very gratified to hear all of the support pouring out concerning the hospitals. But, I want you also to know that the hospitals in question, the Children's Hospitals, Wyler's Hospital at the University of Chicago and the two hospitals that are located in St. Louis are opposed to this Amendment. So if you want to vote with their best wishes

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

43rd Legislative Day

May 18, 1989

in mind, you'd vote 'no' on this Amendment. Thank you."

Speaker Laurino: "Further discussion? Representative Ryder, to close."

Ryder: "Thank you, Mr. Speaker."

Speaker Laurino: "You're welcome."

Ryder: "I am a little surprised to learn that the hospitals are against an Amendment that gives them exactly what they wanted. I'm a little surprised to find that the hospitals are against an Amendment that is exactly the idea of Representative Cullerton's, a Bill that they support. I don't understand that except perhaps they had to buy into the program that says either you go down our track or you don't go down any track at all. These Bills were folded, mutilated and put together in order to take a little bit of this and a little bit of that in order to accomplish what they wish to do. The entire process, of which, is in violation of the process that we have. So I'm a little surprised, but perhaps I understand the program. In any event for the kids, this is the Amendment to vote 'yes'."

Speaker Laurino: "Okay, the question is, 'Shall Amendment #3 to House Bill 745 pass?' All those in favor indicate by saying 'aye'...Roll Call. We'll have a Roll Call, Mr. Clerk. It was requested. All those in favor vote 'aye', all those in favor...opposed vote 'no'. Representative Currie, to explain her vote."

Currie: "Thank you, Mr. Speaker, Members of the House. A 'yes' vote on this Amendment says 'no' to medical care for low income pregnant women and their young children. The federal congress is presently considering legislation jointly sponsored by Senator Robert Dole and Senator Bob Michael that would require us to provide medical care to low income pregnant women of this variety and their children. I think that Illinois should be first to pick up

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

43rd Legislative Day

May 18, 1989

on sensible proposals from one of the Deans of our own delegation. So a 'yes' vote on this Amendment would say 'no' to the people who need preventive medical care the most, would in fact presumably encourage only additional spending on children's hospitals."

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

Stephens: "Thank you, Mr. Speaker. To explain my vote. We've been notified on this side of the aisle that the children's hospitals are not in opposition to this Amendment. They've been told that they...the package that they're going to be...have delivered to them is this Amendment which they support plus the other language and they've either got to take it or leave it. They do not stand in opposition to this Amendment. There's nothing in this Amendment that hurts them. This is an Amendment that helps the children of Illinois. It fairly funds the hospitals that deliver the services that these children need and this is...there is nothing in this Amendment that...and no good reason for those hospitals to stand against it. And so for the record, those hospitals are not in opposition to the language in this Amendment."

Speaker Laurino: "Representative Trotter."

Trotter: "Just to explain my vote. Again, it's for the children and it's for the pregnant mothers and also to remind the Members on the other side that the Governor signed off on this legislation at the National Governors Association, stating that he is 100 percent in fighting infant mortality in the State of Illinois. And this fight that we're having today is against his wishes. So please vote 'no' like I did."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Amendment #3 having

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

43rd Legislative Day

May 18, 1989

received 49 'ayes', 66 'nos' and 0 voting 'present' fails.

Are there any more Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1152, Representative White? Representative White? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1152, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #3, is being offered by Representative Ryder."

Speaker Laurino: "Representative Ryder? Representative Ryder, what's your pleasure?"

Ryder: "I'll withdraw the Amendment."

Speaker Laurino: "Amendment...#3 is withdrawn. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Representative LeFlore, for what reason do you rise?"

LeFlore: "Yes, Mr. Speaker. House Bill 219 on that same order. I'd like to move it back to Second for an Amendment. May I have leave?"

Speaker Laurino: "Would you repeat the Bill number?"

LeFlore: "On that same order of business, House Bill 219, I'd like to move it from Third to Second for the purpose of an Amendment."

Speaker Laurino: "Does the Gentleman have leave? Leave being granted proceed Representative LeFlore. Are there Motions or Amendments filed?"

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

Speaker Laurino: "Representative LeFlore?"

LeFlore: "Thank you, Mr. Speaker. House Bill 219 becomes...or

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

43rd Legislative Day

May 18, 1989

Amendment becomes the Bill. This Amendment requires that the Department adopt policy and procedures which will result in timely switching of program partic...for category assistance program. This Amendment has been agreed to by...the Department of Pubic Aid and the Illegal Assistance Foundation. I would like to have a favorable Roll Call on this Amendment."

Speaker Laurino: "Is there further discussion? Representative Ryder?"

Ryder: "Thank you, Mr. Speaker. It's a real pleasure to stand up and indicate that this is a good Amendment. It takes...away some compromise. I compliment the Sponsor of the Amendment. It's one we should support."

Speaker Laurino: "Further discussion? Representative Wojcik?"

Wojcik: "Yes, Mr. Speaker and Members of the House, I too rise in support of the Amendment. And I must compliment the Sponsor that he took the time to work things out and checked on both sides of the aisle. So my compliments to you."

Speaker Laurino: "The question is, 'Shall Amendment #1 to House Bill 219 pass?' All those in favor, indicate by saying 'aye', opposed, vote 'nay' or say 'nay'. Appears the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. We'll now consider on the Order of Special Call, Banking. House Bill 184, Representative Anthony Young. Proceed."

Clerk Leone: "House Bill 184, a Bill for an Act to amend the Motor Vehicle Retail Installment Sales Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Is there any discussion? Third Reading. House Bill 1368, Representative Levin? Representative Levin? Is

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

43rd Legislative Day

May 18, 1989

the Gentleman in the chamber? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1368, a Bill for an Act to amend an Act concerning financial institutions. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Any discussion? Third Reading. House Bill 2423, Representative Santiago? Read the Bill, Mr. Clerk."

Clerk Leone: "On page 9 of the calendar, House Bill 2423, a Bill for an Act in relationship to the disposition of unclaimed property. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Are there any Motions or Floor Amendments?"

Clerk Leone: "No Motions filed and no Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2431, Representative DeLeo? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2431, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Any discussion? Third Reading Mr. Clerk. House Bill 2570, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2570, a Bill for an Act to amend the Illinois Bank Holding Company Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Is there any discussion? Third Reading. House Bill 2769, Representative McNamara? Out of the record...by Representative Cullerton. We will now entertain Public Utilities, Second Reading. House Bill 183, Representative Anthony Young? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 183, a Bill for an Act to amend the Illinois Public Aid Code. Corrections, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

43rd Legislative Day

May 18, 1989

Clerk Leone: "Floor Amendment #1, is being offered by Representative Anthony Young."

Speaker Laurino: "Representative Young?"

Young: "Yes, Mr. Speaker, Amendment #1 is language that was proposed by the utilities. It changes the word 'imbedded cost' to 'actual cost'. Allows for 'actual cost' to be part of a bimonthly as well as monthly bill. It includes information expenses. I move to adopt the Amendment."

Speaker Laurino: "Is there any discussion? Representative Black?"

Black: "Well, thank you very much, Mr. Speaker. A question of the Sponsor."

Speaker Laurino: "He indicates he'll answer."

Black: "Thank you very much. Representative, if I heard you correctly, you said Amendment #1 was brought to you by the utilities?"

Young: "No, that's not what I said. I said the language in Amendment #1 was recommended by the utilities. It makes the Bill more palatable. I'm not suggesting that they'll be in favor of it because this is their language."

Black: "Okay, thank you very much. I just wanted a clarification on that. Thank you."

Speaker Laurino: "Further discussion? If not, all those in favor of adopting Amendment #1 to House Bill 183 will indicate by saying 'aye', those opposed, 'nay'. The 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, being offered by Representative Anthony Young."

Speaker Laurino: "Representative Young?"

Young: "Withdraw Amendment #2."

Speaker Laurino: "Withdraw Amendment #2. Are there further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Third Reading. House Bill 191, Representative Van Duyne. Representative Van Duyne...on House Bill 191. Out of the record. House Bill 542, Representative Homer? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 542, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Are there any Floor Amendments?"

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

Speaker Laurino: "Representative Homer?"

Homer: "Thank you, Mr. Speaker. Amendment #1 would affect the Bill to the extent that it would define the type of tax that the Bill references to limit it to an income tax for purposes of determining whether or not there has been a windfall accrued to a public utility as a result of a reduction or elimination of an income tax. The question of whether the commission should order a reduction in that utility's rates to its consumers. A further portion of the Amendment would specify that the Commerce Commission would not be able to lower the rate unless it determines that the removal or reduction of the income tax has the effect of increasing the utility's rate of return over the rate that has been previously established and approved by the commission for that public utility. I'd be happy to answer any questions. The Amendment essentially comes at the request of the public utilities, that it would be affected by the Bill and I think it should be relatively noncontroversial."

Speaker Laurino: "Further discussion? The question is, 'Shall Amendment #1 to House Bill 542 be adopted?' All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and Amendment #1 is adopted. Representative Homer,

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

43rd Legislative Day

May 18, 1989

there has been a fiscal note requested on this Bill as amended. So, it will stay on Second Reading. House Bill 988, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 988, a Bill for an Act to amend an Act to provide for the election of members of the Illinois Commerce Commission. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Floor Amendment #1 is offered...as a point of compromise. I'm not sure that 988 is a Bill that can...pass this chamber, pass the Senate and receive the Governor's signature. However; I think that given the contents of Amendment #1 we would have...the Bill in a form that could indeed pass the House, pass the Senate and hopefully receive the Governor's signature because what the Bill does is offer a compromise between those who think that the Illinois Commerce Commission is a sacred cow and cannot be touched and those that think that it should be a full blown elected Commerce Commission. What the Bill does is allow the Governor to appoint the members of the Commerce Commission for a four year term. At the end of that four year term Mr. Speaker, similar to the judicial retention language that's part of the statutes now...they would have to face each of the members of the Commerce Commission would have to face a retention election. So that if indeed, they were doing such a poor job...the voters of Illinois would have a chance to get them out and I think that would be an improvement over the situation that we have today. The alternative, offered in...the original Bill, is that we have a full blown elected

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

43rd Legislative Day

May 18, 1989

Commerce Commission and I'm not sure that's an idea who's time has come yet. There are not enough...there is not enough support in either the House or the Senate or the Governors office to allow that language to pass. And so I offer Amendment 1...as an earnest effort to reach a point of compromise so that we have the ability to get rid of bad Commerce Commission members just the way we have a chance to get rid of bad judges today. And so I would move for the adoption of Floor Amendment #1 to House Bill 988 and I'd be happy to answer any questions that you have."

Speaker Laurino: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I oppose this Amendment. I don't think we ought to have a compromise. I think we ought to have a clean, elected Commerce Commission, elected by the people. I...realize that the Sponsor thinks this is an improvement over what we have. I'll grant the Gentleman that, that this Amendment is an improvement over what we have. However; the Bill as an elected Commerce Commission is an improvement over what he is offering. So I would urge the Members to oppose this Amendment #1 so that we can offer the Governor a chance to act on the Bill. I don't buy the argument that we cannot...we do not have the votes for an elected Commerce Commission on the floor of the House and the floor of the Senate. Let's try that first before we start thinking of a compromise. I would urge the Members to defeat this Amendment."

Speaker Laurino: "Further...Representative Levin."

Levin: "I would join the last speaker in asking for a 'no' vote on this proposal. You know, you could very well have a situation where the Governor makes the appointments and one or more individuals decide not to stand for a reelection at the end of the four year period. If that is the case,

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

43rd Legislative Day

May 18, 1989

you've accomplished absolutely nothing. This commission, that is in place now, is extraordinarily frustrating to virtually every consumer and business in the State of Illinois. We have seen them ignore the Legislature when we reformed the Public Utilities Act a couple years ago. They say we're above the laws. We don't have to follow them. We have seen them ignore the courts when the courts have told them that what they are doing is wrong. And the result is that we're hurting not only the consumers, but the businesses of the state with among the highest if not the highest electric rates in the country. We need a change. We need a real change that will make the commission accountable and I suggest that Amendment #1 is not the approach we should be following."

Speaker Laurino: "Representative Van Dwyne."

Van Dwyne: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Laurino: "He indicates he will."

Van Dwyne: "Representative Stephens, is this the same Amendment that you were going to try to put on 191?"

Stephens: "This is an Amendment that is on another Bill that I...and I believe that it's 191."

Van Dwyne: "Yes, okay..."

Stephens: "It's an Amendment that I think offers a great compromise so whether we get it on 191 or this one...it's...I don't think that it should be described as a hostile Amendment. I offer it with all sincerity."

Van Dwyne: "Well...true, probably not completely hostile, but it does modify the Bill and the intent of the Bill. The intent of the Bill is to have these people freely elected running against living breathing opponents and if I understand this Amendment correctly they do not have an opponent. They run on a retention ballot after they are

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

43rd Legislative Day

May 18, 1989

once elected. Plus the fact, one of the other detriments to...in the Amendment is this that the Governor fills all vacancies and even more importantly the Governor...appoints the chairman of the board. Which I find makes a real deficiency in our Bill if this was adopted. I also oppose the Amendment."

Speaker Laurino: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Laurino: "He indicates he will."

Shaw: "Representative Stephens...on the Amendment...what percentage of the votes is needed on this retention?"

Stephens: "That's a good question and I'll answer that in just one second. It's been a few hours since I last reviewed this, and so...three fifths Majority. I think it's the same as Chicago judges if I'm not mistaken. Sixty percent, is that the same as three fifths? Our Appropriations Chairman is here, maybe he can help me with that."

Shaw: "Does it state that in the Amendment? That's what I'm asking."

Stephens: "Well, it requires that three fifths of the electors voting on the question to be retained. So yes, is the answer to your question. Yes."

Shaw: "Alright, to the Amendment."

Stephens: "Like the judges in Chicago."

Shaw: "Alright, to the Amendment. This is a bad Amendment. It's a very difficult...it's very difficult up there in Cook County even if you have the...a bad judge to remove that judge from service. Because they would be running against themselves and that's what this Amendment does...is put these people in a position to run against themselves. And it would be very difficult to defeat those members of the Illinois Commerce Commission. I don't know how this

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

43rd Legislative Day

May 18, 1989

Amendment is cut up...what districts these people would be running in, how the districts would be cut up but I'm certain that it would not serve in the best interest of the people of Cook County or the Edison area where the Edison Company have service. And certainly the Illinois Commerce Commission should have an opponent and that's the problem we have now. We just might as well to keep them...letting the Governor appoint them. If we're not going to have them stand for election with a real opponent. rather themselves for an opponent. I urge for its defeat."

Speaker Laurino: "Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Laurino: "He indicates he will."

Leverenz: "These folks will have to then campaign to stand for retention?"

Stephens: "Well, it's their choice. They can...can run on their record. They would be allowed to campaign according to my understanding of the Amendment or they could...could do whatever they want. They could lower utility rates and see if that got them reelected. That would be good."

Leverenz: "Would they also then...have to live with the financial disclosure laws at the State Board of Elections?"

Stephens: "It's my understanding that they would, yes."

Leverenz: "Was that in the Amendment?"

Stephens: "Yes, it is."

Leverenz: "On what page?"

Stephens: "Well that's a good question and let me refresh my memory here. It's not on page 2."

Leverenz: "On page 2?"

Stephens: "No it's not on page 2."

Leverenz: "Oh...while you're looking for that maybe I can..."

Stephens: "If it's not in the Amendment, it's in the Election Code that the Amendment invokes."

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

43rd Legislative Day

May 18, 1989

Leverenz: "You just said that it was in the Amendment."

Stephens: "Then, I misspoke."

Leverenz: "Now, you're saying it is not. Well, that's okay..."

Stephens: "I misspoke. What I meant to say was that...in answer to your question..."

Leverenz: "You think it's covered someplace else."

Stephens: "They would be affected...as your question referred to. They would be affected."

Leverenz: "They would come under financial disclosure by the State Board of Elections?"

Stephens: "That is my understanding. I don't mean to misrepresent it. It's my understanding, yes they would."

Leverenz: "That's okay. Are utilities or anyone regulated by the ICC precluded from contributing?"

Stephens: "Contributing to what?"

Leverenz: "Their campaigns for retention."

Stephens: "All members of the State of Illinois would be allowed to contribute."

Leverenz: "So there's no prohibition for a utility from contributing to a candidate for retention."

Stephens: "The Illinois Public Acne Council, if it were ever created could...could contribute."

Leverenz: "Did you say Acme or Acne?"

Stephens: "Acne. Like if you got a blemish on your record."

Leverenz: "That's cute. Can you tell me how IPAC feels about this? Do they endorse this?"

Stephens: "The Illinois Chamber of Commerce?"

Leverenz: "No, the Illinois Political Action Committee. Have they endorsed or did they in fact, write this Amendment?"

Stephens: "I have never had a meeting with the Illinois Public Action Council except that I responded to some disparaging remarks they made about me in error."

Leverenz: "Do you want to have a meeting with them?"

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

43rd Legislative Day

May 18, 1989

Stephens: "For what purpose?"

Leverenz: "And...the retention period would be for how many years?"

Stephens: "Four."

Leverenz: "And what does the Governor think of this Amendment since you're dabbling with his power of appointment?"

Stephens: "Well as a Member of the Legislature I think it's my privilege and my obligation to initiate concepts and thoughts..."

Leverenz: "I didn't ask that...I asked how the Governor felt about it."

Stephens: "Well I have not got a reaction. I have not received a reaction from the Governor on this Amendment."

Leverenz: "And how soon would it become effective?"

Stephens: "I believe in...after 1994 would be the real effective...the current terms would be abolished in '91 and so the first election...I believe then would be in November of 80...'94."

Leverenz: "Thank you and Mr. Speaker, to the Amendment. I think that we should support the Governor's appointment capability in this case and that we would not want candidates running for retention that are taking contributions from the utilities for which they regulate and I think that would be bad public policy. We should overwhelmingly defeat this Amendment."

Speaker Laurino: "Further discussion? The question is, 'Shall Amendment #1...oh, Representative Stephens to close.'"

Stephens: "Thank you, Mr. Speaker, I'll be brief. I would request a Roll Call vote on this improvement to the Bill in the...person of Amendment #1. There is no opportunity now, to remove a member of the Illinois Commerce Commission through the channels that I recommend. This would give the voters of Illinois an opportunity to express themselves as

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

43rd Legislative Day

May 18, 1989

to the membership of the Illinois Commerce Commission. You must remember that we do not have that privilege now. This gives the people of Illinois a voice. This gives the people of Illinois a chance to contribute however they wish, to remove a member or to support a member if they think that man or woman is doing the job that...they want accomplished in that position. But, if there's a bad apple among them, just like if there's a bad judge, we can get them out. There's reasonable restraint by the three fifths majority vote. That is a reasonable historic privilege that we have granted to the voters to remove judges in the State of Illinois and it ought to be passed on to the voters so that they can remove members of the Illinois Commerce Commission and bring some sanity to utility regulation in the State of Illinois. This is an improvement to House Bill 988, and I urge an 'aye' vote. Thank you, Mr. Speaker."

Speaker Laurino: "The question is, 'Shall Amendment #1 to House Bill 988 be adopted?' All those in favor, will vote 'aye', all those opposed, will vote 'nay'. The vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment having received 44 'ayes' and 66 'nays' and 3 'present' hereby declared failed. Announcement from the Chair that the...those Bills that were on the Consent Calendar having received a Constitutional Majority are...hereby declared passed. Roll Calls are up at the well and if you wish to take a look at them they're available to you. Next Bill we'll hear is House Bill 10...further Amendments to House Bill 988? Are there any Amendments, Mr. Clerk?"

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

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Representative Johnson."

Johnson: "For those of you in this chamber that share some of my dichotomy of feelings about this issue, this Amendment may provide a meaningful compromise on the issue. It seems as though the issue has always been one of...you either have an elected or an appointed Commerce Commission and there's no middle ground. This Amendment seeks to create a middle ground for people who see the merit of both sides of the argument with respect to an appointed and elected Commerce Commission. And this Amendment along with its companion Amendment, which I think is Amendment #3, would provide for three members of the Commerce Commission to be appointed by the Governor and three members to be elected from the State of Illinois at large, beginning with the 1992...1990 General Election. So that you have individuals, who are responsive to the people, and for those who are concerned about some of the ill effects or potential ill effects of an elected Commerce Commission provides that there be three members that are appointed by the Governor...with the confirmation of the Senate. And the Bill also then sets forth the various provisions with respect to nomination, numbers of qualified elector signatures, procedures for vacancy in office, retaining Senate confirmation of appointed members and various other aspects of the Bill. The Amendment #3, which I guess I'm not supposed to talk about now but it's an integral part of this, would then create a seventh member to be chosen by the six members of the commission who are both elected and appointed. And it would seem to me to combine a lot of the aspects...of the good on both sides of this issue into two Amendments and I would move its adoption."

Speaker Laurino: "Further discussion? Representative Matijevich."

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

43rd Legislative Day

May 18, 1989

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, as Sponsor of House Bill 988, I am one who believes that we ought to have an elected Commerce Commission. I don't think it should be a mixed bag of some elected and some appointed. I believe firmly that what we have had hasn't worked...and we ought to join those other states that have an elected Commerce Commission. This Amendment does create that mixed bag and the 3rd Amendment further complicates it by saying that that mixed bag should come up with a seventh member. Both of those Amendments are hostile to my intent to have this House determine whether we should finally...finally after all the chances we have given to an appoint Commerce Commission to work, to finally have an elected Commerce Commission. So, I vigorously oppose Amendment #2."

Speaker Laurino: "Further discussion? Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. Without much more comment, I could wholeheartedly agree with Representative Matijevich. Our Bill advocates an elected Commerce Commission. We don't advocate a half of an elected Commerce Commission. So, I also appeal for the defeat of this Amendment."

Speaker Laurino: "Further discussion? Representative Johnson, to close."

Johnson: "Sometimes...when an issue comes on us that seems new, there's a logical tendency on the part of proponents of either position to react negatively. But, I think if the Members of the chamber would think about what the benefits of this are and what the benefits are in the bigger picture of getting something meaningful passed, they might want to reconsider their position. I think it represents both the responsiveness of elected members of a commission to the people, at the same time retaining some of the advantages of the appointed commission with a confirmation process in

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

43rd Legislative Day

May 18, 1989

the Senate, and I think represents a threat to neither side of the issue, and represents some constructive changes to a system that badly needs overhaul. I would also indicate that this is certainly not unprecedented. Our Judiciary has a combination of elected and appointed judges with a Judiciary that runs for retention. We have appointed judges...or associate judges that are elected. The Judicial System's not perfect, but it works fairly well and I would suggest this would work more than fairly well and represents a big improvement, not only on the existing system, but on the all or nothing proposal that Representative Matijevich proposes, all be it, in good faith."

Speaker Laurino: "Further discussion? If not, the question is, 'Shall Amendment #2 to House Bill 988 be adopted?' All those in favor will indicate by saying 'aye', those opposed will indicate by saying 'no'. It appears that the 'nos' have it. Mr. Clerk...Mr. Clerk, we'll have a Roll Call. All those voting will...have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment having received 45 'aye', 66 'nay' and 0 voting 'present', is hereby declared failed. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Johnson."

Johnson: "Well this doesn't work very well without #2 so I'll take a voice vote on this one. Number three, simply provides that the seventh member of the Commerce Commission was to be chosen by the existing six members, half of which would be appointed and half of which would be elected. So it's a little difficult to make...this make much sense without the adoption of #2, which unfortunately failed."

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

43rd Legislative Day

May 18, 1989

Speaker Laurino: "Any discussion? Representative Matijevich."

Matijevich: "Speaker, I think the Amendment's probably out of order, now, without the adoption of the prior Amendment. But, I think we can have a quick voice vote on it and do it that way. The Sponsor has admitted it really does nothing, now, and if the intent is just to mess up the Bill, then maybe that's why he's proceeding, I don't know. But, surely the Amendment really does nothing now and it's probably out of order without the adoption of the Amendment #2, because it refers to the fact that you have three appointed and three elected and the Bill up to that Amendment doesn't have three appointed and three elected. So, I would make the point that that Amendment is out of order."

Speaker Laurino: "Further discussion? If not, the question is, 'Shall Amendment #3 to House Bill 988 be adopted?' All those in favor indicate by saying 'aye', 'nays'. The 'nays' have it. The Amendment...is failed. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Matijevich."

Matijevich: "Speaker, this is a technical Amendment but I don't believe it's been printed yet, so I believe we ought to hold the Bill on Second until this Amendment is printed and distributed...hopefully soon."

Speaker Laurino: "Alright, the Bill will be taken out of the record because it has not been distributed. House Bill 1007, Representative Levin. Out of the record. Represent...House Bill 1262, Saltsman. Representative Saltsman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1262, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No

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

43rd Legislative Day

May 18, 1989

Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Saltsman."

Saltsman: "Yes, what Amendment #1 does...it specifies that this construction must be new industrial manufacturing facility. It specifies that and it will probably alleviate a large number of people who'd want to qualify for this tax rebate."

Speaker Laurino: "Further discussion? If not, Amendment #1 to House Bill 1262, all those in favor indicate by saying 'aye', 'nay'. The 'ayes' have it, and Amendment #1 is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1469, Representative Flowers. Out of the record. House Bill 1551, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1551, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2...simply reduces some of the verbiage that was in the original Amendment that was adopted. It's been run by the Commerce Commission and my understanding is they have no problem with it. The...if there are any questions, I'd be happy to answer them."

Speaker Laurino: "Is there discussion? Representative Black."

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

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

43rd Legislative Day

May 18, 1989

for a quick question? Thank you, Representative...on this Amendment, if I heard you correctly, you said you'd...did you say the Commerce Commission has no position on this Amendment or has no objection to the Amendment?"

Levin: "They have no objection to the Amendment. It has been run by them as was Amendment #1 when we adopted that in committee."

Black: "Thank you very much."

Speaker Laurino: "Representative Levin."

Levin: "I just ask for the adoption of Amendment #2."

Speaker Laurino: "Okay, Representative Levin moves for the adoption of...Amendment #2 to House Bill 1551. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1598, Representative Novak. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1598, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. House Bill 1720, Representative McNamara. Representative McNamara, in the chambers? Out of the record. House Bill 1826, Representative Flowers. Representative Flowers, House Bill 1826. Out of the record. House Bill 1851, Representative Balanoff. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1851, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "No Motions. Floor Amendment #1, offered by Representative Tate and Dunn."

Speaker Laurino: "Representative Tate and Dunn. Representative Tate? Is the Gentleman in the chambers? Representative Dunn will handle the Amendment."

Dunn: "Amendment #1 to House Bill 1851 provides that unless a commission has reviewed construction and authorized completion, the commission may, in determining just and reasonable rates, exclude all costs associated with the rest of the Bill. I urge the adoption of this Amendment."

Speaker Laurino: "Is there any discussion? Representative Balanoff."

Balanoff: "Yeah...I think that this Amendment, Mr. Speaker, is a shrewd attempt to gut House Bill 1851. House Bill 1851, without the Amendment, strengthens the safeguards against unnecessarily high rates by requiring that any new generated plant be fully needed within two years and that the power must be the most economical available. What this would do is say that if a power plant came in at the very beginning and said, 'well, we're going to have a plant that we're going to be using in ten years', it would allow them to pass this cost along to the consumers. An example of a very problem that this is meant to address is a plant similar to the Clinton Plant, where the Illinois Commerce Commission has said that 700 million dollars was wasted in the construction. Some of us would argue it was even more than that. So I would urge the...a 'no' vote on this Amendment."

Speaker Laurino: "Representative...further discussion? Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a fair Amendment because what it does is say that 'if' the Commerce Commission has approved a

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

43rd Legislative Day

May 18, 1989

project...a construction project that...that would be allowable in the rate base. That is reasonable and logical and all you have to do is to put yourself in the place and...of a regulated individual who met the requirements of the regulation as you moved through the process and then three or four years later, someone comes along and says, 'no we're changing the rules of the game, in the middle of the game, and what happened in the first half you can't count into the second half'. That is unfair, it is unreasonable, and it is destructive to what we're trying to accomplish in terms of a reasonable rate of return for those citizens of the State of Illinois that invest in the utilities as well as having utilities in place that could meet the needs of all the consumers in this state as we move forward into the next century. For that reason, I concur with Representative Dunn and Tate in their Amendment and would ask you all to be supportive."

Speaker Laurino: "Is there further discussion? Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1, as the two previous or two of the last three speakers have already indicated, simply writes into the Bill that unless the commission has reviewed construction and authorized completion, the commission may, in determining just and reasonable rates, exclude all costs associated with any. Essentially, what this does is, it does allow the commission and it continues the permission of the construction cost to be included in the utilities rate increase when the ICC has, in fact improved...approved the construction. The vast majority of Members of this General Assembly had approved the Public Utilities Act several years ago and this in fact, when most utilities in this state were under construction. At that time, it was

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

43rd Legislative Day

May 18, 1989

permissible under law. To change the rules in the middle of the game would be...would place a severe financial hardship and place an undue burden, in fact, in service as well as providing economic development for many of our areas...in this state. And I would just suggest to all the Members to carefully look at this. This is not a radical Amendment, either way. This is just a fair Amendment that allows the continuation of a policy to provide for quality service in the State of Illinois and I move for its adoption."

Speaker Cullerton: "The Gentleman has moved for the...Representative Cullerton in the Chair. The Gentleman has moved for the adoption of Amendment #1 to House Bill 1851. On that question, the Gentleman from Lake, Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, as I listened to the debate, it seems to me that the Bill as unamended is the further protection for the rate payer. What worries me is that by the Amendment, we may be giving a blank check to the public utilities which, eventually, creates a burden on the rate payers. I think the Bill, as...unamended, at least so far, would be compatible what our intent was when we rewrote the Public Utility...Laws. It is a protection. What has happened with the construction of so many of these plants is that there's been approval by the Illinois Commerce Commission within the rate base, and then there's...the cost runs are so huge, they run out of control and those costs are a burden on the rate payers. I think we've got to put the brakes on that type of thing, and I believe that the Bill as introduced, provides that protection. I don't like to give public utilities a blank check and that seems to me...is what they're getting by this Amendment, and I rise to

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

43rd Legislative Day

May 18, 1989

oppose the Amendment."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, in closing, I would like to agree with some of the speakers and disagree with a few of the others. What we have here is a situation where a public utility has been authorized to go ahead and construct a brand new facility and then after that plan is undertaken, after construction is under way, we're being told that we may pass legislation which says that you have to eat the costs. There are provisions in the Public Utility Act which provide for an audit to determine whether the construction cost is reasonable or not and the Sponsor of the main legislation has indicated that, in essence of one particular utility, they have been required to eat 700 million dollars, which is a lot of money. There is a utility in this state, which is headquartered in my hometown area, which was denied a rate case application, recently. It can't pay dividends, the stock is way down, the morale is low and that is a utility which serves a great portion of downstate Illinois. This Amendment would just simply say that if you started down the path to build a plant, you will not have to have the rules changed in midstream and that is only fair. And as a matter of fact, the main Bill indicates that the utility must have itself up and going and using all its power within two years and a little known fact is that in the case of Illinois Power Company in this state, for example, during the excessively warm summer period of last year, had their new nuclear power plant up and running at full blast. They did, in fact, have it in use, but for whatever reason I don't know, I'm not a utility expert, the Commerce Commission would not consider that fact in their

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

43rd Legislative Day

May 18, 1989

rate case. But they have, in fact, had that power plant up and going and without it they would not have been able to supply power. We don't want brown outs around Central Illinois. We don't want power shortages. We don't want new industry to talk about coming to our area and have them find that the utilities are not available or the utilities are likely to be cut off on the swing shift or the graveyard shift if they can be fortunate enough to operate 24 hours a day. And just...rather than not to drag this out, I would ask for the adoption of this Amendment. It's the only fair thing to do in this situation."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As most of you who have been here for a while know, I have always been a strong proponent of nuclear energy. Nuclear power in the State of Illinois is here to stay whether you like it or not. It's the cleanest... environmentally, it's the cleanest source of power. It's going to...eventually be the cheapest source of power, and it's something that is direly going to be needed in this state. I have always opposed any attempt to bridge nuclear power here in the State of Illinois. It's unfortunately that nuclear power has gotten a bad name because of certain incidents that have happened and it's always been blown out of proportion. I think that we should support this Amendment, because I think it's fair, it's equitable. It's something that we need and something that the State of Illinois, the kids later on in the State of Illinois, are going to need also. And I would move for the adoption of this Amendment."

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

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

43rd Legislative Day

May 18, 1989

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for a 'no' vote on this Amendment #1. Because what Amendment #1 would do is, in effect, would turn this Bill into a nice piece of fluff. There currently are no proposals pending before the Commerce Commission that have not been acted on in terms of power plants. So what this Amendment would do, is to grandfather in...all projects that have been previously approved and would mean that if we pass House Bill 1851 with this Amendment, the Bill would have absolutely no value, no protection at all to the consumers. In 1985, when we passed the rewrite of the Public Utility Act, which was a carefully drafted bipartisan compromise, we said that the plants that should be allowed a rate base should be providing utility service that is used and useful. The way I read that, was used and useful at the time it went on line. What House Bill 1851 without the Amendment does, is to offer...a compromise to say, it could be used and useful within two years after it's approved. That is reasonable, that is fair. To adopt Amendment #1 would eliminate any value, any benefit, from House Bill 1851 and I would encourage its defeat."

Speaker Cullerton: "Representative Black, from Vermilion."

Black: "Well, thank you very much, Mr. Speaker. I find it's interesting that we're still debating this Amendment after Representative Dunn closed, but if I might, let me just respond to the previous speaker. I think he hit the nail right on the head. We're not going to agree on where the nail went after that, but he said, 'it clearly said...there are no generating plants planned or on the drawing board, anywhere in the State of Illinois.' Very true, true statement...and it takes approximately ten years from planning to construction. So what we are faced with is a unique possibility that, as a previous speaker said, we

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

43rd Legislative Day

May 18, 1989

might really do the consumer a lot of good. Some day he'll go to the switch and there won't be anything there because nobody is even planning on building a generating facility within the State of Illinois. Now, if you want somebody to build a generating station then you better take a pretty good look at Floor Amendment 1. All it says is that construction costs of a power generating facility that was approved by the ICC could be included in the rate base. Now, if you don't go along with this Amendment, I don't see where anybody is going to build a generating station in the next 15 years in this state and I would hope that we need one or two in that period of time. If we get clean air legislation, you're not going to build very many coal burning utility or power generating stations. So, you know you could go on and on here, but I think the Gentleman hit the nail on the head. If you want to see plans progress and go forward, to make sure we have an adequate supply of electricity in the 21st century, then I think this Amendment #1 to House Bill 1851 is very worthy of your support."

Speaker Cullerton: "Further discussion? The Sponsor of the Bill, Representative Balanoff."

Balanoff: "Yes, in...thank you, Mr. Speaker. In...in Illinois, we pay the highest electrical rates in the nation. What...this Amendment allows for mismanagement...because even if they mismanage we, as consumers, are stuck with the additional cost..."

Speaker Cullerton: "Representative...Representative Balanoff one second. Representative McCracken, let me explain. When I came to the Chair, Representative Laurino was here beforehand. All I saw was Representative Tate being the Sponsor of the Amendment. I called upon Representative Dunn to speak to the Amendment. He said, 'in closing', I

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

43rd Legislative Day

May 18, 1989

didn't realize he was a cosponsor of the Amendment. So, I never called upon him to close. There were other people whose lights had been lit as well as Representative Balanoff's, the whole time. Representative McCracken."

McCracken: "I'm advised, Representative Balanoff's already spoken in debate and if that's...and it appears to be the case so if you would move on to another speaker..."

Speaker Cullerton: "Well then, he's out of order then."

McCracken: "Okay, well that's my point of order."

Speaker Cullerton: "So the question is, 'Shall Floor Amendment #1 be adopted?' Would you like to close again Representative Tate?"

Tate: "Yeah."

Speaker Cullerton: "Okay, Representative Tate to close."

Tate: "Thank you, Mr. Speaker. I was hoping that we could debate this issue with some kind of rationality. Again, I would just encourage the Members to look very closely at what the Amendment does. It says, 'unless the commission has reviewed construction and authorized completion, the commission may in determining just and reasonable rates, exclude all costs associated with construction'. All this does is provide...that it permits construction costs to be included in a utility's rate base when the ICC has approved the construction. This is a fair Amendment, this is an Amendment that will provide for a continuation of good quality service in this state and I think in all fairness to all people involved, for those of us that are concerned with service, for those of us that are concerned with jobs and economic development in our areas, we need to have good quality utilities in this state. And...this is a preservation of that Act. I would move for its adoption. Thank you."

Speaker Cullerton: "The Gentleman's moved for the adoption of

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

43rd Legislative Day

May 18, 1989

Amendment #1 to House Bill 1851. On that question, all those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On this question...on this question there are 60 voting 'yes', 45 voting 'no', 4 voting 'present'. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Do you want to leave it on Second Reading or move it to Third? Leave it...the Sponsor's request is to leave the Bill on Second Reading. House Bill 2150, Representative Flinn? Representative Flinn, on House Bill 2150. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2150, a Bill for an Act to amend the Emergency Telephone System Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 2414. Out of the record. House Bill 2510, Representative Ryder. Representative Ryder. Representative Ryder. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2510, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative Ryder, on Amendment #1."

Ryder: "Thank you, Mr. Speaker. I withdraw Amendment #1."

Speaker Cullerton: "Amendment #1 is withdrawn. Any further Amendments?"

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

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

43rd Legislative Day

May 18, 1989

Mautino and Hallock."

Speaker Cullerton: "Representative Mautino on Amendment #2. Is the Gentleman in the chamber? Representative Hallock, do you wish to handle the Amendment for Representative Mautino? You're the cosponsor of the Amendment? Representative Hallock, on Amendment #2."

Hallock: "Thank you, Mr. Speaker, Members of the House. What this Amendment does is try to insert into the utility situation a little bit more competition. We in the Northern Illinois area are served by a couple different utilities. I think they do a fine job, but I think all of us in this state would probably be better off if we had a little more incentive to compete in certain areas. This Amendment would, in fact, allow wheeling of electricity from one area to another. I think by doing that, we are in essence saying, that there will be more competition, that one area will be entirely on an intra-state basis, that is within Illinois, to obtain in certain cases electricity for another region. I think this will be very beneficial for those of us from Northern Illinois and I would ask for your support of the Amendment."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2510. On that question, is there any discussion? The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm in somewhat of a dilemma in terms of this particular Amendment. In 1985, when we were considering the rewrite of the Public Utility Act and we had the joint committee on Public Utility Reform with...among the members of whom was the former State Representative and now Congressman Hastert. We debated the issue of wheeling at length and philosophically I liked the idea of wheeling.

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

43rd Legislative Day

May 18, 1989

In California where they have wheeling it's very helpful...because what they're able to do is a private...companies are able to generate electricity and turn around and sell the excess that they have to the utility company and the consumers don't have to pay for the rate base of the item, they don't have to pay for the plant. So, the idea is a good idea. The problem that we faced in 1985 and the problem that is even worse today, is that Illinois is not like California in terms of its utility situation. We have a very substantial amount of excess capacity. And the result is, if you allow a certain portion of the users to leave the system or to wheel, what that means is, everybody else has to pick up the slack. So, if you allow off a major industrial customer that uses five percent of the capacity, allow them the wheel. Then that five percent of the rate base has to be picked up by the other customers that remain. That is the dilemma that we face and that is why when we were reconsidering in '85 the rewrite of the Public Utility Act we thought a reasonable compromise was to allow municipalities, which means tax payers, to be able to wheel for their benefit but, to stop it at that point and not to have it go any farther until we could deal with the problem of excess capacity. We do have a provision in the Amendment which I understand is intended to deal with the problem I raised. But, if you read that provision, it does not preclude the utility from coming in for a rate increase and saying 'this is our rate base, the rate base hasn't changed, we now have fewer customers and the result is, we need an increase for those existing continuing customers.' I find myself in a strange position to be supporting a position in opposition to this Amendment. A position that is likewise taken by a number of the utilities. But occasionally the utilities

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

43rd Legislative Day

May 18, 1989

are right. So, I would encourage a 'no' vote, not because this is not a good idea, not because the concept isn't a good one, but because, given our situation in Illinois, given the fact we have Commonwealth Edison 50 percent excess capacity, Illinois Power 50 percent excess capacity, and CIPS 60 percent excess capacity, if the big industrials are allowed to wheel to get off the system in effect, then the rest of us have to pick up the slack. What I would suggest, a better solution, would be...would be for the industrial customers to join with the consumers in pushing through some of these reforms to make the Commerce Commission more accountable so that everybody can enjoy lower rates and cut the excess capacity. Accordingly, I would urge a 'no' vote on Amendment #2."

Speaker Cullerton: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr...thank you, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the Sponsors of this particular Amendment, I stand in...I stand in opposition to this Amendment for a number of reasons. But one, I would point out that we've asked the Commerce Commission to do a study of this. Secondly, the Federal Power Act prohibits us from doing this as to go through the Federal Regulatory Agency. And thirdly, and perhaps more importantly in my judgment, mandatory wheeling would likely result in higher costs for most utility customers. For some utility customers, particularly big users of generated electricity, they would be the beneficiaries but the residential customers are going to have to make up the difference, notwithstanding the admonition to do otherwise in the Amendment. They will have to spend more money, because the commission and regulatory agencies, as you know, have to return a...have to give a fair...or establish

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

43rd Legislative Day

May 18, 1989

a fair profit. So for that reason, I would stand in opposition to the Amendment and request that my colleagues join me."

Speaker Cullerton: "The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Would the Sponsor yield?"

Speaker Cullerton: "He indicates he will. Representative Mautino is in the chamber, he's the Sponsor of the...principle Sponsor of the Bill."

Hannig: "Do you know if the...if any of the power companies support this proposal?"

Speaker Cullerton: "Representative Mautino."

Hannig: "Do any of the utility companies support this proposal?"

Mautino: "I've had no one discuss this Amendment with me from the power companies other than one who informed me that he would be in opposition."

Hannig: "Yes, well thank you, Mr. Speaker. To the Bill, very briefly. I've been informed that the utility companies oppose the Bill, that the co-ops oppose the Bill, that the Illinois Coal Association opposes the Bill and basically if you look at what has already been said, it really boils down to a very simple question. Do you believe that we should give the large businesses in this state an opportunity to cut their own deals and get lower rates and then, in turn, have the power companies come to the Illinois Commerce Commission and very legitimately, ask for higher rates so that they can cover their fixed costs? If we lower rates for the big guys, we're going to have to raise rates for the little guys, and that's what this Amendment really boils down to and I would ask that you vote, 'no'."

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

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

43rd Legislative Day

May 18, 1989

Goforth: "Thank you, Mr. Speaker. I also stand in opposition to this Bill. I've got the greatest respect for the two cosponsors. In fact, one of them, I've known over 30 years. His family is some of the best friends I've ever had. The people down in Southern Illinois, we just have two industries, we have coal and we have farming. Both of these people are strongly against this, here. The Farm Bureau's against it, the Coal Association's against it, the United Mine Workers are against it...the Independent Business Association is against it, the Small Business is against it, Commonwealth Edison is against it, Illinois Power's against it, CHIPS is against it, the American Association of Retired People is against it. There are just too many people against this, me included. Thank you."

Speaker Cullerton: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in...as the previous speaker has pointed out, that it's an awful lot of people against this Amendment. This Amendment should be defeated because what is happening here the...A.E. Staley, this Amendment is primarily for the purpose of A.E. Staley who is a principal proponent of this Amendment, and we should not pass this Amendment. They would get a utility break and then that break that they get would be passed on to the smaller consumers, the homeowners, people of this state...and we should not be in the business of the Legislature of passing this type of special legislation for special people. Especially, big multi million dollar companies. And, I don't see why we should vote for this Amendment. This is a bad Amendment and as someone pointed out...the Illinois Chapter of the American Association of Retired Persons, they are against this Amendment. Every group that I've talked to is against

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

43rd Legislative Day

May 18, 1989

this Amendment. This Amendment should be defeated and I urge everyone to defeat this Amendment."

Speaker Cullerton: "Representative Yopp...Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Wonder if the Sponsor would allow for a question?"

Speaker Cullerton: "Representative Mautino, to answer a question. He indicates he will."

Ropp: "Representative, is the provision in this Amendment clear that it would state if by chance rates would go up...that that particular company that wants to wheel would not be given that authority by the Commerce Commission?"

Mautino: "Run that by me again please."

Ropp: "It is my understanding that in this Amendment, if it was found by the Commerce Commission that rates would be increased to the consumer should a major business be allowed to get out of the existing system that they would not be granted the permission to leave their existing supplier."

Mautino: "I don't believe that's covered in this Amendment as I've been going over it. The answer would be no."

Ropp: "Okay, my follow up question was that if it was going to be yes, then I was going to quiz you. I have been told that what I stated is true and if you say that it isn't then the further questioning does not make any difference, thank you."

Mautino: "If you...Representative, if you could point out the line that causes you a concern in this three page Amendment, I'd be happy to address it."

Ropp: "Well, I don't necessarily have the Amendment right in front of me, but I was just told by some people outside that it did state somewhere in there that if rates were to be increased, and it was so decided by the Commerce Commission, that they would not grant the authority to a

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

43rd Legislative Day

May 18, 1989

particular business to move their existing power supplier."

Mautino: "May I read, for the record, I think the section you're discussing, 9-245? 'The Commission shall not consider any utilities rates, charges, classification or services to be just and reasonable if such rates, charges, classifications and...or services are designed to compensate the utility for a short fall and the utility's gross revenues due to a municipal or industrial or commercial customer acquiring electrical power from a source other than that utility'."

Ropp: "Okay, I guess what I was thinking that if what I believe to be true is the case...that when a utility has to request from the Commerce Commission an increase in their rates that they don't always hear, or at least 12 months and it seemed to me like that would delay by a sizeable amount of time that would almost delay 12 months..."

Mautino: "Oh, okay...okay, I see where you're coming from in another section. The answer to your question is 'yes'."

Ropp: "Okay, then the question actually is..."

Mautino: "Yes."

Ropp: "If it takes the Commerce Commission a whole year to determine whether or not those rates were going to be increased to the consumer, what real advantage is there in allowing the wheeling to take place if it's going to take a year for that decision to be made by the Commerce Commission?"

Mautino: "Well, let us assume if you're looking at the Amendment, that we're establishing from this Amendment the pilot program and a report on wheeling in total. This will give the information that it was addressed originally by Representative Levin, the Chairman of the Utilities Committee. We're not saying that this is a...an answer to all of the questions and concerns. But, in this case, I do agree with Representative Levin that we should be providing

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

43rd Legislative Day

May 18, 1989

those answers to that report submitted here to us...on or before March 1st of 1991, and its evaluation of this pilot program. There are many municipal governments that can avail themselves of the wheeling provisions and provide competitive rates to their large users. For example, Northwestern Steel and Wire, the largest user of energy in the Commonwealth Edison Energy Service Grant, could have that opportunity which would then reduce the cost of steel and other things. But, I think that by and large, this report would go a long way in letting us know whether or not wheeling is a...an enviable position to take and I think that's what this Amendment does."

Mautino: "Thank you."

Speaker Cullerton: "The last speaker to seek recognition is Representative Dunn from Macon."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There has been some reference to the A.E. Staley manufacturing company with regard to this issue and the headquarters of that company and the United States of America. It's a British owned company at this time. But, the American headquarters are in my district. Nonetheless, I rise in opposition to this Amendment, and somewhat reluctantly, because the Sponsor is a close friend. However, I don't think we should get into wheeling which has the potential to siphon off a utility's largest rate paying customers and to have them shifting around from time to time. That'll promote instability in the public utility and, furthermore, the A.E. Staley company in Decatur has recently completed a co-generation plant which enables it to pick and choose whether it wants to buy power from utility or generate it itself, and that already has an adverse impact upon the utility customers and their taxpayer dollars to the best of my knowledge in that

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

43rd Legislative Day

May 18, 1989

co-generation plant. So, I would urge defeat of this Amendment."

Speaker Cullerton: "Representative Barger."

Barger: "Thank you, Mr. Speaker. I think we've learned two things from discussing this Amendment. One, is that it helps some large corporations, and the other is that is harmful to the small users. But we learned another thing that I think is even more interesting and more important and that is the fact that in Illinois we have a 50 percent excess capacity. Now, this would show me, and I assume most of the rest of you, that there is no reason for a 400 percent...summer rate on the use of electricity for home consumption after the first 400 kilowatt hours. To be paying 400 percent to conserve electricity when we have an excess of 50 percent and that excess is causing...the excess not being used is causing the price of utility rates to go up, I think we should be sending a message to the Illinois Commerce Commission that excess charges for summer usage when there is extra electricity is not acceptable to those of us who represent the people of Illinois. Thank you."

Speaker Cullerton: "Representative Piel."

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

Speaker Cullerton: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Representative Mautino, to close."

Mautino: "Thank you very much, Mr. Speaker. This is a controversial issue. This legislation was addressed in the Senate and passed last year. It has the support of some municipalities that have power facilities under their municipal code. It also requires that the Illinois

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

43rd Legislative Day

May 18, 1989

Commerce Commission establish a three year pilot program, beginning in January 1st of '90 to allow interstate wheeling of electricity on an experimental basis, and study the feasibility of expanding and allowing interstate wheeling on a permanent basis. It's defines wheeling, requires that the Illinois Commerce Commission determine which customers are eligible to apply and I think it defines as well, the requirements on applications to be responded to within four months and...applications sets a criteria for review. The report to the Governor will be completed on, or before March 1st of 1991. I think it deserves...a an analysis and a study because I think, down the road you're going to find that the wheeling provisions are going to be the saving grace for a lot of users, both commercial and industrial and possibly homeowners. I think it's a good Amendment and I move for its passage."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #2. The question is, 'Shall Amendment #2 be adopted?' All those in favor, vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 12 voting 'yes', 93 voting 'no', 6 voting 'present', the Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading." We'll return to House Bill on this order, House Bill 988. It was taken out of the record, at the time, because the Amendment wasn't ready. Mr. Clerk, would you please read the Bill? House Bill 988."

Clerk O'Brien: "House Bill 988, a Bill for an Act to provide for election of members to the Illinois Commerce Commission. Second Reading of the Bill. No Committee Amendments."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Amendments 1, 2 and 3 were lost and, now, we're on Amendment #4. Representative Matijevich."

Clerk O'Brien: "Amendment 4, offered by Representative Matijevich."

Speaker Cullerton: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Amendment #4 to House Bill 988 is purely a technical Amendment. There is no substantive change in the Amendment. It makes...puts some changes with regard to the election law that were inadvertently admitted. I move the adoption of Amendment #4 to House Bill 988."

Speaker Cullerton: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 988. Is there any discussion? There being none, the question is, 'Shall Amendment #4 be adopted?' All those in favor, say 'aye', all opposed, 'no'. In the opinion of the Chair the 'ayes' have it and Amendment #4 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. On the Order of Public Utilities, House Bill 2510, Representative Ryder. Representative Ryder? House Bill 2510, Order of Public Utilities. Oh, I'm sorry, Representative Wennlund, House Bill 2739. Mr. Clerk, read the Bill."

Clerk O'Brien: "House..."

Speaker Cullerton: "Is Representative Wennlund in the chamber? Representative Davis? Representative Davis, House Bill 2804. Out of the record. Special Order Labor...House Bill...I'm sorry, Representative Davis has returned. On the Order of Public Utilities, House Bill 2804. After we do this Bill, we're going to the Order of Labor. Mr. Clerk, please read the Bill, House Bill 2804."

Clerk O'Brien: "House Bill 2804, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No

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

43rd Legislative Day

May 18, 1989

Committee Amendments."

Speaker Cullerton: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. Now, on the Order of Labor.

House Bill 1078, Representative Bowman. Representative Bowman. Is the Gentleman in the chamber? Out of the record. House Bill 1343, Representative Kulas. Is the Gentleman in the chamber? Representative Kulas? Representative Kulas wishes to take that out of the record. Ladies and Gentlemen, we will go to the order of Third Reading, Government Administration. Third Reading, Government Administration, so please look to the Special Order to determine if you have any Bills on that order. First Bill on that Order is House Bill 40, Representative Bowman. Take the Bill out of the record with leave to return to it. House Bill 494, Representative Balanoff. This is Third Reading. You don't wish to have the Bill called, Sir? Representative McNamara, out of the record, with leave to return. Representative Bugielski? House Bill 890, Representative Bugielski? Okay, out of the record Representative Bugielski. Representative Giorgi, House Bill 1075. We'll take this Bill out of the record with leave to come back. Representative Keane. Representative Keane wishes to have House Bills 1191 and 92 out of the record. Representative McPike, House Bill 1203. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 1203...a Bill for an Act in relation to labor relations. Third Reading of the Bill."

Speaker Cullerton: "Representative McPike, on House Bill 1203."

McPike: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill has been stripped. It's a vehicle Bill. We are currently in negotiations with the Labor and Management on changes to the Education Labor Relations Act

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

43rd Legislative Day

May 18, 1989

and the Public Labor Relations Act. Our next meeting is next Monday and we hope to come up with an agreed Bill, and if we do come up with an agreed Bill, it would be added to this in the Senate. So, I would hope to have some support to move this along."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 1203 and on that question, is there any discussion? There being none, the question is, 'Shall House Bill 1203 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 109 voting 'yes', none voting 'no', 6 voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "House Bill...Representative Breslin in the Chair. House Bill 1217, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1217, a Bill for an Act to amend Sections of the General Obligation Bond Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, this is the vehicle for the 'GO' bonds and we increased the 'GO' bond authorization by one dollar. I move for passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1217. On the question, is there any discussion? Hearing none, the question is, 'Shall Amendment...shall House Bill 1217 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question,

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

43rd Legislative Day

May 18, 1989

there are 109...111 voting 'aye', 1 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority is hereby declared passed. House Bill 1218, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1218, a Bill for an Act in relation to Build Illinois Program. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "This is another shell Bill for the Build Illinois bonds."

Speaker Breslin: "The Gentleman has moved the passage of House Bill 1218 and on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 1218 pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no', 2 voting...Representative Cullerton."

Cullerton: "Madam Speaker, does this Bill require 71 votes...and I believe the previous one may have also required 71 votes?"

Speaker Breslin: "You're correct, Representative Cullerton. This Bill has 113 voting 'aye'. This Bill having received the extraordinary majority necessary, is hereby declared passed. As to House Bill 1217, that Bill, too, received the extraordinary majority necessary to be declared passed and is declared passed. House Bill 1384, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1384, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Madam Speaker, perhaps we might save some time if we would take the next three Bills on the same Roll Call."

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

43rd Legislative Day

May 18, 1989

They all are Pension Bills, which are vehicles. So I would..."

Speaker Breslin: "The Gentleman moves to take the next three Bills, House Bill 1384, 1385 and 1386 on the same Roll Call since they deal with the same subject and they are all shell Bills. Is there any objection? Hearing no objection, the Gentleman has leave. Proceed, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker..."

Speaker Breslin: "Oh, excuse me...the Clerk needs to read all three Bills. Proceed, Mr. Clerk."

Clerk O'Brien: "House Bill 1385, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill. House Bill 1386, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would just remind the Members of the House that with regard to the Pension Bills, what we have done traditionally, is to pass a vehicle and put these Bills in the Conference Committee. And...generally, what we've done is...Representative Hoffman and Senator Jones, Senator Schuneman...we have met and gone over a number of pension proposals and what we have done is to say that if there's any pension Bills that have involved benefits, we have asked for the approval of that unit of government which has to pay for them. I think it's been a very responsible way of handling these Bills and so I would appreciate your supporting these shell Bills and when they come back we'll put them in a Conference Committee and we'll do that process again this year."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1383, House Bill 138...excuse me, House Bill

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

43rd Legislative Day

May 18, 1989

1384, House Bill 1385 and House Bill 1386. And on that question, is there any discussion? Hearing none, the question is, 'Shall these Bills pass?' All those in favor, vote 'aye', all those opposed, vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On these Bills, there are 112 voting 'aye', none voting 'no', and 5 voting 'present'. These Bills having received the Constitutional Majority is hereby declared passed. Representative Cullerton in the Chair."

Speaker Cullerton: "On the same Order of Business, returning to the first Order...the first Bill on this Order appears House Bill 40, Representative Bowman. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 40, a Bill for an Act relating to state finances. Third Reading of the Bill."

Speaker Cullerton: "Representative Bowman on House Bill 40."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We passed a Sales Tax Reform Bill last year, it was a major piece of legislation. it was approximately 350 pages long. It imposed some new taxes and drastically modified the way existing sales taxes are administered. As you might imagine, in a Bill of that length and complexity, there were a number of technical problems. This particular Bill is a clean up Bill designed to correct those technical problems. It does a number of things...a couple things in addition to technical clean up that are important, substantively, to which I wish to call your attention. Number one, it changes the definition of the photo finishing as the basis for the new tax on photo finishing to conform with...what I believe was legislative intent at the time the Bill was enacted last year. The Department of Revenue, however, took a much broader interpretation than I

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

43rd Legislative Day

May 18, 1989

believe anyone of us expected to take. Consequently, I think all of us got letters and calls on this subject and after extensive discussions with the department and representatives of the affected group, we have arrived at a new definition of photo finishing which I believe will be fair to everyone, will raise the revenue that we had anticipated to raise, and not give the department such leeway as to impose a tax on services that we had not anticipated. The second major substantive change deals with the manner in which monies collected by the state flow for local governments. As you know, the state collects sales taxes on behalf of local governments, at least a certain portion of sales tax revenues that they receive. And heretofore, that money has been subject to a continuing appropriation not requiring annual legislative intervention. The legislation that we passed last year changed that method to an annual appropriation. That caused some consternation with municipalities and counties who had committed a portion of that revenue stream to service their debt. And in order to avoid impairment of their debt obligations, we must return to a continuing appropriation. However, the legislation does provide for appropriation on annual basis of new taxes which were imposed as a result of last years legislation. Those are the substantive changes. I stand ready to answer any questions on this legislation. We did have a full debate at the Amendment stage, however."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 40. On that question, is there any discussion? The Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, here we go again. We're back to the continuing versus the annual appropriation debate. I don't

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

43rd Legislative Day

May 18, 1989

think I want to bore all the Members of the Legislature with all of the ramifications and all the facts and details that we went through the other day when Representative Jim McPike stood up and gave his side of the story and we talked about our side of the story. But, there's been a fact that has intervened which I think we should draw a note. Yesterday there was an Income Tax Bill that passed this legislative process. In that Income Tax Bill the monies that were to be distributed went in...at least half of them went into the Local Government Distributive Fund. That money is not subject to appropriation. And in fact, I think one of the Members, on the other side of the aisle, stood up and said, 'one of the better parts of the Income Tax Bill was that it was not subject to appropriation, that it went directly to the local governments'. How can we be consistent with that position and then come back with House Bill 40 and take away part of that direct contribution of the local Governments that has always been there with the sales tax vehicles and take it away and make it part of a continuing appropriation process so that you've got to come down here...I mean an annual appropriation process where you've got to come down here to the Legislature and put something into the legislative process to get the money that belongs to you in the first place? That's absolutely inconsistent. One time you say, it should be appropriated. One time you say, it should go directly to the local governments. I mean, let's be straight. Let's not vote for House Bill 40... Let's vote against this Bill so we have a chance to come back and make this conform with the Income Tax Bill that you passed, yesterday."

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

Stephens: "Will the Gentleman yield for a few questions?"

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Representative Bowman..."

Bowman: "Certainly."

Stephens: "Representative Bowman, the Bill that you referenced from last year, were you the Sponsor of that Bill?"

Bowman: "No, but I believe I was...at least I was not in control of the Bill. I believe I was a hyphenated Sponsor."

Stephens: "Did you help draft it?"

Bowman: "I participated in some of the discussions on a couple of the key points."

Stephens: "From the time it was delivered to our desks on the House floor last year to the time we voted on it, did you have a chance to read it?"

Bowman: "Representative Stephens, my main concern with the legislation, at that time, were some issues that were brought to me by the City of Evanston which I represent. I participated in discussions on those points. I examined the Bill with respect to those points."

Stephens: "So like many of us, you did not have a chance to read the Bill?"

Bowman: "Oh, I had a chance to read the Bill."

Stephens: "Did you take advantage of that?"

Bowman: "I read those portions of the Bill that my constituents asked me to pay special attention to."

Stephens: "As to the language of continuing appropriation, did you review that portion of the Bill?"

Bowman: "Representative Stephens, if we're discussing my reading habits, I'd be happy to do that at a time when it will not take up the time of the House."

Stephens: "No Sir, I'm just trying to ascertain whether or not you knew that language that went in the Bill last year, that's all. I mean you're a cosponsor of the Bill and I'm very interested in the continuing appropriation and the discussions that were held yesterday during the tax

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

43rd Legislative Day

May 18, 1989

increase vote that took place and my question to you is, if in those areas that you were so interested in, because of your constituents inquiries, if for my information, did you read that portion about the continuing appropriation? If the answer's no, just say no. If it's yes, just say yes. Just say yes."

Bowman: "That particular portion of the Bill was not the portion that I participated in discussing, therefore my views on that particular portion..."

Stephens: "I can appreciate that, at what time were you made aware that that language was in the Bill? And you know what was in there, now."

Bowman: "After the Governor signed the Bill."

Stephens: "After the Governor signed it."

Bowman: "After the Governor refused the Bill."

Stephens: "Then, you were made aware after the Governor..."

Bowman: "Signed the Bill."

Stephens: "...signed the Bill, that's when you became aware that that language was in the Bill. Is that right?"

Bowman: "That's right."

Stephens: "I think I understand your question...that it was to the affirmative, that sometime after the Governor became aware then you became aware."

Bowman: "That's right, the Governor and I are very close and he called me up and he said, 'hey Woody, do you know that there's this language in the Bill, but I approved it anyway.'"

Stephens: "The...the new tax that we passed yesterday calls for the..."

Speaker Cullerton: "Representative Stephens. Representative Stephens, if you could please address questions to the Gentleman."

Stephens: "Oh, he answered my question and I was moving on to the

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

43rd Legislative Day

May 18, 1989

next question."

Speaker Cullerton: "Fine, another question, fine."

Stephens: "But, he continued to talk. So, is it my turn?"

Speaker Cullerton: "Your turn to ask question, timer's on, 236."

Stephens: "233, thank you. As to the tax increase that was passed yesterday, there was language, I believe, in that that called for a...non-appropriated dispersement of funds back to municipalities, and I wonder how that compares to the language in House Bill 40 as to new revenues created by the Bill in question. Is it the same sort of language that we're talking about or is it two different standards by which this money will return...to the municipalities?"

Bowman: "Representative Stephens, Local Government Distributive Funds is a pass through. The Local Government Distributive Fund is a pass through. The old money raised by the sales tax, which had been imposed prior to the passage of the last year's Reform Act...was and will be once again a pass through under House Bill 40. They're both pass throughs."

Stephens: "How about the new money? I think we've got two kinds of new money. We've got the new money from the photo processing tax and other language in the Bill from last year and we've got the new money from the Speaker's tax increase plan of yesterday. So, there's two kinds of new money and what I'm trying to ascertain as if...is that if those two new kinds of revenue are being viewed differently, one a continuing appropriation, and one an annual appropriation..."

Bowman: "No, they're the same thing."

Stephens: "Do I understand that there are two different kinds of rules regulating that new kind of money?"

Bowman: "Well if you're talking about...wait a minute...Representative Stephens..."

Stephens: "You've said my name many times in debate, I understand

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

43rd Legislative Day

May 18, 1989

who you're talking to."

Bowman: "Look, I have all the time in the world. This is my Bill, but our colleagues may be tiring of this exchange."

Stephens: "Just answer the question, that's all."

Bowman: "The appropriation on a continuing basis, is for the sales tax that have been levied prior to the Reform Act passing. The appropriation, on an annual basis, is for the photo processing and for the use tax, which was imposed for the first time...by last year's Reform Act."

Speaker Cullerton: "Gentleman...Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr...thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 40, quite frankly, is a good Bill. It makes some needed corrections to the Sales Tax Reform Act that we passed last year. But, it doesn't go far enough. And, it doesn't go far enough, because it does not provide a continuing appropriation. I recognize that we debated this thoroughly on House Amendment #2, which was rejected, which would have provided for a continuing appropriation. But, I think it's worthwhile to review a little bit, why this Bill doesn't go far enough and why the correct vote is a 'no' vote on this Bill. The correct vote is a 'no' vote because we are breaking a promise which we made to the municipalities of this state when we negotiated the Sales Tax Reform Act last year. You know, we're talking a lot about old money, new money here, and that's a misleading argument, Ladies and Gentlemen, because the municipalities, and especially the home rule municipalities in this state, when they entered into the sales tax reform negotiations, they already had the power to levy taxes basically as they chose. The state came to them and they said, 'look we want you to give up that power, but we're going to insure that you get the money

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

43rd Legislative Day

May 18, 1989

that you're entitled to'. Well, they said, 'wait a minute, just to get the money that we can already get is not a bargain for us, we have the power to do more if we so choose to do that'. The state said 'well, when you get that new money in through this use tax that we are going to levy, when we get that money in we want to return that to you also'. Somewhere, somehow in the drafting process...that additional use tax money was no longer returned to the municipalities the way it was promised. In essence, they gave up something and got nothing back. Now, you say to yourself, 'well, if they didn't get anything back the City of Chicago would be standing up here screaming'. Ladies and Gentlemen, the City of Chicago isn't standing up here screaming, because they get their cut right off the top. They don't have to worry about whether or not they are giving something up. That's an additional reason why this argument is misleading, and why it's unfair, and why everyone of us, who represents a municipality in this state, and especially those who represent home rule municipalities, should fight continually for a continuing appropriation, should recognize that even though this may...this Bill may have good aspects to it, it doesn't go far enough. We negotiated, we negotiated fairly. We made a promise. We break a promise by passing this Bill, and we should vote 'no'."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 40. And, I would like to bring to the Body's attention...one important point that was brought out just yesterday or the day before when we discussed Amendments to this Bill. And that was the point that when

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

43rd Legislative Day

May 18, 1989

this issue was negotiated last year, no one ever mentioned, no one ever mentioned anything about whether or not the appropriations process would come into being or there would be a pass through. And that's an important point, considering where we're at, now, with House Bill 40 and what we seek to do."

Harris: "Now, if anybody in this General Assembly has heard from local governments about the 'pass through', I have heard, as Chairman of the Cities and Villages believe me I have heard more than I really wanted to about the problem. The one thing that I've heard from all these local governments, from all the cities and villages throughout the state wasn't 'pass through everything? Simply, they have been telling me we want our sales tax. Give us our sales tax back, pass it through like you always did, and we'll be happy. That's what they want. They feel violated. They felt violated because we felt...they felt we did something to change the pass practice that it always..."

Speaker Cullerton: "Representative Steczo."

Steczko: "So, they have...they have felt that we had violated a basic principle by cutting off something that we had always done. What House Bill 40 seeks to do is to restore that. In the discussions we've had all these local governments subsequent to last summer, no one has ever said don't appropriate the new dollars. When I've talked to my own local governments, and I've explained that these are new tax dollars and they would have to go through appropriations process they've had no problem. So long as they get their sales tax money back. By approving House Bill 40, one point three out of one point four billion dollars will go back to local government, the way it always did before, and they're happy...they're happy, with that, and would be happy with us supporting House Bill 40."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Further discussion. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I would hope that everyone on this side of the aisle would vote 'no' on this, and then verify off all the Democrats who are out for an early dinner, and beat this Bill. Let us not be fooled, and let us not think the public...that we have been fooled. You know, I hope the press is listening. Yesterday they passed a 750 million dollar tax increase with...a continuing appropriation...and a trust fund, because apparently, we're not worthy of deliberating on an annual basis as how that money should be spent. Then the Majority Leader is mad because we...we at times, want to enter continuing appropriations, and it violates his sense of propriety in our form of government. We should always be appropriating, we should always be reviewing, we should always be overseeing. But yesterday, for 750 million dollars who cares! Who cares! Let's give it to the cities, they need the money so desperately, let's give it to the cities and make sure we don't get our grimy paws on it. Did you hear any of that yesterday? Did you hear any complaints about continuing appropriations yesterday? Neither did I. I thought I was going deaf. I thought, 'where are the complaints about continuing appropriations?' I didn't hear a single complaint. My wife thinks I'm losing my hearing and I thought, 'she's right, I am.' I didn't hear anyone complain about continuing appropriations. Well, I say to you, we're not fooled, the people of Illinois are not fooled, and we in protest, should beat this back so that you have to live with your municipalities and the decision you made in the closing hours of last Spring's Session. And I say, let's beat this Bill. Let's verify off the Democrats who've already gone to dinner. And, let's send

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

43rd Legislative Day

May 18, 1989

a message to everybody that we are not gonna be fooled by this charade."

Speaker Cullerton: "Gentleman from Cook, Representative Preston."

Preston: "I take back what I said, previously. It is a badge of honor to dislike Representative McCracken."

Speaker Cullerton: "Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I seem to be getting some vibes that I don't quite understand. Maybe the Sponsor can assist me with a question...an answer to a question or two. Will the Sponsor yield?"

Speaker Cullerton: "Representative Bowman, answer a question?"

Mautino: "Representative Bowman, let me understand this. If we pass this legislation...Representative Bowman?"

Bowman: "Well, ask the question."

Mautino: "Alright...Please...you're very good, you're carrying on about four conversations at once. That's pretty good."

Bowman: "I've got two ears."

Mautino: "Okay, if we pass this legislation, we establish a continuing appropriation for the previous funding, and we establish an appropriation for the new taxes that were provided, is that correct?"

Bowman: "Yes."

Mautino: "And, if we don't pass this legislation, we don't have any countin...as the...as the Spokesman for the Minority Party stated, 'we don't do that then we don't send anything', and we go back to the previous legislation; that was passed and we appropriate everything, and there is no 'pass through', is that correct?"

Bowman: "Yes."

Mautino: "Now, was the Gentleman that preceded me on the microphone establishing that we should not have any 'pass

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

43rd Legislative Day

May 18, 1989

throughs' whatsoever, and oppose in total, what the municipalities, and county governments in this state have asked for...Is that what his remarks embody?"

Bowman: "Oh, I think you mean the Republican Gentleman, who last preceded."

Mautino: "Yes, the Minority the Minority Representative who preceded me on the microphone."

Bowman: "Well actually, I think he was confused, because he was talking about a Bill we passed yesterday."

Mautino: "Oh, okay, then it is, for the record, by passing this legislation, we establish the 'pass through', and the appropriation of the new taxing funds. And, to not pass this legislation would mean there would be no 'pass through', whatsoever, on any funds previously established or established yesterday."

Bowman: "That's...with the new tax, if it would enacted. There would be no pass through for the sales taxes that is correct."

Mautino: "Thank you very much, you have clarified what I think was necessary."

Speaker Cullerton: "Further discussion? The Gentleman from Will, Representative Regan."

Regan: "If it's necessary, I call the previous question."

Speaker Cullerton: "There's only one other Gentleman seeking recognition. Gentleman from Adams, Representative Mays."

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

Speaker Cullerton: "Representative Bowman, will you yield for a question?"

Bowman: "Well actually no, because I'd like to take this Bill out of the record."

Speaker Cullerton: "Gentleman requests the Bill be taken out of the record. Ladies and Gentlemen, it's intent of the Chair

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

43rd Legislative Day

May 18, 1989

to go back to the Order of Education, there were some Bills that were taken out of the record. So, we'd like to go to Education, Second Reading. House Bill...2671, Representative Phelps. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2671, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Phelps, do you wish to bring that...this back for...This Bill is on Third Reading, Mr.. do wish to take it back to Second Reading? Representative Phelps, the Clerk informs me that the Bill is on Third Reading. Did you wish to take it back to Second Reading for the purposes of an Amendment? Well, we'll take the Bill out of the record, Mr. Clerk. Representative McGann, on the Order of Higher Education. Representative McGann on House Bill 2033. Mr. Clerk, would you please read that Bill?"

Clerk O'Brien: "House Bill 2033, a Bill for an Act to amend an Act relating to the Illinois Mathematics and Science Academy. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

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

Speaker Cullerton: "Representative McGann, on Floor Amendment #1 to House Bill 2033."

McGann: "Thank you Mr. Speaker and Members of the Assembly. Amendment #1 to House Bill 2033...has been prepared by the Legislative Audit Commission. It's an Agreed Amendment to clearly establish the Illinois Mathematics and Science Academy as a state agency, effective this fiscal year. The academy is being funded by a direct state appropriation. Previously, funding was received indirectly through a grant from the State Board of Education. A number of laws

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

43rd Legislative Day

May 18, 1989

required clarification to accomplish this change. The Amendment was developed and supported by the Academy, the Board of Higher Education, and as I've stated, the Legislative Audit Commission. There are specific changes here in detail...and I'd ask support of the Amendment, and I'd be happy to answer any questions."

Speaker Cullerton: "The Gentleman has moved for the passage of Amendment #1 to House Bill 2033. On that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple...bricouple...brief questions?"

Speaker Cullerton: "He indicates he will."

Cowlshaw: "Representative McGann, I recognize that this Bill causes the Academy to become the equivalent of a state agency. But I need to..."

McGann: "I can't...excuse me...Mr. Speaker, the level...I don't...I couldn't hear it."

Speaker Cullerton: "Please give the Gentleman and Lady some attention, please. Thank you."

Cowlshaw: "Representative McGann, you are absolutely right, it's way to noisy in here. I recognize that this Amendment makes the Academy a state agency. But what if any relationship remains between the Academy and the Board of Higher Education, if any relationship, at all."

McGann: "I still believe to my knowledge, that we will still have the Board of Higher Education involved..."

Cowlshaw: "What would its role be under this?"

McGann: "What we're doing here, if I could answer this way...you...as far as being a state agency, it's really removing the pilot project approach that had been until now, or will be if we can pass this Amendment."

Cowlshaw: "I understand that."

McGann: "Right."

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

43rd Legislative Day

May 18, 1989

Cowlshaw: "But there is...under the provisions of this Amendment, which now becomes the Bill, there is no longer any relationship whatsoever between the Academy and the Board of Higher Education or the Community College Board, is that correct?"

McGann: "I would think that you may be correct on that because what it does, is it repeals the provision of the State Superintendent of Education, was the Interim Director of the Academy until the appointment of a permanent director. It..I think that that is what we're addressing it. The specifics of it, whether or not the Board of Higher Education will still...it will be subject to the Higher...Board of Higher Education Travel Control Board. That is, we understand here..."

Cowlshaw: "Alright."

McGann: "But specific answer to your question, I still believe that the Board of Higher Education will have some oversight of this here presently. But I could get those answers for you by the time we address the matter on Third Reading."

Cowlshaw: "Alright I, I would appreciate that very much because it's really important for us to understand the specifics of these...these proposals as well...as well as your intent and finally, Representative McGann, I believe that you said in your opening remarks, that this proposal, in its entirety, had been reviewed by the Illinois Mathematics and Science Academy, and that the Academy was in accord, was in favor, of this Amendment. Is that correct?"

McGann: "...That is correct."

Cowlshaw: "Thank you very much, and if you can find the answer to those question before the Bill is heard on Third Reading, I would be very grateful."

McGann: "I will be happy to share them with you Representative."

Cowlshaw: "Thank you."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Any further discussion? There being none, the Gentleman moves for the adoption of Amendment #1 to House Bill 2033. All in favor, say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. Representative McGann, you had another request for...was it House Bill 2038?"

McGann: "Yes, I have, I'd like to have House Bill 2038 heard, if I could."

Speaker Cullerton: "Mr. Clerk, could you please read House Bill 2038."

Clerk O'Brien: "House Bill 2038, a Bill for an Act to amend the Illinois Health Finance Reform Act. Second Reading, of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendment?"

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

Speaker Cullerton: "Representative McGann, on Floor Amendment #...#1."

McGann: "Thank you, yes, House Bill 2038 was passed out of committee with the conditions that we would have an Agreed Amendment to present on Second Reading. We have Amendment #1 to House Bill 2038. The Auditor General, the Illinois Hospital Association, and the Department of Public Aid have all signed off on this Amendment. What the Amendment does, it deletes the language requiring hospitals to file audited financial statements with the Auditor General, and the related material concerning discretionary audits...and cost recovery. It also establishes a back up audit authority for audits by the Auditor General of hospitals receiving ten percent or more of the revenues from the Medicaid program. And this has been worked out as a result of the

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

43rd Legislative Day

May 18, 1989

different audits that were being done, and I would ask for accepting adoption of Amendment #1 to House Bill 2038. Be happy to answer any questions, if I may."

Speaker Cullerton: "The Gentleman's moved for the adoption of Amendment #1 to House Bill 2038. Is there any discussion? There being none the question is, 'Shall House...Amendment #1 to House Bill 2038 pass'? All in favor, say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. Representative Levin, House Bill 498 on the Order of Consumer Protection. This Bill is on the Order of Third Reading. Mr. Clerk, would you please read the Bill?"

Clerk O'Brien: "House Bill 498, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Levin, asks leave to bring House Bill 498 back to the Order of Second Reading for the purposes of the Amendment. Does the Gentleman have leave? No objections being heard, leave is granted. Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker Cullerton: "Representative Levin on Amendment #3."

Levin: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 came out of the dialogue that we had yesterday in connection with Amendment #2 between myself and Representative Countryman, in which he expressed an concern that the liquidate damage provision in terms of the computer crime violation under the Bill was too high. Amendment #3 was worked out with Representative Countryman, and reduces that liquidated damages figure from ten thousand dollars to one thousand dollars. I'd ask for its

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

43rd Legislative Day

May 18, 1989

adoption."

Speaker Cullerton: "Gentleman's moved for the adoption of Amendment #3 to House Bill 498. Is there any discussion? There being none the question is, 'shall Amendment #3 be adopted?' All in favor, say 'aye', all opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Cullerton: "Third Reading. Going to the Order of Third Reading, State and Local Government...and we're going to a...please look on this Order, State and Local Government, see if you have any Bills. We're going to call these Bills next week, we may run out of time. You may not get a chance to have these Bills heard. First Bill, on the Order of Third Reading for State and Local Government, is House Bill 29, Representative Lou Jones. Is the Lady in the chamber? Take the Bill out of the record. House Bill 45, Representative Homer. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 45, a Bill for an Act to amend certain Acts in relation to services to prevent unnecessary institutionalization of certain persons. Third Reading of the Bill."

Speaker Cullerton: "Representative Homer."

Homer: "Thank you, Mr. Speaker. First, I want to get some very brief background ground on the Bill. In January of this year, the Department of Aging issued proposed rules that essentially eliminated the area agency on aging role, and designating case coordination units. The area agencies had had that authority since 1985 when a plan was jointly developed by the Department, and the area agency. But, for unknown reasons, the department withdrew that authority in January of this year, disrupting the local process which was working quite well. The Bill is supported by the area

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

43rd Legislative Day

May 18, 1989

agencies. This matter continues to be under negotiation between them and the Department on Aging, and the Bill is being proposed in an effort to help resolve, and to act as a catalyst to the further negotiations. In...at such time, I've indicated to the Department on Aging that the parties reach agreement on this issue. It would be my intention to move to table the legislation. But in the absence of an agreement, all that the Amendment does is restore to the area agencies the authority that they've enjoyed for the past four years, in designating these case coordination units for their area. I would have be happy to answer any questions, would urge your favorable consideration."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 45. On that, is there any discussion? The Lady from Cook, Representative Williamson."

Williamson: "Thank you, Mr. Speaker. Representative, could you explain to me what is a care coordination unit?"

Homer: "The case coordination unit..."

Williamson: "Case coordination unit."

Homer: "...is a...a contractor in a particular area that would serve basic senior needs such as in home meal service for shut-ins, and provide other similar kinds of support services to senior citizens throughout the state."

Williamson: "Is there a reason that the area agencies have to be legislative? Is this done can't...this be done with a rule making through JCAR, right now?"

Homer: "Well, that's the problem. Yes, it can be done by rule and the Department is proposing the elimination of the area agency roles and the designation of these CCUs. That's the problem."

Williamson: "When we had the committee on this, the Department withdrew those rules, and they were in the process of negotiating. Is the negotiating still going on? And

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

43rd Legislative Day

May 18, 1989

what's the process of that?"

Homer: "Right, that...that is correct the...the...as I understand it the parties have been meeting and they are making some progress. However, at this time they have yet to reach an agreement. But you are correct, and they did have a proposed rule that they indicated in committee they had withdrawn."

Williamson: "If the area agencies are still in negotiation would they still be forced to do so if we legislated this proposal?"

Homer: "...Would you repeat the question?"

Williamson: "Would the area agencies, would they still be forced to negotiate as they're negotiating right now with the case units? If we did this legislation, would that eliminate that negotiation?"

Homer: "Well, if the Bill...passed here and in the Senate, was signed by the Governor it would conclude the negotiations in the manner in which the area agencies seek to have them concluded, yes. But...there's a long way between passage of a Bill in the House until it becomes law, is signed by the Governor. If the Governor were to sign this Bill, it would conclude the negotiations favorably to the area agency position, yes."

Williamson: "Okay, Thank you."

Speaker Cullerton: "Gentleman from Lake, Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Cullerton: "He indicates he will."

Churchill: "Can you explain to me, Representative Homer..."

Homer: "I'm sorry I didn't hear it."

Churchill: "Representative Homer, can you explain to me what the area Agencies on Aging are?"

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

43rd Legislative Day

May 18, 1989

Homer: "They're not for profit associations that are service providers in the various areas of the state."

Churchill: "Okay, so these are not units of government, but these are outside of government, and they're not for profit organizations?"

Homer: "Right, they derive their authority through contracting with the Department on Aging to provide services to seniors in their area."

Churchill: "So then...and how much is it going to cost to develop this program that you're talking about?"

Homer: "Well it's really no cost. What it is...is a...is allowing the area agencies to participate in the selection of these case coordination units. They've been doing it since 1985, anyway, and so there's really no cost involved. It just has to do with jurisdictional dispute over who gets to pick these case coordination units. And, the area agencies want to continue to be involved in that selection process subject to review and oversight by the department. The department has proposed rules to take away the area agencies jurisdiction in that area."

Churchill: "So, but we're now funding the department. The department is now funding these area agencies?"

Homer: "Right."

Churchill: "And you're saying that that's done by contract."

Homer: "Yes, it's my understanding that department contracts with these area agencies to provide these services."

Churchill: "So, right now, what you're saying is...is that we have a revenue stream, an appropriation that goes to the department, and what you're proposing is rather than having it being done in the department with control of the department, that it be passed out to not for profit corporations so that they can provide the service without the regulation of the department?"

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

43rd Legislative Day

May 18, 1989

Homer: "Well, there's still oversight and subject to approval by the department. It's been going on since 1985. I'm not proposing we do anything new just simply, continuing what has been a successful program in the past."

Churchill: "To the Bill, Mr. Speaker. I believe it is..."

Speaker Cullerton: "Proceed."

Churchill: "The position of the Department, at this point, that they would lose a certain amount of control over the case work in this area in the event that this Bill were to pass. And...there is a transfer of money that comes out of the General Revenue Fund that eventually works its way into the hands of not for profit corporations without the direct regulation of the state over it. And, I think for those reasons the Department has been opposed to this Bill, and I would say that perhaps, it's something we ought to look at twice, and perhaps, even vote against."

Speaker Cullerton: "Further discussion? The Gentleman from Clinton, Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Representative Homer, just for clarification purposes...I might have missed the discussion. This does not effect the assessment screening for cases with the Department of Mental Health and Developmental Disabilities. This would be just limited to the Department on Aging with the area programs?"

Speaker Cullerton: "Representative Homer."

Homer: "Yes, this has absolutely nothing to do with the Department of Mental Health Developmental Disabilities. This is limited solely to contracts with the Department of Aging."

Granberg: "Thank you, Representative."

Speaker Cullerton: "Further discussion? There being none. The question is, 'Shall House Bill 45 pass?'" All those in favor vote 'aye', all those opposed vote 'no'. The

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

43rd Legislative Day

May 18, 1989

voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 91 voting 'yes', 23 voting 'no', none voting 'present'. This Bill having received the require Constitutional Majority is hereby declared passed. Representative Jones, Lou Jones? House Bill 29, on this Order of Business, Third Reading. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 29, a Bill for an Act to amend the Housing Authorities Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Lou Jones."

Lou Jones: "Thank you Mr. Speaker and Members of the House. House Bill 29, amends the Housing Authorities Act in reference to the procedure of determining a tenants rights. This Bill states that a Public Housing Authority when determining the tenant's rent shall exclude the following items: federal or state withholding tax. Basically, what this Bill does...what the this Bill says is to determine the rent by the net rather than the gross, because...in Chicago in the public housing they have...there is a definite problem of good tenants staying. Because when they get minimum income jobs or low income jobs their rent raise is so high that they move out and in turn, they lose the good tenants. So, this Bill is basically...and this Bill is also is supported by Vince...he Chairman of the Board of C.H.A., and also by Gertrude Jordan, their Regional Director of HUD. And I ask for a favorable vote."

Speaker Cullerton: "Lady's moved for the passage of House Bill 29. On that question is there any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Cullerton: "She indicates she will."

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

43rd Legislative Day

May 18, 1989

Black: "Representative I...I think I know where you're headed with this, and...it's probably an admirable change in current law. I guess, I guess my problem is that it's my understanding that federal law will, will not permit these exclusions. Can you address that? I mean I, I guess I don't see any reason why we should vote this Bill out, favorably if indeed, federal law will not permit these kinds of income exclusions."

Speaker Cullerton: "Representative Jones."

Lou Jones: "Okay, as I stated earlier that before I introduced this legislation that I talked to Vince Lay the Chairman of the Board of Chicago Public Housing, and also Gertrude Jordan, who is the Regional Director of HUD, and they both are in support of this. Also...Director...Gertrude Jordan has told me if, if I need something in writing on this she'll be happy to supply it for me. But I ran this...because last time the same situation came up, and I wanted to make sure I did not have the same problem this time."

Speaker Cullerton: "Further discussion? Representative Black."

Black: "Well, thank you very much, Representative. To the Bill Ladies and Gentlemen of the House. I think the Lady is accurate that she had this problem the last time this Bill came up, and that she just said that she could perhaps, get something in writing from the Regional Official at Housing and Urban Development out of the Chicago Regional Office. I suppose it would it would have been advisable or least beneficial to us had she gotten that information in writing because I...I guess I have to rely on what our analyst has said, and...and let me just quote. When this analyst talked with the same Housing and Urban Development Office, she was told that 'the Federal Government would not allow these exclusions under the present law.' So, obviously, we

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

43rd Legislative Day

May 18, 1989

have some conflict here, and perhaps the Lady would be kind enough to delay action. I know it's late, and she probably doesn't want to do that, but something in writing or some clarification from HUD would certainly seem to be in order. Because I...I think we're about to act on a Bill that, until we can clarify the point, is...patently unworkable under federal law. So, given that...given that state of affairs...I must reluctantly rise in opposition...to the Lady's Bill."

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

Young: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I think there might be some misunderstanding either from one of the staff, in terms of the analysis. The last speaker raised some questions in terms of HUD, stating that they would not allow this under the present law. But, it's my understanding that statement was made could not be allowed under the present state law, that it's not a federal prohibition, that the Federal Government will allow this if it's mandated or stated in the state law. So, what the speaker's trying to do cannot be accomplished with the law as it exists today. But, it could be accomplished with HUD's approval if we make the change that she's trying to make. So, I...I would ask you to check your analysis, again, and look at the state of the law. We cannot do it. The Federal Government will not allow it the way Illinois law is written. Not the way the federal law is written."

Speaker Cullerton: "The Gentleman from Logan, Representative Robert Olson."

Olson, R.: "Yes, will the Lady yield?"

Speaker Cullerton: "She indicates she will."

Olson, R.: "Representative, over and above these deductions which are allowed by the Federal Government, what deductions are

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

43rd Legislative Day

May 18, 1989

we talking about? Can you name a few of them?"

Lou Jones: "...Right, we're talking about union dues, licenses..."

Olson, R.: "Under, under the Federal Guidelines. Right, the licensing for cab driving. But...let me explain to you that there has already been...there's already...some of these things have already been taken out, like tuition...they were taking out...there was a Representative..."

Lou Jones: "Right."

Olson, R.: "But, you are adding some on to that."

Lou Jones: "Right."

Olson, R.: "Mr. Speaker, to the Bill."

Speaker Cullerton: "Proceed."

Olson, R.: "I think I understand what the Lady is working towards. But, should she be successful, I wonder if we're not leaving current tenants in housing, who could perhaps afford to move elsewhere, and open up these housing for less fortunate families. Thank you."

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

Williams: "Thank you. I think that as Representative Young and Representative Jones has explained, this is greatly misunderstood. Right now, the C.H.A., in order to deal with people who are employed, who live in the C.H.A., they take up to a third of your income. Now, what that ends up happening is that an individual who makes anything is discouraged from staying in public housing, which in many instances is what we really desire is a mix of individuals so that people who are there can have the incentive to work. If, in fact, the...in fact the C.H.A. Director, Vince Lane, is now trying to change to what they call market rent, because what happens if a person gets...say if

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

43rd Legislative Day

May 18, 1989

he gets a...income of twelve hundred dollars and has to pay four hundred dollars to stay in C.H.A. when the market rent for C.H.A. is only two hundred dollars what you end up doing is...you you're forcing people out cause they're paying four hundred;dollars for a two hundred dollar apartment. Yet, they can't find comparable or any kind of housing, I'll say, for four or five hundred dollars, but the rent, because of the conditions is only marketable at two hundred. So, anybody who has any kind of decent tenant, is forced out of C.H.A. And what you end up doing is, you do get the very thing that you don't want. You end up with tenants who cannot work, do not work, and anybody who does work is almost driven out because of the lack of incentive. And then, let's look about what we're talking about taking off now. We're saying we're talking off or we're reducing the amount of State and Federal Income Tax. That's not...I mean...if it is trimming, all we're doing is saying look at their net? And if they happen to have say, union dues or they pay fees to cabs and stuff, we get to take it off of our taxes. All we're saying is that computing this one third of their income...and these are generally people who are marginal individuals, who are sometimes working in their first job, they get a job that say, makes a thousand dollars. They get...they get very few...And say for instance that they don't belong...or have any kids going to a school or they don't have some of the present exemptions you gonna take clearly, a third of that check. You gonna leave them in a position, where in essence, it is better to stay on public aid than to get a job and try, while you're living in public housing, to bring yourself up. You're stuck in public housing. You can't get the regular housing because you still can't afford it. Yet you're paying twice as much what the public

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

43rd Legislative Day

May 18, 1989

housing is worth, and at the same time all...at the same time, basically you're saying, if you wanna...if you don't do this, if you give up all this money, now you're in a position where it's cheaper to stay on public aid. So, what you're really doing is saying, 'look guys, we don't want good tenants. We don't want people who are willing to work, to stay and work.' I really think you're misunderstanding this. What we're trying to say is that the ideal community for anybody, is one with a mixture, especially when you're talking about of assisted housing, a mixture of working and non-working. It's bad to have a total housing community made up of non-working people. I think that you need to re-examine this issue. I think that you're wrong on this issue. There are five states that presently, in the United States give these exclusions, and I believe that we ought to do the right thing, and encourage public housing tenants to work, as opposed to being on public aid."

Speaker Cullerton: "Gentleman from Cook, Representative Shaw."

Shaw: "The Gentleman who raised the question, certainly, that's a legitimate question but, if I don't believe that he was here at the time that Representative Bergner and I passed a piece of legislation. I think Representative Bergner asked to get on the legislation which excluded that...at that time...public housing...were charging people if they had children who had applied for a scholarship. They was charg...adding that on to the total income of the rent. What...the legislation did four years ago, we passed legislation where that the child who receives a state scholarship would no longer...that that scholarship would no longer be included in the rent. And that's all this legislation is about, here. It's no way that...if a ADC person should be charged on the basis of their total

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

43rd Legislative Day

May 18, 1989

dollars net income, why in the world should a person who's making a hundred and fifty dollars a week...before taxes, be charged, and they bringing home a...lets say, a hundred and five dollars? Why in the world should that person be charged on the basis of a hundred and fifty dollars a week? That's all we're talking about and I believe that this is a good piece of legislation. It's not only good for the City of Chicago it's good for every public housing complex in this state. We passed it out of here a year ago, and we should pass it again. Director Vince Lane, who's trying to do a good job in Chicago in terms of bringing some stability to the public housing, and the Regional Director of HUD support this legislation. I think that we should give them a chance by passing this piece of legislation to make sure that they have that chance. And give the tenants that live in the C.H.A., and public housing throughout this state, give them a chance. And you should vote 'aye' on this Bill."

Speaker Cullerton: "Representative Jones, do you wish to close?"

Lou Jones: "Thank you, Mr. Speaker. Again, I say, this is just a way to keep the good tenants in C.H.A., the working tenants, the tenants...that do want to work and are forced out because of high rent and I ask for a favorable vote."

Speaker Cullerton: "The question is, 'Shall House Bill 29 pass?' All those in favor, vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage. Representative Barger, to explain his vote."

Barger: "Thank you, Mr. Speaker. This effort that Representative Jones has put forth is a good effort, and I think we really ought to support it."

Speaker Cullerton: "Representative Black, to explain his vote."

Black: "Yeah, thank you very much, Mr. Speaker. There were some excellent comments made during debate. I think the Lady

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

43rd Legislative Day

May 18, 1989

has a good idea, as I clearly said. I would hope...I would ask that she..."

Speaker Cullerton: "Representative Black, did you speak in debate?"

Black: "Pardon?"

Speaker Cullerton: "Did you speak in debate?"

Black: "I'm explaining my vote."

Speaker Cullerton: "Okay, go ahead."

Black: "I'm explaining my vote...If they just relax, I'm going to support the Lady's Bill."

Speaker Cullerton: "That's why we're going to let you violate rules, and explain your vote."

Black: "I think there were some excellent points made...Thank you very much, and I just would ask the Lady if she could get this in writing to clear up the problem, I think it would help as the Bill moves to the Senate. Thank you."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 90, Representative Leverenz. Is the Gentleman in the chamber? Out of the record. House Bill 103, Representative Saltsman. Is the Gentleman in the chamber, Representative Saltsman? Out of the record. House Bill 106, Representative Matijevich? Out of the record. House Bill 115, Representative Myron Olson? Representative Myron Olson, on House Bill 115. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 115, a Bill for an Act allowing the creation of museum districts. Third Reading of the Bill."

Speaker Cullerton: "Representative Olson, on House Bill 115."

Olson, M.: "Thank you very much, Mr. Speaker. With your permission, I'd like to return the Bill to Second Reading

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

43rd Legislative Day

May 18, 1989

for purposes of an Amendment."

Speaker Cullerton: "Gentleman asks leave to return House Bill 115, Second Reading, for the purpose of an Amendment. Leave is granted. Mr. Clerk, please read the Bill."

Clerk Leone: "Floor Amendment #1, is being offered by Representative Olson, amends House Bill 115, on page 7...and so forth."

Speaker Cullerton: "Representative Olson?"

Olson, M.: "Thank you very much, Mr. Speaker. Amendment #1 was drafted with the assistance of Democratic Staff and put together by Ed Stasiewicz of our staff. It is a technical Amendment, which describes the bonding power to the museum district should this Bill become law. I move for the adoption of Amendment #1."

Speaker Cullerton: "The Gentleman's moved for the adoption of Amendment #1 to House Bill 115. On that question, is there any discussion? Gentleman from Fulton, Representative Homer."

Homer: "Question for the Sponsor."

Olson, M.: "Yes, Sir."

Homer: "Representative Olson, would you explain that Amendment one more time, please?"

Olson, M.: "Yes I can, I just gave it to Mark. If you look on page 8 of the original Bill, the Amendment is designed to put into good form the bonding authority relative to the Forest Preserve District Act which the original draft of their Bill put it into place. It describes the maturity to be not later than twenty years after the date, and puts it into the form to make it comport with the Act. Kelly Cost, of the Democratic Staff put that together for us."

Homer: "Does this Bill...does this Amendment affect Chicago?"

Olson, M.: "Does the Amendment effect Chicago? No. This is counties under a million."

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

43rd Legislative Day

May 18, 1989

Homer: "All counties other than Cook."

Olson, M.: "Under a million. All counties except Cook, may levy for maintenance of this museum district."

Homer: "And what are the referendum requirements?"

Olson, M.: "The referendum requires that at least 200 people petition the Clerk of the Court to put this in place for the call of a referendum, and it is a up front...front door referendum."

Homer: "Can't be too much wrong with that."

Olson, M.: "It's a good Bill for this reason. A historical site must be within a contiguous area of a municipality, and, as a consequence, the town where this originates has an old slave underground site, which we are using for a tourist attraction."

Speaker Cullerton: "Any further questions? Gentleman's moved for the adoption of Amendment #1 to House Bill 115. Question is, 'Shall Amendment be adopted? All in favor, say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Cullerton: "Third Reading. The Gentleman asks leave by the Attendance Roll Call to present the Bill on Third Reading. Does Gentleman have leave? Leave is granted by the Attendance Roll Call. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 115, a Bill for an Act allowing the creation of museum districts. Third Reading of the Bill."

Speaker Cullerton: "Representative Olson?"

Olson, M.: "Thank you again, Mr. Speaker. The dialogue with Representative Homer pretty describes the Act. This came out of Byron in my district, where they have an unusually attractive historic site, which the city has purchased, and

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

43rd Legislative Day

May 18, 1989

is putting it into a mode to become...a good museum site. It provides for an up front, front door referendum after a reasonable petition, and as a consequence, we think this may be applicable as a good site for tourism, in many areas of the State of Illinois. I would move for passage of 115."

Speaker Cullerton: "The Gentleman's moved for passage of House Bill 115. On that, is there any discussion? The Gentleman from McHenry, Representative Klemm."

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

Speaker Cullerton: "Yes, he indicates...he said yes. So he indicates that he will."

Klemm: "Representative, a few years ago I passed a museum, a County Museum Act that allows creation of a county museum. In what way is this different from the current law?"

Olson, M.: "This is different in because it provides for specificity of the contiguousness of a site with a municipality."

Klemm: "After the the petitioners go to court and have the referendum creating this district do they then have a front door referendum for the taxing authority?"

Olson, M.: "That is correct."

Klemm: "There are two separate referendums? One to create it, and then after they're created they have another referendum?"

Olson, M.: "No this puts..."

Klemm: "On establishing their..."

Olson, M.: "No, this...this provides for the levy being put in place. The levy recommendation is provided for in the referendum. In other words, it tells you what they're going to levy."

Klemm: "So, the original referendum of both creating it, will

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

43rd Legislative Day

May 18, 1989

also establish the levy of..."

Olson, M.: "That is correct."

Klemm: "Thank you very much."

Speaker Cullerton: "Any further discussion? Question is, 'Shall House Bill 115 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 102, 103 voting 'yes', 7 voting 'no', 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We'll return back to House Bill 103, Representative Saltsman. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 103, a Bill for an Act to amend the State Mandates Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Saltsman, to House Bill 103."

Saltsman: "Thank you, Mr. Speaker. Last year, we passed legislation that would give police officers and firefighters that serve in cities of over 50 thousand population a year's sick leave for an on duty injury. This Bill passed out by a very wide margin, and as it was before, cities of fifty thousand or less have always had this as a mandate to them. The Bill that we passed last year, most of our municipalities have abided by our legislation, but a few of them haven't. And therefore, what this does, is it mandates them to abide by the law that we passed last year giving these people up to, one year of sick leave for injured on duty. I ask for its passage."

Speaker Cullerton: "Gentleman's moved for the passage of House Bill 103. On that, is there any discussion? There being none, the question is, 'Shall House Bill 103 pass?' All those in favor vote 'aye', all those opposed vote 'no'."

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

43rd Legislative Day

May 18, 1989

The 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', 4 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 211, out of the record. House Bill 384, Representative Capparelli? Out of the record. House Bill 900, Representative Ewing? Is Representative Ewing in the chamber? House Bill 900, out of the record. House Bill 1032, Representative Curran? Representative Curran, on House Bill 1032. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 1032, a Bill for an Act to amend the Illinois Enterprise Zone Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Curran, on House Bill 1032. Representative Parcells, could you please come to the podium? Representative Curran."

Curran: "Mr. Speaker, inquiry of the Clerk. Are there any Amendments on this Bill?"

Speaker Cullerton: "We will ask the Clerk to see if there's any Amendments."

Clerk Leone: "Amendments #1 and 2 are adopted, and on the Bill."

Curran: "Mr. Clerk...Mr. Speaker, I'd like permission to move this Bill back to Second Reading, in order to take an Amendment off."

Speaker Cullerton: "The Gentleman asks leave to remove to...to take House Bill 1032, and move it back to Second Reading. Does he have leave? Leave is granted. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 1032, now on the Order of Second Reading. Motion to table."

Curran: "Speaker, I move to table Amendment #2."

Speaker Cullerton: "The Gentleman moves to table Amendment #2."

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

43rd Legislative Day

May 18, 1989

On that, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

McCracken: "Representative, if Amendment #2 is tabled, do you plan on proceeding with the Bill?"

Curran: "Yes I do."

McCracken: "And if it's tabled, what will the effect be?"

Curran: "The effect would then be that ... let's see. The criteria for the business center...enterprise exemption from utilities taxes would also be if a company makes a minimum investment of sixty million dollars. Tom, I'm told that Amendment #2 will appear in another Bill. I've discussed this, but not to a final conclusion with the Sponsors of the Amendment."

Speaker Cullerton: "Further discussion? Representative McCracken."

McCracken: "Speaker, Speaker."

Speaker Cullerton: "Yes."

McCracken: "I'm just trying to understand the impact of the Amendment. I understand that as to the Sponsor, he'll be satisfied with another Bill. But, does this change any fiscal impact by pulling off the Amendment, and passing the Bill without it?"

Curran: "Taking this Amendment would have less of a fiscal impact than it would have with the Amendment on it."

McCracken: "Is that right? Okay."

Speaker Cullerton: "Further discussion, Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House...As Representative Curran has indicated...that he has discussed this issue with...the two Sponsors of this Amendment, which I am one of the two Sponsors, and that we have not reached a conclusion on whether...or at I least, I

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

43rd Legislative Day

May 18, 1989

had not agreed to take the Amendment off. It is, currently...we're in negotiations or part of negotiations and...this Amendment is being...put on potentially a computer software tax which we're not sure whether it's going to pass or not. And so, at this time, I would just ask the Gentleman if I may, in fact agree to do this without a fight, if we just had a few more days or a little bit of time to find what they're going to do with this other Bill."

Curran: "That's fine. So your wish would be that I would take it out of the record at this point?"

Tate: "Yeah."

Curran: "That's fine."

Speaker Cullerton: "Take the Bill out of the record, please. House Bill 1042, Representative Parcells? Out of the record. House Bill 1091, Representative ... Representative Curran? Representative Curran, on 1032, I assume you wish to keep it on Second Reading."

Curran: "Yes."

Speaker Cullerton: "Okay, the Bill remains on Second Reading. ... House Bill 1091, Representative Currie, Third Reading. Out of the record. House Bill 1142, Representative Didrickson. Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 1142, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Didrickson, on House Bill 1142."

Didrickson: "Thank you, Mr. Speaker, Members of the House. House Bill 1142, expands the Labor Department Advisory Board, and it expands it from five members to thirteen members. And, it furthers specifies that the term of each board member is two years, and that members shall have staggered terms. I would be glad to answer any questions."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "The Lady's moved for the passage of House Bill 1142. On that question, the Gentleman from Fulton, Representative Homer."

Homer: "Will the Lady yield?"

Speaker Cullerton: "For a question? She indicates she will."

Homer: "What is the purpose of this Bill, Representative?"

Didrickson: "The purpose of this Bill, Representative Homer, is that we've had this board, but it has only been five members, and it hasn't really had enough representation from both labor and management, and public members in order to have a working board. Thirteen members are far better for a working board than are five members. And, I'm sure you know when you get an absence or somebody that can't attend the meeting it's a futile attempt to really to do anything meaningful."

Homer: "When is the last time this board met?"

Didrickson: "The Department of Labor would have that information."

Homer: "Well, yeah, I mean if...if it's hard to get five members to attend the meeting, how are you going to improve the circumstances by having thirteen members who don't want to attend the meeting?"

Didrickson: "Because we...what we are really doing is modeling this across other boards that are put together in place. I can't think of another board that only has five members, can you?"

Homer: "Well, who appoints these members to the board?"

Didrickson: "I...am going to suggest that I believe it is the Governor. It is the Governor. I am told it is the Governor."

Homer: "Well, it's not that I'm against your Bill. I just don't understand...I understand that this is being supported by the Department of Labor, correct?"

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

43rd Legislative Day

May 18, 1989

Didrickson: "That is correct."

Homer: "This is their Bill. Why...what is your understanding of why they want this Bill? What do they want eight additional members for?"

Didrickson: "Well, I think ... you know exactly what I was saying earlier. Because they have a difficult time getting a quorum with only five members, and it ... when you broaden both management and labor you're going to be able to discuss the issues to a greater extent, and you're going to be able have a better representation in a quorum with a thirteen member board. Nothing devious at this at all."

Homer: "What does is this board advise on? And whom do they advise?"

Didrickson: "They advise with regards to issues of prevailing wage, and it replaces the Ad Hoc Advisory Committee on prevailing wages. It also will be working with regards to issues of concern to the Illinois Labor Force, and the Illinois Department of Labor."

Homer: "Well, Mr. Speaker, to the Bill. I mean it's not...this dosen't look like a life or death Bill one way or the other, but, it seems kind of odd. The Sponsor is saying that they'll have a hard time getting a quorum when there are five members. So, they want a thirteen member board which would make a quorum much harder to get in my view. The board does not even meet, has not met in years, has no real valid function, and yet, the Department wants to be able to have the Governor apppoint eight new members to this board. Now, if I were the suspicious sort, I would think that perhaps, there have been requests to the Governor to be appointed to boards, and the Governor would like to make ... expand his appointment authority, and he's got a board here that doesn't do anything, but he wants to make some additional appointments. I...I would only say

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

43rd Legislative Day

May 18, 1989

that...that until the Department or the Sponsor of this Bill can give us some rationale for wanting it, I have a hard time understanding why I should support it. At such time as a rational argument is given, I'll consider giving it a green vote. Until then, I'm gonna vote 'present' on the Bill."

Speaker Cullerton: "Further discussion? Gentleman from Cook, Representative Balanoff."

Balanoff: "It's...a question. Mr. Speaker."

Speaker Cullerton: "Yes, Representative Balanoff?"

Balanoff: "Yeah, are the Members of this board, are they paid."

Didrickson: "No, they're not. They ... and I'd like everybody in the General Assembly here to hear that. The question was, is there any fiscal impact or are these members paid? No."

Balanoff: "They're not given any expense money?"

Didrickson: "No, they're not."

Balanoff: "Okay, thank you."

Speaker Cullerton: "Any further questions? Representative, any further questions? Representative Didrickson, to close."

Didrickson: "Thank you, Mr. Speaker. I would like to allay Representative Homer's fears with regards to any devious interpretation or reason for why we are passing this Bill. There is no fiscal impact here. It's very difficult to get a quorum with five members. It's very difficult to have a working board or true representation from both labor and from management with regards to prevailing wage issues, and other issues of importance to the Department of Labor. All we are trying to do is provide for a working board, which is very similar in terms of representation in numbers that we have done for other such boards with regards to different departments. I would ask for your 'aye' vote. It's a very simple Bill. There is no hidden agenda here. It is a request from the Director of the Department of

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

43rd Legislative Day

May 18, 1989

Labor."

Speaker Cullerton: "The question is, 'Shall House Bill 1142 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question, there are 101 voting ... 103 voting 'yes', 6 voting 'no', 7 voting 'present'. This Bill, having the required Constitutional Majority, is hereby declared passed. House Bill 1158, Representative Kirkland. Is the Gentleman in the chamber? Out of the record. House Bill 1208, Representative Homer. Representative Homer, House Bill 1208? Mr. Clerk, please read the Bill."

Clerk Leone: "House Bill 1208, a Bill for an Act in relationship to tax amnesty. Third Reading of the Bill."

Speaker Cullerton: "Representative Homer, on House Bill 1208."

Homer: "Thank you Mr. Speaker, Ladies and Gentlemen. This is the Bill that your optometrist have been calling and writing to you in reference to. It has to do with creating a...amnesty program for providers of medical appliances. What has happened is, a number of optometrists have been purchasing their contact lenses, and eyeglasses from out of state laboratories, some of whom collected the service tax, others did not. Because many of these optometrists were advised by their accountants that the food and drug sales tax exemption applied to these purchases, they were informed that it was unnecessary for them to pay any kind of service tax. Low and behold the Department came along at a subsequent time, recently, and indicated an intention to audit these optometrists, to go back and collect not only the tax since 1981 that the Department feels was owed, but also to assess penalty and interest on that alleged tax. Now, the optometrists say, if there was a tax owed,

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

43rd Legislative Day

May 18, 1989

we want to pay it. But, we think it unfair since we were not put on notice, since the Department of Revenue did nothing to let us know that are accountant's advise was wrong all of those years, to go back and to have to pay a penalty and interest, I think, would be unconscionable. This Bill would simply waive the penalty and interest. It would allow them a sixty day period following the effective date of the Bill to pay, voluntarily, the tax that is due, and the Bill would have the effect, really, of bringing new revenues into the State of Illinois by virtue of the amnesty provisions. So, I would answer questions, and point out as I see...a D.O.R., Governor's Representative next to me, that the issue is in negotiation between the administration, Department of Revenue, and the optometrists, are negotiating this issue. They have yet to reach a resolution of that negotiation. It is hoped that they will before we adjourn, but, in order to keep the issue on the front burner, we're asking to pass the Bill at this time in hopes that there will be an agreement reached when the Bill gets in the Senate to allow this to become an agreed Bill. And, I would urge your favorable consideration for the Bill."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 1208. On that question, the Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of my friend, Representative Homer, and this very good Bill. Unfortunately, it seems the Central Illinois area has been the first place in the state to have this problem. I would suggest it's going to be one throughout the state, if it isn't already in your locale. It's some...in some ways unfortunate that we need this legislation to inject what ought to be a commonsense

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

43rd Legislative Day

May 18, 1989

solution to the problem. But I would like to urge Members on my side to support this Bill, as well, thank you."

Speaker Breslin: "The Gentleman from Bureau. Representative Homer, for what reason do you seek recognition?"

Homer: "Thank you, Madam Speaker. As I debated, I was sent a message from the negotiators, on behalf of the optometrists, who have asked me now to take the Bill out of the record until Monday. And so, in order to cooperate with that request, I would ask to take the Bill at this time, out of the record."

Speaker Breslin: "Out of the record. House Bill 1225, Representative DeJaegher. Clerk, read the Bill."

Clerk Leone: "House Bill 1225, a Bill for an Act creating the Bureau for the Blind. Third Reading of the Bill."

Speaker Breslin: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Chairman, Chairwoman, Members of the General Assembly. This Bill is an agreed Bill between the Department of Rehabilitation, and the Council of Blind. There's not much that I can add to it. It has the support of the Department, and it has the support of the Blind Association. I could go in great depth and explain what the purpose of it. I don't feel it is a necessity because to, the best of my knowledge there's no objections to this Bill at the present time."

Breslin: "The Gentleman has moved the passage of House Bill 1225. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall House Bill 1225 pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye', 1 voting 'no', and none voting 'present'. This Bill having required the

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

43rd Legislative Day

May 18, 1989

Constitutional Majority, is hereby declared passed. House Bill 1304, Representative Capparelli. Clerk, read the Bill."

Clerk Leone: "House Bill 1304, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. House Bill 1304, was initiated by the Illinois Press Association. The Bill will amend the Park Code, and will require all park districts to publish their annual appropriation ordinance in a newspaper in the general circulation. Park districts at the present time are the only form of local government that do not require publishing such information, and I ask you for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1304. On the question the Gentleman from Cook, Representative Steczo."

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

Speaker Breslin: "He will."

Steczko: "Representative, my understanding is that the Park District Association, and the Illinois Press Association are now discussing the provisions of this Bill to try to make them equal to what other municipalities and school districts do."

Capparelli: "I know nothing about that."

Steczko: "My...I...I've talked to the Press Association, yesterday, and I talked to Park District Association, and there seems to be a misunderstanding about what this Bill calls for. The notice that we all received from the Press Association the other day, said that park districts are the only ones who now do not do this. That is incorrect. Municipalities and school districts have much less stringent requirements. So, the Press Association

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

43rd Legislative Day

May 18, 1989

indicated to me that they would be willing to discuss amending it to have the park districts do nothing further than what schools or municipalities do. So, because those discussions probably should be rapped up in the next couple of days, if you'd like to take this out of the record now and wait for the agreed language to be here or...we may not get back to it. And, I'll be glad to amend it over at the Senate for you. Would you take it out of the record till we get this ironed out? Thank you."

Speaker Breslin: "Out of the record. House Bill 1434, Representative Edley. Clerk, read the Bill. Out of the record. House Bill 1474, Representative Capparelli. Clerk, read the Bill."

Clerk Leone: "House Bill 1474, a Bill for an Act to amend the Metropolitan Fair..."

Speaker Breslin: "Out of the record. House Bill 1542, Representative Currie? Is the Lady in the chamber? Clerk, read the Bill. Out of the record. House Bill 1944. The Gentleman wishes to put that Bill in the Order of Interim Study. Does he have leave? Leave is granted. House Bill 1964, Representative Parcels. Clerk, read the Bill."

Clerk Leone: "House Bill 1964, a Bill for an Act in regard to motor carrier safety. Third Reading of the Bill."

Speaker Breslin: "Representative Parcels?"

Parcels: "Thank you, Madam Speaker. I'd like leave of the House to take this back to Second for an Agreed Amendment..."

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

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

Speaker Breslin: "Representative Ronan."

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

43rd Legislative Day

May 18, 1989

Ronan: "Thank you Madam Speaker, and Members of the House. This Amendment was prepared by the Illinois Department of Transportation. We had a significant problem with...a number of serious deaths and injuries caused by motorists who don't pay attention to the safety devices that are put out by the Department of Transportation. They studied the issues for a couple of years and came in with some significant recommendations which are going to be added to this Bill, which will hopefully, do something to improve safety for the employees, who risk their life day in and day out on the highways here in the State of Illinois. I'd be glad to answer any questions concerning the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 3. For what reason do you seek recognition, Representative Homer?"

Homer: "Madam Speaker, parliamentary inquiry..."

Speaker Breslin: "State your inquiry."

Homer: "The...our files indicate that we have two Amendment #3's that have been filed. Could the Clerk please inform us as to the status of that matter."

Speaker Breslin: "Representative Ronan and Representative Homer, the Clerk only has one Amendment #3. He will read the LRB number for you's as I...an identifying number. Mr. Clerk."

Clerk Leone: "LRB 8601238EBJWAM03."

Speaker Breslin: "And that is the Amendment that Representative Ronan has just described for us."

Homer: "Then...then, in that event, what is the Clerk show as...the status of Amendment #2?"

Speaker Breslin: "Mr. Clerk, do you have an Amendment #2? The file shows that Amendment #2 was adopted and that Amendment was sponsored by Representative Parcels. Amendment #1 was also adopted in the Transportation Committee. Any further questions? Representative Piel, for what reason do you

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

43rd Legislative Day

May 18, 1989

seek recognition?"

Piel: "Question of the Chair, Madam Speaker, excuse me. The same LRB number with 02 at the end of it, this is corrected number, Parcels number 3. Can you explain to us which Amendment this is? Is it supposed to be number 4?"

Piel: "cause it says, corrected number on it."

Speaker Breslin: "It was...that was copied in mistake, it is to be disregarded."

Piel: "Okay, thank you."

Speaker Breslin: "Representative Leitch, for what reason do you seek recognition?"

Leitch: "I rise for a personal privilege, Madam Speaker. I'd like to introduce someone who was described earlier this Session as a candidate to be the State Fossil. My predecessor Representative Fred Tuerk."

Speaker Breslin: "Any further questions on this Amendment? Hearing none Representative Terzich, excuse me."

Terzich: "Yes, I would like to know what the Amendment is?"

Speaker Breslin: "Amendment #3, had already been described by Representative Ronan. Representative Ronan did describe it, I believe but..."

Terzich: "It wasn't described at all...He said something about safety of flagman or something like that, bit wjat dpes Amendment #3..."

Speaker Breslin: "I'll ask him to repeat his description. Representative Ronan, would you repeat your description of Amendment 3?"

Ronan: "Yes, Representative Terzich. As I explained earlier, what Amendment #3 does, deals with Department of Transportation employees who work in maintenance yards. When they're out there repairing the state highway network, we've had a serious situation with a number of those employees being injured. Two years ago, I requested that

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

43rd Legislative Day

May 18, 1989

the Department study this problem, and come in with recommendations for policies and procedures that they feel might help utilize better procedures so that we can protect these employees. This Amendment deals with that issue. Recommendations made by a task force that was formed by the Department. They've asked me to present the Amendment so that we can hopefully protect those employees who work in those maintenance yards, ile they'reperforming the're official duties as of State of Illinois after they've been hired in a non-political fashion."

Terzich: "Well would this Amendment provide a penalty or something if someone happens to go pass a flag person on I-55, or something like that...in a construction zone?"

Ronan: "Representative Terzich, I'd like you to repeat the question."

Terzich: "If...if you're going through a work zone on I-55, and you got a flagman out there, it says, 'slow down or stop', and you go pass that guy, would this provide some type of a penalty or..."

Ronan: "Yes, it provides the same penalty that it would occur if you did it with a school bus, but someone is going to have to turn you in."

Terzich: "Okay."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm. Representative Cullerton in the Chair."

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

Speaker Cullerton: "He will."

Klemm: "Representative Ronan what if the flagperson, you know who's stopping the traffic, is a private employee of a private company who's doing work...you know sometimes they'll come out and flag you."

Ronan: "Representative Klemm, this only involves employees of the Illinois Department of Transportation."

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

43rd Legislative Day

May 18, 1989

Klemm: "Not the county or just the state? Okay, thank you."

Ronan: "No. You know...my problem dealt with the Illinois Department of Transportation employees."

Speaker Cullerton: "Any further discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye' all opposed, 'no'. In the opinion of the Chair the 'ayes' have it, Amendment #3 is adopted. Any further Amendments? There are no further Amendments. Third Reading. The Lady asks leave by the Attendance Roll Call to have House Bill 1964 heard on Third Reading. Leave is granted by the Attendance Roll Call, Mr. Clerk read the Bill."

Clerk Leone: "House Bill 1964, a Bill for an Act in regard to motor carrier safety. Third Reading of the Bill."

Speaker Cullerton: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an administration Bill from the Department of Transportation, you heard what the third Amendment did and what the Bill does is it...there's some cleanup language in it and it consolidates the existing Motor Carrier Safety Program with the Hazardous Material Regulatory Program. Under the...current two programs, some vehicles, vehicle operators and types of cargoes are not thoroughly inspected due to the lack of coordination between the two programs. This clarifies that...there was one Amendment offered...or two Amendments offered previously, one of which cleared up some of the problems that the state police had with it and other than that...I know of no opposition to this Bill as it now stands I'd ask for your 'aye' vote."

Speaker Cullerton: "Lady's moved for the passage of House Bill 1964. Is there any discussion? There being none the question is, 'Shall 1964 pass?' All those in favor vote

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

43rd Legislative Day

May 18, 1989

'aye', all those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 115 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 2272, Representative Mautino. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2272, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Mautino on House Bill 2272."

Mautino: "Thank you, Mr. Speaker. The Amendment to House Bill 2272 became the Bill. It provided that a landowner who owns in two counties adjacent to each other can apply for, and receive a hunting permit to hunt his or her own property, very simple, very easy, that's what it does. I move for it's passage."

Speaker Cullerton: "Is there any discussion? The Gentleman's moved for the passage of House Bill 2272. Any discussion? There being none, the question is, 'Shall House Bill 2272 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 113 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2333, Representative Churchill. Mr. Clerk, read the Bill."

Clerk O'Brien: "...House Bill 2333, a Bill for an Act to amend an Act pertaining to the Department of Conservation. Third Reading of the Bill."

Speaker Cullerton: "House Bill 2333, Representative Churchill."

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

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

43rd Legislative Day

May 18, 1989

House. House Bill 2333 is the Department of Conservation Administration Bill. It does basically three things. First, it allows the departments to enter into agreements with adjoining states to grant police powers to conservation police officers from that state. Second, it changes the schedule for the North Point Marina Reimbursement Fund to reflect the supplemental appropriation which is granted to the department. And third, it provides that the agreements between the Department of Conservation and the Federal Government may contain provisions whereby...Department of Conservation may indemnify the Federal Government."

Speaker Cullerton: "Gentleman's moved for the passage of House Bill 2333. On that question, is there any discussion? There being none, the question is, 'Shall House Bill 2333 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Representative Younge? Representative Wyvetter Younge, are you seeking recognition? Maybe Representative Olson turned that on by mistake for you. Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', one voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2345, Representative McPike. Out of the record, with leave to come back to the Bill. House Bill 2513, Representative Mautino. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 25."

Speaker Cullerton: "I'm sorry. Representative Mautino, out of the record. Out of the record, please. House Bill 2550, Representative Matijevich. Out of the record. House Bill 2568, Representative Currie. House Bill 2568...Illinois Science Foundation. Out of the record. House Bill 2345,

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

43rd Legislative Day

May 18, 1989

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

Clerk O'Brien: "House Bill 2345, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Cullerton: "Representative McPike on House Bill 2345."

McPike: "...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This amends the Purchasing Act to require...a people applying for pre-qualification status to bid on state construction projects, to stay under oath and penalty of purgery, rather they complied with the Prevailing Wage Law on prior Public Works project. Current law requires that prevailing wages be paid...on any state or local public body...contracts. This would require people applying for pre-qualification status, to state that they have complied with prior law. Specifically, the applicant is required to list all Public Works contracts he has performed within the last two years or the four most recent Public Works contract he has performed whichever is fewer, and state that he has complied with state law. I move for the passage of the Bill."

Speaker Cullerton: "Gentleman has moved for the passage of House Bill 2345, on that is there any discussion? There being none, the question is, 'Shall house Bill 2....I'm sorry, Representative McCracken."

McCracken: "Yes, will the Sponsor yield?"

Speaker Cullerton: "He indicates he will."

McCracken: "I don't see anything wrong with this...except, I mean...what is the purpose of listing the prior jobs in particular?"

McPike: "Well, I think it's the only way you can check on it, I don't know of any other way to check on, rather or not you've complied."

McCracken: "Alright well, when you have to attest under current law that you have not engaged in bidrigging or bidrotation,

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

43rd Legislative Day

May 18, 1989

all you do is sign a statement, I haven't done it. I mean is there something...I guess my point is, I don't want this certification to be used against people in the sense that it intimidates them from bidding on a job. I mean...I don't know why we need that. But, I'm willing to be educated. When I look at other certification sections in our law, they don't have that degree of detail and specificity, that's all, just an observation. Why do we need that?"

McPike: "We want to make sure that people comply with the Prevailing Wage Law. They're going to bid on state contracts. We'd just like to know that they have complied with prevailing wage, or our local contract. I don't how else we can check on it except to have list the contracts that they've worked on, and if there is a complaint filed against them on one of those contracts then we'll know about it."

McCracken: "Okay, thank you."

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

Johnson: "Only if there's any concern I would address those concerns but it doesn't appear there's any serious concerns so..."

Speaker Cullerton: "Gentleman from McHenry, Representative Klemm."

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

Speaker Cullerton: "He indicates he will."

Klemm: "Representative McPike, would that contractor have to list every job they've ever done from when they've created their business until they quit ever bidding on Illinois jobs?"

McPike: "No. Specifically...specifically, they have to list all Public Works Contracts performed in the last two years or...the four most recent Public Works Contracts whichever

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

43rd Legislative Day

May 18, 1989

is less."

Klemm: "Alright, thank you very much."

Speaker Cullerton: "Gentleman from Adams, Representative Mays."

Mays: "Just a brief observation, Mr. Speaker. This is one of two or three Bills that have been put in which expand the enforcement powers of the Department of Labor in this specific area. I rise in support of this Bill in particular, but I should note that the Appropriations Committee did cut substantial dollars from the Enforcement Division and there will be an Amendment to rectify that situation on that particular budget...tomorrow, so I would hope that those of you that vote to expand the powers will also vote to restore the dollars."

Speaker Cullerton: "Any further discussion? There being none. Representative Johnson, wish to close?"

Johnson: "Just...yeah...This is a Bill that is supported by labor and business and everybody who's involved with the process. I don't know how you could have a 'no' vote on this, I urge it's adoption."

Speaker Cullerton: "The question is, 'Shall House Bill 2345 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113...114 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Pullen, House Bill 2579. Out of the record. House Bill 2651, Representative Parcells. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2651, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Parcells on House Bill 2651."

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

43rd Legislative Day

May 18, 1989

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an Administration Bill of the State Police, and it has two or three different things...it's literally a cleanup Bill. It has to do with litter control, prohibits driving vehicles on the shoulder of highways, prohibits unauthorized use of flashing lights, unless they are flashing lights that are in the law already, and it has some provisions for the prevention of...and treatment of those who have squealing tires. There was an Amendment presented because there was some problem with how much mud and rocks and dirt would be dropped from farm vehicles. We amended that to suit the farm community, and as of now I know of no opposition to this Bill."

Speaker Cullerton: "Lady's moved for the passage of House Bill 2651. Is there any discussion? On that question, the Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Representative Parcells, one question. Does this Bill still provide that construction debris must be swept off of state highways by construction companies?"

Parcells: "No. The mud, dirt, and rocks were removed."

Breslin: "And that applies to everyone, that's not just an agricultural Amendment?"

Parcells: "No. It applies to everything."

Breslin: "Thank you."

Speaker Cullerton: "Further discussion? The Gentleman from Dekalb, Representative Countryman."

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

Speaker Cullerton: "For a question?"

Countryman: "Does this Bill still provide for squealing tires?"

Parcells: "Yes it does, but there was a provision made that the squealing tires could be done on race courses and places...that squealing tires are an automatic result of

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

43rd Legislative Day

May 18, 1989

what's going on, but not for squealing tires of young teenagers."

Countryman: "Is that what it says?"

Parcells: "No, it doesn't say young teenagers, it just says that they...you see there's always been something in the law that the police can handle this, but they had to take the people down to the County Building, they weren't able to just give them a ticket. This way, they will be able to give them a ticket when they're out there showing off and perhaps endangering their lives and other lives."

Countryman: "Well, would this apply to like when I ride with you in your Camaro down in front of the Capitol Building and you squeal your tires, would you be guilty of an offense?"

Parcells: "I possibly could be, yes."

Countryman: "And if one of my constituents or Representative Hartke...had a load of hogs going to market and they squealed would they be guilty of an offense?"

Parcells: "That could be, yes."

Countryman: "I don't know, this is kind of a squeaker I think...you know?"

Speaker Cullerton: "Further discussion? Gentleman from Logan, Representative Robert Olson."

Olson, R: "Will you yield? Will the Speaker Yield?"

Parcells: "Yes."

Speaker Cullerton: "She...for a question?"

Olson, R: "Yes."

Speaker Cullerton: "Yes, indicates she'll yield for a question."

Olson, R: "A short question. There's a part in here about flashing lights. Does that cover...what color of flashing lights are we speaking of?"

Parcells: "What has happend in the pass was that people could use any color light. This designates that only certain colored lights...it prohibits the use of multi-colored flashing

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

43rd Legislative Day

May 18, 1989

lights on vehicles other than those allowed under current law. They...the police have discovered that it's very dangerous when people decide to put pink, purple, lavender lights on their car and their flashing them. Therefore those that are by law, already in the law are fine, but they don't want you using other colors because it is a danger."

Olson, R: "The yellow flashing lights on construction equipment and farm equipment..."

Parcells: "I beg your pardon?"

Olson, R: "The yellow flashing lights that is on construction equipment, farm equipment...would still be legal?"

Parcells: "Yes they would."

Olson, R: "Okay."

Speaker Cullerton: "Representative Williams, on the purple lights question."

Williams: "Yes. What is the penalty for violation of the squeaking, squealing and...making of other noises of your vehicle?"

Parcells: "It would be at the discretion of the officer, it would probably \$50.00 like a regular..."

Williams: "At the discretion of the officer?"

Parcells: "I mean he is giving you a ticket instead of taking you downtown and having to tow your car. He will give you a regular ticket that would then be at the discretion of the court. Right now it's a Class A misdemeanor."

Williams: "Right now squeaking and squealing your tires is a Class A misdemeanor? You mean if..."

Parcells: "...You see it's under the E.P.A. regulations right now, Title 35, sub-title H, Chapter 1, section 9020125. The only way they can handle this, is that way. That's why we're bringing it into this code and they would...otherwise they'd have to file a long form complaint and take you down

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

43rd Legislative Day

May 18, 1989

to the County Building and maybe drag your car down. So this way the officer could stop you and give you a ticket and it would be..."

Williams: "What about..."

Parcells: "It's a petty offense."

Williams: "Does it apply to all motor vehicles or is it...I mean is it...what about airplanes or any other things of that nature. Is it just for cars or is it apply to other, what about bicycles?"

Parcells: "This applies only to operation on the highway...of motor vehicles. I suppose if you had your airplane on the highway you could be in trouble."

Williams: "Do you deal with other things besides squeaking and squealing? Do you deal with lights and decorations or other things in here? I'm just curious...I've been informed that lights and other things around the tail may be illegal under this, under this Act...it says auto lighting."

Parcells: "It prohibits the use of multi-colored flashing lights on vehicles other than those allowed under the current law. And as I said this is a safety thing because it's very distracting to motorists when you are putting...purple, pink, yellow, orange cruise lights on your car and flashing them."

Williams: "If the cab driver like they often do in Chicago were to do that, who would be responsible, the cab company or the driver?"

Parcells: "The driver."

Williams: "...Well to the Amendment...orthe Bill...or...what are we vot...the Bill. I understand what we're trying to do...we're...I've often been awakened by squealing, screeching light flashing, automobiles riding at extreme speeds immansating all types of nasty noises and things.

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

43rd Legislative Day

May 18, 1989

But, the thought of allowing someone to take and to have a ticket and to be placed in...I don't know...the police will maybe take them under custody and lock some guy up for this stuff and half the cabs in Chicago and who know's, low riders and other people may be a real dangerous species here, which may be a violation of certain people...cultural things. So I would think at this time, that this Bill is not quite in the perfect form. I think that even though it is not, it is an annoying habit, I don't know if it should be a punishable habit and I think that this may not be the right Bill at the right time."

Speaker Cullerton: "Gentleman from Vermilion, Representative Black."

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

Speaker Cullerton: "For a question?"

Black: "Yes, thank you."

Speaker Cullerton: "She indicates she will."

Black: "I...Representative I just have one question to ask you. Is this Bill on Short Debate? Oh, thank you very much, that's all I wanted to know."

Speaker Cullerton: "Representative Homer."

Homer: "Question for the Sponsor, please."

Speaker Cullerton: "She indicates she'll yield for a question."

Homer: "Representative Parcels, your Bill would prohibit squealing and screeching noises from vehicles tires. I think I've heard and understand what those are, but it also says, 'or such other noise from the vehicles tires.' Could you either specify and/or emulate what other noise you're talking about?"

Parcels: "I don't know how to describe what other noise they might make, but I would like to answer, that in answer to a previous question, this is already punishable under the

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

43rd Legislative Day

May 18, 1989

E.P.A. Act but there it is a Class A misdemeanor and we're bringing it into this Act to make it a petty offense, so that a policeman can just write a ticket. But it is already punishable...I mean it is already an offense but a much more serious one than we would have it in this Act."

Homer: "Well, is this a moving violation for which you could lose your license?"

Parcells: "...If you'll wait just a moment we'll look that up."

Homer: "While you're looking I notice that you've got it, it follows in sequence of these offenses, you've got:...DUI, illegal transportation of alcohol, reckless driving, drag racing and then screeching would be the next one. Are those in order of severity, or what was your thought?"

Parcells: "It is called a reportable violation."

Homer: "It's a what?"

Parcells: "Reportable violation."

Homer: "Reportable violation?"

Parcells: "Under 6204, and it's the Secretary of State's discretion....whether or not to assess points..."

Homer: "I see. So, if somebody...if somebody accelerated and squealed, screeched or made some other indescribable noise from the vehicle's tires then that person could be fined up to five hundred dollars and would receive points against the possible suspension of a drivers license by the Secretary of State."

Parcells: "It is a traffic offense, but remember it always could have been punished as a Class A misdemeanor. So, this is a lessor...punishment, if you will, or a lessor offense to make it a petty offense in the Class A misdemeanor."

Homer: "Well, what's the thrust? I mean are you...do you feel that....the current penalties are too strong and your trying to make for lighter penalties for squealers?"

Parcells: "That's part of it and the other part is, if the police

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "House Bill 2665, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This would allow Central Management Services to establish a revolving fund in which it would charge state agencies for rent and use of buildings and would set up the mechanism to fund the purchase of those buildings. Answer any questions you might and ask for your 'aye' vote to pass the Bill."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2665, is there any discussion on that question? Gentleman from McHenry, Representative Klemm."

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

Speaker Cullerton: "He indicates he will."

Klemm: "Why would Central Management want to charge rent to a state agency which...we would then have to budget for rent and our appropriations process to give it back to the state agency who will put it back in the state funds, which we then have reappropriate, we keep the circle going on."

Leverenz: "We do it now, we appropriate the money to pay those rents, we charge agencies for other things also, like equipment rental and things of that nature. Your telephone is an operating account through CMS. This is a funding mechanism in which to make the purchases, and over the period of 20 years would save the state some forty million dollars in its initial purchase in bringing in of the Rockford Building and the building in 'Maine' township. We do it now but this just expands what they do..."

Klemm: "We would make forty million dollars from our own state agencies and we wouldn't have to pay that...through the appropriation process?"

Leverenz: "We don't make it, we save from expending it."

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

43rd Legislative Day

May 18, 1989

are less likely to stop them if they have to tow their vehicles and take them down to the court house to...take them in under the other Act."

Speaker Cullerton: "Representative Kulas?"

Kulas: "Thank you, Mr. Speaker, I think the natives are getting restless and I move the previous question."

Speaker Cullerton: "The Gentleman moves the previous question. All in favor say 'aye', all opposed 'no'. The previous question's moved. Representative Parcells, do think you've explained this enough or do you feel the need to close?"

Parcells: "I would just ask for your 'aye' vote. I think it's a good Bill, we've taken away most of the problems that those who came and heard the testimony in committee, it had full debate there and I would ask for your 'aye' vote."

Speaker Cullerton: "Question is, 'Shall House Bill 2651 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there 60 voting 'aye', 40 voting 'no', 13 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. It is the intention of the Chair to work till 7:30 tonight. Well, it's not really the Chair's intention, but we just follow orders up here. House Bill 2665, Representative Deuchler? Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. This Bill would establish a revolving fund so that the Department of Central Management Services..."

Speaker Cullerton: "Mr. Clerk, he has to read the Bill. I'm sorry."

Leverenz: "Let him, I can't do that."

Speaker Cullerton: "This is House Bill 2665, and Representative Leverenz is a hyphenated Cosponsor along with..."

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

43rd Legislative Day

May 18, 1989

Approximately six hundred thousand dollars in the first year and I might add this is a Central Management Service Administrative Bill that I am carrying for your Member."

Klemm: "But...if the Secretary of State then wishes to charge rent for using the Capitol or something would he'd be authorized to do that?"

Leverenz: "I doubt that we would pass that Bill. The only saving grace to that would be that we might charge the media rental on the mezzanine."

Speaker Cullerton: "Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, I simply rise in support of this measure...it will allow the department to set up a revolving fund to retire the bonds that would be issued to buy the buildings...to build the buildings and it will save big bucks for the State of Illinois, and provide an alternative for our space needs. I rise in support."

Speaker Cullerton: "The question is, 'Shall House Bill 2665 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting's open. This is final passage....Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', 3 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Due to popular demand we're gonna...not go to 7:30. We're going to read Appropriation Bills, certain Appropriations Bills a Second time. These are Bills that have no Amendments offered. Mr. Clerk...House Bill 238."

Clerk O'Brien: "House Bill 238, a Bill for an Act making appropriations to Metropolitan Fair and Exhibition Authority. Second Reading of the Bill...Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

43rd Legislative Day

May 18, 1989

Speaker Cullerton: "Third Reading. House Bill 239."

Clerk O'Brien: "House Bill 239, a Bill for an Act making appropriations to the Metropolitan Fair and Exhibition Authority, Reconstruction Fund to the Metropolitan Fair and Exhibition Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 583, please read the Bill."

Clerk O'Brien: "House Bill 583, a Bill for an Act making appropriations in relation to Members of the General Assembly. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 584."

Clerk O'Brien: "House Bill 584, a Bill for an Act making appropriations to various Legislative Support Agencies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 832."

Clerk O'Brien: "House Bill 832, a Bill for an Act making appropriations to the ordinary and contingent expense to the Illinois Educational Labor Relations Board. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Cullerton: "Representative Mays?"

Mays: "Thank you very much, Mr. Speaker. I believe that there would be a Floor Amendment filed. We'd like for this one

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

43rd Legislative Day

May 18, 1989

not to be moved to Third."

Speaker Cullerton: "On House Bill 832?"

Mays: "That's correct."

Speaker Cullerton: "Okay, the Bill remain on Second Reading.
House Bill 833."

Clerk O'Brien: "House Bill 833, a Bill for an Act to provide for
the ordinary and contingent expense for the Office of the
Lieutenant Governor. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment
#1?"

Clerk O'Brien: "No Motions filed."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 835."

Clerk O'Brien: "House Bill 835, a Bill for an Act making
appropriations to various state agencies and certain
retirement systems. Second Reading of the Bill. No
Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 839."

Clerk O'Brien: "House Bill 839, a Bill for an Act making
appropriations to the ordinary and contingent expenses of
the Department of Nuclear Safety. Second Reading of the
Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendments
#1 and 2?"

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

Speaker Cullerton: "Third Reading. House Bill 841."

Clerk O'Brien: "House Bill 841, a Bill for an Act making
appropriations to the ordinary and contingent expense of
the Illinois Criminal Justice Information Authority.

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

43rd Legislative Day

May 18, 1989

Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 842."

Clerk O'Brien: "House Bill 842, a Bill for an Act making appropriations for the ordinary and contingent expense for the Prisoner Review Board. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 848."

Clerk O'Brien: "House Bill 848, a Bill for an Act making appropriations to the Environmental Protection Trust Fund Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 851."

Clerk O'Brien: "House Bill 851, a Bill for an Act making appropriations to the ordinary and contingent expense of the Prairie State 2000 Authority. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 862."

Clerk O'Brien: "House Bill 862, a Bill for Act making appropriations to the Illinois Asbestos Abatement Authority. Second Reading of the Bill. Amendment #1 was

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

43rd Legislative Day

May 18, 1989

adopted in Committee."

Speaker Cullerton: "...Were there any motions filed with respect to Committee Amendment?"

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

Speaker Cullerton: "Third Reading. House Bill 864."

Clerk O'Brien: "House Bill 864, a Bill for an Act making appropriations to the Medical Center Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 865."

Clerk O'Brien: "House Bill 865, a Bill for an Act making appropriations to the ordinary and contingent expense of the Governor's Purchase Care Review Board. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Cullerton: "Any Motions filed with respect to Amendment #1?"

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

Speaker Cullerton: "Third Reading. House Bill 1211."

Clerk O'Brien: "House Bill 1211, a Bill for an Act making appropriations. Second Reading of the Bill. No Committee Amendments."

Speaker Cullerton: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1212."

Clerk O'Brien: "House Bill 1212, a Bill for an Act making appropriations. No Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1213."

Clerk O'Brien: "House Bill 1213, a Bill for an Act making appropriations. No Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1214."

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

43rd Legislative Day

May 18, 1989

Clerk O'Brien: "House Bill 1214, a Bill for an Act making appropriations. No Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1215."

Clerk O'Brien: "House Bill 1215, a Bill for an Act making appropriations. No Committee or Floor Amendments."

Speaker Cullerton: "Third Reading. House Bill 1216."

Clerk O'Brien: "House Bill 1216, a Bill for an Act making appropriations. No Floor or Committee Amendments."

Speaker Cullerton: "Third Reading. Agreed Resolutions..."

Clerk O'Brien: "Senate Joint Resolution 49, offered by Representative Wolf. Senate Joint Resolution 50, Wolf. House Resolution 481, Madigan-et al. 482, McGann. 483, McGann. 484, McGann. 485, McGann. 486, McGann. 487, Leitch. 488, Wyvetter Younge. 489, Tate. 490, Ronan. 491, DeJaegher. 492, Williamson. 493...Madigan. 484, Parcels...that was 494, Parcels."

Speaker Cullerton: "Representative Matijeich on the Agreed Resolutions."

Matijeich: "Mr. Speaker, we have examined the Resolutions, they are all agreed to, and I move the adoption of the Agreed Resolutions."

Speaker Cullerton: "Gentleman moves for the adoption of the Agreed Resolutions. All those in favor say 'aye', all opposed 'no', in the opinion of the Chair, the 'ayes' have it, the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 57, offered by Representative Kubik."

Speaker Cullerton: "Committee on assignment. Representative Breslin, you wish to take House Bill 2048 from Third to Second and leave it there. So Mr. Clerk, if you could read House Bill 2048. Representative Breslin."

Clerk O'Brien: "...House Bill 2048, a Bill for an Act in relation

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

43rd Legislative Day

May 18, 1989

to disposition of certain state taxes and fees. Third Reading of the Bill."

Speaker Cullerton: "Lady asks leave to return House Bill 2048 from Third Reading to Second Reading. Is leave granted? Leave is granted, the Bills on Second Reading...Ladies and Gentlemen, we are about to adjourn and tomorrow when we come in it's our intent to go to Third Readings and do Third Readings tomorrow so we would ask all Members to please be here in the chamber because we will be doing Third Readings. You will hear that when Representative McPike...on the Adjournment Resolution. Nine o'clock tomorrow...nine a.m. Representative McPike moves that the House stand adjourned allowing time for a perfunctory. The House stand adjourned until the hour of nine a.m. tomorrow morning. All in favor say 'aye' all, opposed 'no'. The House stands adjourned."

Clerk O'Brien: "...Senate Bills First Reading. Senate Bill 23, Munizzi, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 44, Williams on, a Bill for an Act to restrict smoking in health care and child care facilities. First Reading of the Bill. Senate Bill 61, Bugielski, a Bill for an Act to amend the Home Equity Assurance Act. First Reading of the Bill. Senate Bill 64, Hannig, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 65, Hannig, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 133, Breslin, a Bill for an Act in relation to state moneys. First Reading of the Bill. Senate Bill 142, Brunsvold, a Bill for an Act to revise the law in relation to fences. First Reading of the Bill. Senate Bill 162, Wolf, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 169, Keane, a Bill

STATE OF ILLINOIS
36th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

43rd Legislative Day

May 18, 1989

First Reading of the Bill. Senate Bill 169, Keane, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 198, Barger, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate 199, Flinn, a Bill for an Act to amend the Illinois Credit Union Act. First Reading of the Bill. Senate Bill 200, Lang, a Bill for an Act relating to education funding. First Reading of the Bill. Senate Bill 226, Barger, a Bill for an Act to amend an Act in relation to neglected graves and cemeteries. First Reading of the Bill. Senate Bill 231, Countryman, a Bill for an Act regarding propagation and conservation of pheasants in Illinois. First Reading of the Bill. Senate Bill 254, Steczko, a Bill for an Act in relation to certification of teachers. First Reading of the Bill. Senate Bill 257, Keane, a Bill for an Act in relation to financing of local correctional facilities. First Reading of the Bill. Senate Bill 271...somebody and Barger, a Bill for an Act to amend the Illinois Public Library District Act. First Reading of the Bill. Senate Bill 301, Levin, a Bill for an Act to amend the senior citizens and disabled persons property tax relief. First Reading of the Bill. Senate Bill 308, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 309, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 347, Barger, a Bill for an Act to amend the Good Samaritan Food Donor Act. First Reading of the Bill. Senate Bill 355, Terzich, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 373, Weller, a Bill for an Act to create the Private Enterprise Review and Advisory Board. First Reading of the Bill. Senate Bill 374, Lou Jones, a Bill for an Act to amend the Health Maintenance

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

43rd Legislative Day

May 18, 1989

Organization Act. First Reading of the Bill. House (sic - Senate) Bill 375, Lou Jones, a Bill for an Act to amend the Emergency Medical Service Assistant Act. First Reading of the Bill. Senate Bill 385, Deuchler, a Bill for an Act making appropriations to various agencies. First Reading of the Bill. Senate Bill 388, Piel, a Bill for an Act to amend the Illinois Savings Associations Banking Act. First Reading of the Bill. Senate Bill 389, Barger, a Bill for an Act to revise the law in relation to land surveying. First Reading of the Bill. Senate Bill 472, Bugielski, a Bill for an Act to amend the Nursing Home Care Act. First Reading of the Bill. Senate Bill 473, Bugielski, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 489, Kubik, a Bill for an Act to amend an Act relating to penalties for crime, criminal offenses. First Reading of the Bill. Being no further business, the House now stands adjourned."

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 18, 1989

HB-0029	THIRD READING	PAGE	201
HB-0035	MOTION	PAGE	68
HB-0040	THIRD READING	PAGE	179
HB-0045	THIRD READING	PAGE	196
HB-0069	SECOND READING	PAGE	98
HB-0103	THIRD READING	PAGE	212
HB-0113	SECOND READING	PAGE	9
HB-0115	THIRD READING	PAGE	210
HB-0115	MOTION	PAGE	208
HB-0145	SECOND READING	PAGE	69
HB-0183	SECOND READING	PAGE	138
HB-0184	SECOND READING	PAGE	137
HB-0219	RECALLED	PAGE	136
HB-0225	SECOND READING	PAGE	12
HB-0238	SECOND READING	PAGE	241
HB-0239	SECOND READING	PAGE	242
HB-0300	SECOND READING	PAGE	116
HB-0321	SECOND READING	PAGE	47
HB-0321	RECALLED	PAGE	46
HB-0321	MOTION	PAGE	47
HB-0342	SECOND READING	PAGE	29
HB-0498	RECALLED	PAGE	195
HB-0522	SECOND READING	PAGE	30
HB-0542	SECOND READING	PAGE	140
HB-0583	SECOND READING	PAGE	242
HB-0584	SECOND READING	PAGE	242
HB-0645	SECOND READING	PAGE	46
HB-0648	MOTION	PAGE	30
HB-0649	SECOND READING	PAGE	3
HB-0683	SECOND READING	PAGE	35
HB-0694	SECOND READING	PAGE	24
HB-0701	SECOND READING	PAGE	62
HB-0745	SECOND READING	PAGE	130
HB-0832	SECOND READING	PAGE	242
HB-0833	SECOND READING	PAGE	243
HB-0835	SECOND READING	PAGE	243
HB-0839	SECOND READING	PAGE	243
HB-0841	SECOND READING	PAGE	243
HB-0842	SECOND READING	PAGE	244
HB-0848	SECOND READING	PAGE	244
HB-0851	SECOND READING	PAGE	244
HB-0854	SECOND READING	PAGE	5
HB-0862	SECOND READING	PAGE	244
HB-0864	SECOND READING	PAGE	245
HB-0865	SECOND READING	PAGE	245
HB-0899	SECOND READING	PAGE	35
HB-0988	SECOND READING	PAGE	141
HB-0988	SECOND READING	PAGE	173
HB-1025	SECOND READING	PAGE	105
HB-1032	RECALLED	PAGE	213
HB-1032	MOTION	PAGE	215
HB-1056	SECOND READING	PAGE	38
HB-1066	SECOND READING	PAGE	46
HB-1097	SECOND READING	PAGE	14
HB-1142	THIRD READING	PAGE	215
HB-1152	SECOND READING	PAGE	136
HB-1198	SECOND READING	PAGE	36
HB-1203	THIRD READING	PAGE	175
HB-1208	THIRD READING	PAGE	219
HB-1211	SECOND READING	PAGE	245
HB-1212	SECOND READING	PAGE	245
HB-1213	SECOND READING	PAGE	245
HB-1214	SECOND READING	PAGE	246
HB-1215	SECOND READING	PAGE	246

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 18, 1989

HB-1216	SECOND READING	PAGE	246
HB-1217	THIRD READING	PAGE	176
HB-1218	THIRD READING	PAGE	177
HB-1225	THIRD READING	PAGE	221
HB-1262	SECOND READING	PAGE	152
HB-1282	SECOND READING	PAGE	16
HB-1282	SECOND READING	PAGE	57
HB-1304	THIRD READING	PAGE	222
HB-1368	SECOND READING	PAGE	138
HB-1384	THIRD READING	PAGE	177
HB-1385	THIRD READING	PAGE	178
HB-1386	THIRD READING	PAGE	178
HB-1395	SECOND READING	PAGE	69
HB-1409	SECOND READING	PAGE	44
HB-1507	SECOND READING	PAGE	58
HB-1508	SECOND READING	PAGE	114
HB-1514	SECOND READING	PAGE	73
HB-1551	SECOND READING	PAGE	153
HB-1571	SECOND READING	PAGE	115
HB-1598	SECOND READING	PAGE	154
HB-1659	SECOND READING	PAGE	23
HB-1659	SECOND READING	PAGE	62
HB-1718	SECOND READING	PAGE	23
HB-1827	SECOND READING	PAGE	97
HB-1847	SECOND READING	PAGE	39
HB-1851	SECOND READING	PAGE	154
HB-1870	SECOND READING	PAGE	26
HB-1944	MOTION	PAGE	223
HB-1964	RECALLED	PAGE	223
HB-1964	THIRD READING	PAGE	227
HB-1974	SECOND READING	PAGE	60
HB-2011	SECOND READING	PAGE	40
HB-2031	SECOND READING	PAGE	14
HB-2033	SECOND READING	PAGE	191
HB-2033	MOTION	PAGE	62
HB-2038	SECOND READING	PAGE	194
HB-2048	RECALLED	PAGE	246
HB-2106	SECOND READING	PAGE	60
HB-2117	SECOND READING	PAGE	10
HB-2150	SECOND READING	PAGE	163
HB-2171	SECOND READING	PAGE	98
HB-2272	THIRD READING	PAGE	228
HB-2306	SECOND READING	PAGE	47
HB-2308	SECOND READING	PAGE	51
HB-2310	SECOND READING	PAGE	55
HB-2328	SECOND READING	PAGE	38
HB-2333	THIRD READING	PAGE	228
HB-2345	THIRD READING	PAGE	230
HB-2421	SECOND READING	PAGE	46
HB-2423	SECOND READING	PAGE	138
HB-2431	SECOND READING	PAGE	138
HB-2451	SECOND READING	PAGE	45
HB-2463	SECOND READING	PAGE	55
HB-2482	MOTION	PAGE	8
HB-2484	SECOND READING	PAGE	68
HB-2485	SECOND READING	PAGE	7
HB-2486	SECOND READING	PAGE	68
HB-2487	SECOND READING	PAGE	7
HB-2510	SECOND READING	PAGE	163
HB-2517	SECOND READING	PAGE	38
HB-2519	MOTION	PAGE	68
HB-2520	SECOND READING	PAGE	65
HB-2529	SECOND READING	PAGE	7
HB-2529	HELD ON SECOND	PAGE	12

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 18, 1989

HB-2529 MOTION	PAGE	30
HB-2570 SECOND READING	PAGE	138
HB-2651 THIRD READING	PAGE	232
HB-2656 RECALLED	PAGE	8
HB-2656 MOTION	PAGE	9
HB-2665 THIRD READING	PAGE	240
HB-2670 SECOND READING	PAGE	98
HB-2671 THIRD READING	PAGE	191
HB-2672 SECOND READING	PAGE	44
HB-2713 SECOND READING	PAGE	61
HB-2713 HELD ON SECOND	PAGE	58
HB-2765 SECOND READING	PAGE	65
HB-2804 SECOND READING	PAGE	174
HB-2807 SECOND READING	PAGE	174
SB-0013 FIRST READING	PAGE	1
SB-0023 FIRST READING	PAGE	247
SB-0044 FIRST READING	PAGE	247
SB-0061 FIRST READING	PAGE	247
SB-0064 FIRST READING	PAGE	247
SB-0065 FIRST READING	PAGE	247
SB-0133 FIRST READING	PAGE	247
SB-0142 FIRST READING	PAGE	247
SB-0148 FIRST READING	PAGE	3
SB-0162 FIRST READING	PAGE	247
SB-0169 FIRST READING	PAGE	247
SB-0176 FIRST READING	PAGE	1
SB-0198 FIRST READING	PAGE	248
SB-0199 FIRST READING	PAGE	248
SB-0200 FIRST READING	PAGE	248
SB-0226 FIRST READING	PAGE	248
SB-0231 FIRST READING	PAGE	248
SB-0254 FIRST READING	PAGE	248
SB-0257 FIRST READING	PAGE	248
SB-0271 FIRST READING	PAGE	248
SB-0301 FIRST READING	PAGE	248
SB-0308 FIRST READING	PAGE	248
SB-0309 FIRST READING	PAGE	248
SB-0347 FIRST READING	PAGE	248
SB-0355 FIRST READING	PAGE	248
SB-0374 FIRST READING	PAGE	248
SB-0375 FIRST READING	PAGE	248
SB-0376 FIRST READING	PAGE	248
SB-0385 FIRST READING	PAGE	249
SB-0388 FIRST READING	PAGE	249
SB-0389 FIRST READING	PAGE	249
SB-0472 FIRST READING	PAGE	249
SB-0473 FIRST READING	PAGE	249
SB-0489 FIRST READING	PAGE	249
HJR-0002 RESOLUTION OFFERED	PAGE	246
HJR-0004 SECOND READING	PAGE	68

SUBJECT MATTER

HOUSE TO ORDER-SPEAKER MCPIKE	PAGE	1
PRAYER-REVEREND MIDGLEY	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1
AGREED RESOLUTIONS	PAGE	2
DEATH RESOLUTIONS	PAGE	2
CONSENT CALENDAR	PAGE	31
REPRESENTATIVE LAURINO IN THE CHAIR	PAGE	57
REPRESENTATIVE CULLERTON IN THE CHAIR	PAGE	82
REPRESENTATIVE LAURINO IN THE CHAIR	PAGE	114
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	176

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

MAY 18, 1989

SUBJECT MATTER

REPRESENTATIVE CULLERTON IN THE CHAIR	PAGE	179
INTRODUCTION REPRESENTATIVE FRED TUERK	PAGE	225
ADJOURNMENT	PAGE	247
PERFUNCTORY SESSION	PAGE	247
PERFUNCTORY ADJOURNMENT	PAGE	249