

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

47th Legislative Day

May 24, 1989

Speaker McPike: "The House will come to order. Chaplain for today is Reverend Charles Kyle, from Ascension Church in Evanston. Brother Kyle is a guest of Speaker Madigan. Guests in the balcony may wish to rise and join us for the invocation."

Reverend (Kyle): "In the name of the Father, the Son and the Holy Spirit. Amen. In Psalm 41 we read, 'Blessed is he who considereth the poor, the Lord will deliver him in time of trouble. The Lord will preserve him and keep him alive and he shall be blessed upon the earth and will not deliver him unto the will of his enemies.' Almighty God, we ask your blessings for the Members of the Illinois House of Representatives. Give them a heart filled with compassion for the poor. Bless them with a sense of fairness and a passion for justice. Grant them wisdom and bless them with a sense of contentment which is due to them for their dedicated lives of public service. Amen."

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

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

Speaker McPike: "Roll Call for Attendance. Any excused absences? Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. Would the record reflect that Representative Piel and Bernie Pedersen are excused today."

Speaker McPike: "Thank you. Representative Matijevich."

Matijevich: "Mr. Speaker, I haven't heard yet, but I understand Nelson Rice was taken to the hospital yesterday, and I haven't received a report yet on him. He is an excused absence."

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Speaker McPike: "Very well."

Matijevich: "I haven't received any other reports. Thank you."

Speaker McPike: "Thank you. Take the record, Mr. Clerk. One hundred and fifteen Members answering the Roll Call. A quorum is present. Resolutions."

Clerk Leone: "House Resolution 516, offered by Representative Michael Tate. House Resolution 518, offered by Representative Lang. 519, offered by Representative Lang. 520, offered by Representative Rice. 522, offered by Representative Churchill. 523, offered by Representative Churchill, et al. House Resolution 524, offered by Representatives Zickus and Barnes. House Resolution 525, offered by Representative Matijevich, et al. House Resolution 526, offered by Representative Rice. House Resolution 527, offered by Representative Kubik. House Resolution 528, offered by Representative Kubik and House Resolution 529, offered by Representative Kubik."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes. Both sides of the aisle have examined the Resolutions. They are agreed to. I move the adoption of the Agreed Resolutions."

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

Clerk Leone: "House Resolution 517, offered by Representative Leitch, et al. In respect to the memory of Otis Michels. House Resolutions 521, offered by Representative Pullen, Daniels and McAuliffe. In respect to the memory of Milton Knickenbocker Wells, of Park Ridge."

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

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Supplemental #1. Supplemental Agreed #2. House Bills  
Second Reading. Read the Bills, Mr. Clerk. Read the  
Bills."

Clerk Leone: "House Bill 377, a Bill for An Act to amend An Act  
in relationship to housing. 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. House Bill 509."

Clerk Leone: "House Bill 509, a Bill for An Act to amend the  
Illinois Vehicle Code. Second Reading of the Bill. There  
are no Committee Amendments."

Speaker McPike: "Floor Amendments? No. If there are Amendments  
filed, we are going to have to take it out of the record.  
Out of the record. The Bill's been read a second time.  
It'll be held on Second. Representative Hultgren."

Hultgren: "Question."

Speaker McPike: "Yes."

Hultgren: "On our desks we have a House Supplemental Calendar and  
also a synopsis and digest purportedly for the Bills on the  
Supplemental Calendar. But, there are some Bills that are  
omitted from the synopsis that are included on the  
Calendar. Is there any significance to that?"

Speaker McPike: "No."

Hultgren: "Is this the accurate list?"

Speaker McPike: "Well, we will read the Bills and the accurate  
list will be the ones that the Clerk reads. Now,  
occasionally they get knocked off."

Hultgren: "Thank you."

Speaker McPike: "The Chair's intent is to try to move the Bills  
from Second to Third Reading, so that we can address

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our...so that we can vote on this today. House Bill 510.  
Mr. Clerk, read the Bill. Tony, 510."

Clerk Leone: "House Bill 510, a Bill for An Act to amend the  
Criminal Code. Second Reading of the Bill."

Speaker McPike: "Bill's out of the record. There are Amendments  
filed. House Bill 1186, Representative Hallock. Read the  
Bill, Mr. Clerk."

Clerk Leone: "House Bill 1186, a Bill for An Act in relationship  
to air rifles and firearms. Second Reading of the Bill.  
There are no Committee or Floor Amendments filed."

Speaker McPike: "Third Reading. House Bill 1448, Representative  
Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1448, a Bill for An Act to amend the  
School Code. Second Reading of the Bill. Amendment #1,  
was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments"

Speaker McPike: "Third Reading. House Bill 1463, Representative  
Wenlund. Read the Bill, Mr. Clerk. Read the Bill, Mr.  
Clerk. 1483 (sic 1463). Read thee Bill."

Clerk Leone: "House Bill 1463, a Bill for An Act to amend the  
School Code. Second Reading of the Bill. Amendment #...  
There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Wenlund."

Wenlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. Floor Amendment #1 just deletes some provisions of  
the Bill relating to identification of employee records,  
and then the access from the State Police to employee work

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records. It deletes it. Its controversial provision is gone. I ask for its adoption."

Speaker McPike: "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 Leone: "Floor Amendment #2, offered by Representative Homer."

Speaker McPike: "Representative Homer. Representative Wennlund, are you familiar with this Amendment? Representative Wennlund."

Wennlund: "Floor Amendment #2, is for further clarification. It came out of...an agreement by the Committee. Thank you."

Speaker McPike: "Gentleman moves for the adoption of Amendment #2. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 1609, Representative Mays. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1609, a Bill for An Act to amend an Act to create the Bureau of the Budget. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1661, Representative Ryder. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1661, a Bill for An Act to amend the Structural Pest Control Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "There's a request for a fiscal note on the Bill. The request has been withdrawn. Third Reading. Returning to House Bill 510, Representative Ryder. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 510, a Bill for An Act to amend the Criminal Code. Second Reading of the Bill. There are no

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Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Ryder."

Ryder: "Withdraw."

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

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 509, Representative Ryder. Read the Bill, Mr. Clerk. Representative Currie."

Clerk Leone: "House Bill..."

Speaker McPike: "Excuse me, Mr. Clerk. Representative Currie for what reason..."

Currie: "I'm sorry. Is there not an Amendment 2, Mr. Speaker, to House Bill 510?"

Speaker McPike: "Would you check, Mr. Clerk, to see if there's an Amendment #2 to House Bill 510? Representative Currie, there's only one Amendment filed to House Bill 510."

Currie: "I think Mr. Ryder intended to ask to adopt the Amendment, rather than to withdraw it."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you. On 510, it was my error. If Amendment 1 is the only Amendment passed that one should go...or...the only Amendment filed, that one should go on."

Speaker McPike: "The Gentleman asks leave to return 510 to Second Reading. Any objections? The Attendance Roll Call will be used. The Bill's on Second Reading. The Gentleman withdrew Amendment #1. The Gentleman would like leave to not withdraw Amendment #1. Leave is... To redraw. The Parliamentarian tells me it's redraw. 510, Mr. Clerk. 510."

Clerk Leone: "House Bill 510..."

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Speaker McPike: "The Gentleman has leave to non-withdraw. Mr. Clerk, Amendment #1."

Clerk Leone: "Floor Amendment #1, offered by Representative Ryder, amends House Bill 510 by deleting the title and inserting in lieu of the following."

Speaker McPike: "Good morning, Mr. Ryder."

Ryder: "Thank you. It's been suggested that we're doing an early morning version of Win, Lose or Draw, and I think I may have lost. I certainly am not winning. I ask for adoption of this Amendment."

Speaker McPike: "Any discussion of the Amendment? Question is, 'Shall Amendment #1 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: "Third Reading. House Bill 509, Representative Ryder. Read the Bill."

Clerk Leone: "House Bill 509, a Bill for An Act to add Sections to the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

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

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

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This complies with recommendations by the Secretary of State. It provides for a one time fee of \$12.00 and an additional renewal fee of \$2.00 on this license plate. It makes the 'revenue neutral' and complies with the Secretary of State. Thank

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you."

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

Terzich: "Yes, Representative Ryder, what does 'revenue neutral' mean on this? Are you saying that the license plates are only \$12.00 and \$2.00, or what?"

Ryder: "No, Sir. This license plate, when it is made, would have an additional indication of retired military service. The cost, the one time cost of doing that, for processing it, and for that additional handling, would be \$12.00. That's what the Secretary of State tells me. It costs them extra to do the extra effort and...and this is in addition to the forty-eight dollars..."

Terzich: "So, in other words, then..."

Ryder: "...and then \$2.00 a year."

Terzich: "Then what you're saying then, this would be the same cost as a vanity plate?"

Ryder: "Correct."

Terzich: "You know we did pass a Veterans' Bill for all..."

Ryder: "Can't hear."

Terzich: "...for all veterans in the State of Illinois to have a vanity plate."

Ryder: "No. This is not for veterans. Specifically of which I qualify, although just barely, this is for folks who retired full time after having served full time in the military."

Terzich: "Well, the one that was passed is, that would allow anybody who served full time or honorably discharged in the military service, to be able to have a vanity plate."

Ryder: "I assume they could put that on their other car."

Terzich: "They can put it on any car they want, if they're eligible for it."

Ryder: "I understand that. I hope that you will also support



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this Amendment as well."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. 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: "Third Read... There's a fiscal note request on this. The fiscal note request has been withdrawn. Third Reading. House Bill 1848. Read the Bill, Mr. Clerk. Representative White."

Clerk Leone: "House Bill 1848, a Bill for An Act to amend the Condominium Property Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker McPike: "Any Motions filed?"

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

Speaker McPike: "Third Reading. House Bill 1984, Representative Granberg. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1984, a Bill for An Act to amend the Illinois Banking Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Motions filed and no Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2005, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2005, a Bill for An Act to amend the Illinois Highway Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Peterson."

Peterson, W.: "Mr. Speaker, could you take this Bill out of the record temporarily, please? If we don't get back to it,

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that's fine, but we have a problem with the Bill. So please take it out of the record."

Speaker McPike: "The Bill will remain on Second Reading. House Bill 2133, Representative Didrickson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2133, a Bill for An Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

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

Speaker McPike: "Third Reading. House Bill 2217, Representative Petka. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2217, a Bill for An Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2337, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2337, 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 McPike: "Any Floor Amendments? Representative Cullerton."

Cullerton: "Yes. I would ask leave to adopt Amendment #1 for Representative Bowman."

Speaker McPike: "Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Bowman, Amendment #1."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment 1 is a technical Amendment to take care of objections that the Legislative Audit Commission had with the Bill in its original form."

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

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

Speaker McPike: "Yes, he will."

Black: "Thank you. Representative, with this Amendment...is not this Bill almost identical to a Bill Representative McGann had yesterday?"

Bowman: "That is correct. And with this Amendment, they are identical. The Board of Higher Education chose to introduce two Bills on this subject. I guess they want the results so badly, that they have a backup system. I don't know. Anyway, you're right."

Black: "Okay. So, the game plan is, that we are going to run this one, or one of the two, I suppose."

Bowman: "Well, we want to get them both over to the Senate and make sure that nothing goes wrong."

Black: "Alright, thank you."

Speaker McPike: "Gentleman moves the adoption of Amendment #1. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Bowman."

Bowman: "This just completes the technical cleanup process."

Speaker McPike: "Gentleman moves the adoption of Amendment #2. On that, Representative Black."

Black: "Thank you, Mr. Speaker. I apologize. I know you're trying to hurry, but we don't have Amendment #2. Has it been printed and distributed?"

Speaker McPike: "Representative Bowman, the Clerk tells me Amendment #2 is identical to Amendment #1."

Bowman: "Oh, okay. Well then we withdraw Amendment #2."

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Speaker McPike: "Gentleman withdraws Amendment #2."

Black: "Super."

Speaker McPike: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2491, Representative Williams. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2491, a Bill for An Act to add Sections to the Illinois Housing Development Act. 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 further Amendments."

Speaker McPike: "Third Reading. House Bill 2506, Representative Williams. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2506, a Bill for An Act to amend the Code of Criminal Procedure. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. There's a fiscal note requested. Gentleman withdraws the request for a fiscal note. Third Reading. House Bill 2615, Representative Lou Jones. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2615, a Bill for An Act to amend the Unified Code of Corrections. Second Reading of the Bill. There are no Committee or Floor Amendments filed."

Speaker McPike: "Third Reading. House Bill 2670, Representative Turner. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2670, a Bill for An Act to amend the Illinois Human Rights Act. Second Reading of the Bill. There are no Committee or Floor Amendments filed."

Speaker McPike: "Third Reading. On this same Order of Business, the Chair would be happy to accommodate anyone who has a Bill on Third Reading, on this Order, that desires to bring

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the Bill back to Second for Amendments. If you'll just let the Chair know, we'll call the Bill at this time. On page three, appears House Bill 1227, Representative Edley. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 12..."

Speaker McPike: "1223 (sic 1227)."

Clerk Leone: "House... House Bill 1227, a Bill for An Act to amend the School Code. Third Reading of the Bill."

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

Saltsman: "Is this just to bring them back for Amendments?"

Speaker McPike: "We're on Representative Edley's Bill. The Gentleman asks leave to return his Bill to Second Reading for purposes of an Amendment. Is there any objection? Leave is granted. 1227 is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Mr. Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This Amendment would add criteria for the State Board of Education to use in identifying sites throughout the state to utilize a...pilot programming for telecommunications instruction, to provide rural school districts with advanced courses in math, such as calculus and algebra and computer sciences, foreign languages, such as Spanish and French and Latin and even Japanese, this fall. The Amendment which specifies certain criteria to assist the State Superintendent and the State Board of Education in identifying and selecting school districts throughout the State of Illinois. The Amendment would provide for an...an... a distribution that would be...would provide for an...and...and equitable distribution of sites

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throughout the state. We need to develop state criteria in addition to the federal criteria, because the federal criteria was based on a 1980 Title I data. As we know, many rural areas have experienced a significant decline in their assessed valuation. The state criteria would be best...would be based on the assessed valuation per student. We worked on this Amendment in a bipartisan manner. We've got Sponsors on both sides of the aisle, and I ask for a favorable vote on the Amendment."

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

Countryman: "Well, Mr. Speaker, I just wanted Representative Edley to know this...if he wants to consider this his first Bill, it can't be on the Consent Calendar. And if it goes on the Consent Calendar, then we'll get him the next time he has a Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Well, will the Sponsor yield to a question?"

Speaker McPike: "Yes, he will."

Hoffman: "What is the...what is the necessity for putting this into the statutes?"

Edley: "The necessity is the...the Western Illinois University has received a federal grant for approximately \$900,000 and the criteria under that grant, was based on the 1980 Title I criteria. Many rural school districts throughout the state have experienced a significant decline in their financial status since 1980 and weren't able to qualify based on the 1980 Title I data. This Amendment in addition to looking at the assessed valuation, would also require each...each educational testing center to have a site identified throughout the state. So you'd have some...some urban school districts that could qualify under this program."

Hoffman: "Cannot the State Board of Education do this now,

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without the statutory language?"

Edley: "I don't think so."

Hoffman: "If the federal grant is predicated on...on Chapter 1, student population, is there a proviso that allows the state to supersede or to set aside the federal requirements for the federal money?"

Edley: "I'm sorry, Mr. Representative, I was drawn away while your question was being asked..."

Hoffman: "I can understand why she could draw you away from my question. I appreciate that."

Edley: "I think what we're attempting to do here is, this is a substantive legislation, that if there is some funding made available later during the Session, that the State Board would use this criteria to identify school districts in the state to provide this satellite technology for, rather than the federal criteria."

Hoffman: "Alright. I don't want to get in a debate on this on the floor. Thank you, for sharing with me. We'll talk a little more about it later."

Edley: "Alright."

Hoffman: "Thank you."

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

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Gentleman asks leave to return the Bill to the Third Reading Supplemental Agreed Consent. The Gentleman has leave. Attendance Roll Call is used. The Bill is on Third Reading. Does anyone else request their Bill on the Supplemental to be returned to Second Reading? Special Order of Revenue. House Bill 466, Representative Flinn. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 466, a Bill for An Act to amend the

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Stephens: "Well, if your Bill passes, would we be...would St. Clair County be required to elect a Board of Review members from three districts, or would in be county wide?"

Flinn: "No. No, if it passes it would leave it just like it has been all the time."

Stephens: "Well, when the Bill passed two years ago, I thought it was the state...the intent of the Legislature, and I was pleased with the fact that the county wide Board of Review would be elected in districts."

Flinn: "Well..."

Stephens: "This would allow better representation from the...especially significant northeastern and eastern sections of the county that...that lack representation."

Flinn: "Well, let me interrupt you. It turned out that you were wrong, what you thought. The Bill was put in for Shelby and Vermilion County and if you'll look back in the transcript, you'll find out that that's what was...what we're talking about. Because of the population, it appeared that it may involve St. Clair County. Already the state's attorney has issued an opinion that it does not involve it. And the only purpose of this Bill is to verify what the state's attorney has already said by statute."

Stephens: "Well, I understand that, I appreciate it. I guess I just disagree with you. I think that it's a great idea that St. Clair County elect a Board of Review Members by districts, because that gives better representation to all the citizens of the county. And although I'm sure that you're doing this with the best of intentions and in cooperation with the state's attorney, which I find no fault with, I just disagree with you and I reluctantly stand in opposition to your Bill."

Flinn: "Alright. Well, I was advised that since you're rather new around town, that you ought to put in your own Bill."



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Speaker McPike: "Gentleman moves for the passage of House Bill 466. The question is, 'Shall the House Bill 466 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 62 'ayes', 47 'nos', 3 voting 'present'. And House Bill 466, having received the Constitutional Majority, is here by declared passed. House Bill 564, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 564, on page 19 of the Calendar, a Bill for An Act to amend an Act in relationship to installment...installation of sprinkler systems. Third Reading of the Bill."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 564 requires that sprinkler systems be installed in all brand new schools and in any renovation or addition project that involves at least 50 percent of the total square feet within that school building. This Bill has been discussed and worked upon at length by both the State Fire Marshal's Office and the State Board of Education. Amendment #2, puts this Bill in a form that is agreed to by both of those agencies. One of the reasons why this Bill is exempt from the State Mandates Act, is because of the fact that sprinkler systems add comparatively little to the cost of construction of a school, but because the school has a sprinkler system, the insurance rates are so much lower, that for example; in the case of Warren High School in Lake County, which burned so badly that it had to be replaced, when that high school was replaced, they installed a sprinkler system and discovered that their insurance rates were so much lower than they had been for the building that had no sprinkler system, that

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the pay back period was seven years. And thereafter, the district would go on enjoying that savings in insurance rates indefinitely. That is all the Bill does. It's been agreed to by anyone with...everyone with any concern about the subject and I move for its adoption."

Speaker McPike: "The Lady moves for the passage of the Bill. Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker McPike: "Yes, she will."

Cullerton: "Amendment #2 has been adopted to the Bill? Is that correct?"

Cowlshaw: "Yes, Sir."

Cullerton: "And Amendment #1?"

Cowlshaw: "Yes, Sir."

Cullerton: "So, Amendment #1 deleted the funding, the paragraph relating to funding and Amendment #2 with regard to funding, provided that the State Mandates Act...amends the State Mandates Act to provide that no reimbursement by the state is required for the implementation of this Act. Is that correct?"

Cowlshaw: "That is correct. In fact, Representative Cullerton, Amendment #1 was adopted at the suggestion of Representative Currie, because during the testimony that was given in the Subcommittee when this Bill was originally presented, the aspects of the savings in the insurance rates, as well as the fact that there are certain other savings in the cost for the construction, since fire retardant materials need not be of the same quality in a building with a sprinkler system. Representative Currie said, 'Well, in the long run, the school districts save money by this and so why don't you just take the state out of it?' And I did that."

Cullerton: "So... Okay. So, initially, the funding of this would

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Revenue Act. Third Reading of the Bill."

Speaker McPike: "Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 466 comes about because of an ambiguity in the law. About two years ago, the County of Vermilion passed a Bill which would divide the county up into three sections for the Board of Review Election, and although the law says that the Supervisor of Assessments would be the person who would activate this, and we do not have a Supervisor of Assessments, we have an elected assessor, we have let one election go by, claiming that it does not apply to us. But since there's some question raised, the purpose of 466 is simply to remove the ambiguity in the law and not apply to St. Clair County and that we would continue to elect our Board of Assessors county wide. I would ask for a favorable vote or answer any questions."

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

Stephens: "Will the Gentleman yield?"

Speaker McPike: "Yes, he will."

Stephens: "Representative, would you explain to me what the ambiguity is? I thought when we passed Public Act 85-0974, that we...that we were aware that it would affect St. Clair County, and that was a desirable end to have the districts..."

Flinn: "It was the state's attorney's opinion that it did not affect St. Clair County. What the state's attorney said, 'Rather than go to court with such an issue as this, it'd be best we passed a Bill pointing out the fact that the law calls for an appointed assessor and we have an elected assessor. That's the difference in St. Clair County. This would remove all doubt, this Bill would.'"

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have to be done at the local level..."

Cowlshaw: "That is correct."

Cullerton: "...in the school district, but in the long run they will save money?"

Cowlshaw: "That is correct."

Cullerton: "So, they will need an infusion of cash, maybe a one time...maybe a one year or two year infusion of cash to put these new sprinklers in, then after that, they might start receiving a pay back?"

Cowlshaw: "No, Representative, let me explain, that when you want to build a school building you go to the people with a bond issue and you ask permission to issue bonds to build that building, and on that election issue you have to state the total amount for which you wish to issue bonds. It is my understanding that presently the cost for constructing a high school to contain a thousand students, is approximately on an average and statewide, sixty-seven dollars a square foot. The cost of installing a sprinkler system, and those estimates vary from a dollar and five cents a square foot, to two dollars a square foot. That additional cost, say an average of a dollar and fifty cents, perhaps, would bring that per footage cost to sixty-eight dollars and fifty cents. That amount would be reflected in the total that was set forth for the voters to approve in the issuance of the bonds."

Cullerton: "I see. So, they're just...what you're saying is, that the...this increased cost which will be borne by the local governments, will be spread out over the cost of the...over the period of time that it takes to pay off the bonds?"

Cowlshaw: "That is correct."

Cullerton: "I'm just wondering if this is not a good reason for us to perhaps increase... Well, one other question. How

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are those bonds paid off traditionally, through property taxes?"

Cowlshaw: "Oh, yes."

Cullerton: "And, they can also be paid off I assume...school district...if a school district had a large infusion of cash say from a state income tax where we were able to give them, a certain school district, a large amount of money, they could perhaps comply with this even quicker. Isn't that true?"

Cowlshaw: "Oh, yes, Representative. I believe that nearly all of the...nearly all of the legal provisions for those bond issues do include provisions for them to be paid off earlier than had originally been agreed upon if the school district chooses to do so."

Cullerton: "Okay. Well, I think it's a great Bill, really, because it will probably end up saving lives by having a sprinkler system in the high schools. And I think that the...all...there's no additional cost to the state and because we've just passed an income tax increase that will probably give a lot of new money to the school districts, it's more appropriate for them to have...to have the burden of picking up the cost, so I agree with the Bill."

Cowlshaw: "Thank you, Representative Cullerton."

Speaker McPike: "Mr. McNamara."

McNamara: "Thank you, Mr. Speaker. I just want to point out to the Body that this is a case of a mandate. I have heard so many times about bad mandates and good mandates. Yes, I agree, this is a good Bill. I would vote for it as I do other mandates, but to point out to you, this is a mandate which will cost some additional money to the school system. I intend to support it, but just wanted to let you know in case you wish to take...not vote for your own Bill, because it is a mandate."

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Cowlshaw: "Thank you, Representative McNamara."

Speaker McPike: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 564. You only have to live through a devastating fire in a school district as I have done, to realize that an ounce of prevention could have been more than a pound of cure. Insurance rates do go down when you have a sprinkler system and I think we ought to vote out this Bill right now."

Speaker McPike: "Question is, 'Shall House Bill 564 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 105 'ayes', 3 'nos', 2 voting 'present'. House Bill 565 (sic 564), having received the Constitutional Majority, is hereby declared passed. House Bill... Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I think it's 564, not 565."

Speaker McPike: "Thank you. House Bill 564, having received the Constitutional Majority, is hereby declared passed. House Bill 585, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 26 of the Calendar. House Bill 585, a Bill for An Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 585 amends the School Code and makes one...one very important change, and that change is to...for unit districts downstate to change the fund for operations, building and maintenance from thirty-seven cents to fifty cents over a four year period. This Bill has been considered...before and it is considered, a very very important element to the whole question of consolidation

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and the whole question of trying to provide parity among our school districts in the state, as in terms of units in dual districts. A couple of years ago, this General Assembly provided for tax equity in the General Education Fund and in the Transportation Funds. The Operations, Building and Maintenance Fund is the only fund left that we need to address in terms of providing for that. What this does, as I mentioned, over a four year period of time, raise it in increments by a certain percentage, who after four years units in dual districts have parity. And to explain to you what the problem is, a dual district right now, can tax for operations, building and maintenance twenty-five cents. So an elementary district can tax twenty-five cents, a high school district can tax twenty-five cents. However, if you are a unit school district, your maximum non-referendum tax rate is thirty-seven and a half cents. What has happened, is that those dual districts that are looking at either combining or looking at creating a unit district, look at that and say, 'I'm going to lose twelve and a half cents in tax rate if I create a unit district and try to be more efficient. So, we're not going to do it, we're going to stay the way we are.' And efficiency goes down the drain for one small minor item that needs to be taken care of. I should mention that there are manys...many individuals from all...many groups from all points that see this as a great boon to the...our educational system, one of whom is the Illinois State Chamber of Commerce. If anybody noticed a Bill analysis that came to you by the Illinois State Chamber of Commerce in support of House Bill 585, they indicate that House...the passage of House Bill 585 will remove an existing impediment to forming unit school districts. Subsequently elementary and secondary school

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districts may find it financially beneficial to form a unit district. More important, many unit school districts will be able to better care for their facilities and improve maintenance, thus protecting the citizen's investment in the education enterprise. And for no other reason than this, I would like to point out one more, and that is when the school facility is in bad shape and the money's not there in the Operations, Building and Maintenance Fund, then what happens is quite often the General Education Fund is robbed to pay for the building. And what that does, is also robs children of the quality education they could have. I should also, in closing, Mr. Speaker, indicate that this Bill does not affect all unit districts. Many unit districts in the State of Illinois are over this .50 levy. Many unit districts are under the .50 levy and have no need...or the .37 levy, I should say, and have no need to go any higher. But this does address a certain group in the middle that does need the help, does need the opportunity to be able to raise this over a four year period. I would answer any questions, Mr. Speaker, and if not would ask for an 'aye' vote."

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

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation as I have in the past. In reality what this legislation does, is it provides for equity and taxpayer exposure, because currently in dual districts, each of the districts have a non-referendum twenty-five cent levy. And as the Sponsor pointed out, if they were unit districts, they have thirty-seven and a half cent non-referendum. Now, in order to phase this in and also to give people in the community an opportunity to have a backdoor referendum, the Bill has



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been structured in such a way that the movement from thirty-seven and a half to fifty is phased in over a number of years. And also, the amount of time to call a backdoor referendum has been increased to thirty days. This is a very reasonable and responsible action for this Legislature, because we're setting state policy so that we're treating everyone the same all across the state regardless of how they're organized. No community and no school board should be penalized because they're organized in an appropriate manner. For that reason, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation and ask you to do the same."

Speaker McPike: "Representative Doederlein."

Doederlein: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I have questions about House Bill 585. When unit school districts were initiated, we were told that the citizens of the State of Illinois would save some money. In fact, we were promised this savings. Elementary schools would get twenty-five cents, high schools would get twenty-five cents, but by combining them as unit districts, we could save the state money. No longer would we have transportation systems...two transportation systems in one area. No longer would we have two administration bureaucracies in one area, we would have just one. Why doesn't...what did we do to the voters? Did we lie to the voters?"

Speaker McPike: "Excuse me. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes. I can't...it's kind of loud in here, I can't tell who's speaking."

Speaker McPike: "Representative Cullerton. Perhaps we could have some order. Could we have a little order here this morning? It's really getting loud."

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Cullerton: "Oh, is that Representative Doederlein?"

Speaker McPike: "Excuse me. Excuse me, could we have some order.  
Representative Cullerton, that was Representative  
Doederlein."

Cullerton: "Oh, I'm just... Congratulations on the microphone  
being fixed."

Speaker McPike: "Representative Doederlein. Representative  
Doederlein, continue, please. We have some order now."

Doederlein: "I don't rise very often to speak on the House floor  
and so usually when I don't say very much, people should be  
very quiet. I'm talking about House Bill 585. I think we  
promised the voters that if we had unit school districts we  
would save money. And I think when we make promises we  
should keep them, even if it's to this extent. And we are  
not doing that when we have two bureaucracies and we told  
them if we could combine these bureaucracies, you would  
save money. Why doesn't it work that way? House Bill 585  
would say, if we voted for this, it would say, 'Taxpayers  
we lied to you.' I have a memorandum from the Taxpayers'  
Federation of Illinois, the Illinois Association of  
Realtors and the Illinois Farm Bureau, and it states that  
House Bill 585 represents the single largest property tax  
rate increase without a front door referendum introduced in  
the Illinois House this year. School districts currently  
have the authority to increase the Operation, Building and  
Maintenance Fund tax rate by referendum, and in our area  
this referendum came to the voters twice. It was voted  
down twice by a big majority. Now, how can I go back and  
say, 'I'm going to jam this down your throat.' I don't  
call this taxation without representation, I call it  
taxation with misrepresentation. I think that we have to  
keep our promises to the taxpayers. In our area last year,  
the property taxes raised twenty percent. This year, the

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newspapers say it will be thirteen point three percent. How can we put more money on the taxpayers without their saying that they would like to have this done? I rise in objection to the Bill."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I...you know I, sometimes I think this overconcern and I'm just as concerned about property taxes as anybody coming out of suburban Cook County, but when we talk about education, and the very...the very groups that are most concerned about education in the State of Illinois, rise up in such vehement opposition to this Bill, I think their cause rings a little hollow. What we're talking about here, is parity. What we're talking about is an ongoing program for something that needs to be done in the State of Illinois. And it's for kids. And what we're talking about are some incentives and some fairness with regards to the unfair situation that we have right now, with regards to dual districts and unit districts, and I happen to represent dual districts. I think Representative Steczo, Representative Hoffman are on the right track. And I think if you're going to do what's right, is you know what you want to do, you're going to give an 'aye' vote on House Bill 585."

Speaker McPike: "Representative Steczo, to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. Just to reiterate a couple points, I would like everybody in this chamber to know that the only fund that we are dealing with in this Bill, is the fund for Operations, Building and Maintenance. We're not dealing with the General Education Fund, we've already dealt with that a number of years ago. We're not dealing with the Transportation Fund, we dealt with that a number of years ago. Operations, Building and

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Maintenance is the fund that we're dealing with right here. The comment was made that we were told that unit districts are supposed to save money, and they do. They do save money, but imagine a unit district and a dual district side by side. Each may have two high school buildings, each may have six elementary school buildings, those buildings still need to be maintained, those buildings still need to be taken care of. There's no reduced costs in maintaining those buildings, notwithstanding what kind of a district you are, so they need access, they do need access to those dollars. Representative Hoffman, so kindly pointed out that this does have a backdoor referendum. There's a four year phase in. We've taken great pains to extend the length of time that people can use, to utilize that backdoor referendum process. And I...pains... Also, Mr. Speaker, I must reiterate, too, that we all know that property taxes are a concern, but just to reiterate what I said in my opening remarks, this does not affect all unit school districts in the State of Illinois. There are many that are over the maximum that we're providing here. There are many under the statutory maximum now. We're dealing with the group in the middle that need it the most. This is a Bill that will provide for not only an opportunity to keep those plants in good operating order, but also assist those districts in not having to rob the Education Fund to pay for a new roof on the school building. I think it's an excellent Bill, something very very much needed. It will provide parity. And I would ask for your 'aye' votes."

Speaker McPike: "Question is, 'Shall House Bill 585 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Representative Mautino, votes 'aye'. Representative Kirkland, votes 'aye'. Mr. Clerk, did you

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get those two? Thank you. Anyone else? On this Bill there are 74 'ayes', 36 'nos', 3 voting 'present'. House Bill 585, having received the Constitutional Majority, is hereby declared passed. House Bill 760, Representative Countryman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 760, on page 19 of the Calendar, a Bill for An Act to amend the Telecommunications Excise Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. This Bill amends the Telecommunications Excise Tax Act to exclude from the definition of telecommunications the use or operation of a radio repeater system, which is used by a farm or business operation to improve communications over an FM two-way radio. What this does is, many businesses, construction businesses and the like, use what's called, commonly called a community repeater; that's a repeater, a booster thing that's owned by somebody else and they pay a fee for that service, but they use their own FM radios to communicate with the...their own business. What it does is it enhances the range. It might make the range 30 to 40 miles rather than three or four miles, it's commonly used in business. The question has come up whether or not this is subject to the Telecommunications Excise Tax Act. It's my understanding the Department of Revenue has said it is not, however, based upon certain other things that have occurred in the...in the Department of Revenue, the people who operate these sorts of repeater systems want to be sure, so we want to change that definition. I'd be happy to answer any questions, and look for your favorable vote."

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

Cullerton: "A quick question."

Speaker McPike: "Yes."

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Cullerton: "This is to extend an exemption from a tax. Is the Department of Revenue attempting to collect the tax now?"

Countryman: "No. It's just...you remember the problem we had with the optometrists...(where the optometrists didn't pay the tax for all those years and didn't realize it. If you read the Act.)"

Cullerton: "Yes."

Countryman: "... (where the optometrists didn't pay the tax...)"

Cullerton: "Yes."

Countryman: "... (for all those years and didn't realize it.)"

Cullerton: "But now the optometrists..."

Countryman: "... (if you read...if you read the Act...)"

Cullerton: "But wait a minute. The Department of Revenue is attempting to collect the tax from the optometrists."

Countryman: "Now they are."

Cullerton: "So you're trying to..."

Countryman: "Well, if you read the Act it would appear that this would be taxable, but they've said, 'No we're not going to collect the tax.'"

Cullerton: "But you don't trust the Department of Revenue?"

Countryman: "Well...this insures it."

Cullerton: "And so this Bill is to make sure that they don't change their...this Bill... Alright. Well I agree with you. I think we should pass it, I don't trust them either."

Speaker McPike: "Representative Currie."

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

Speaker McPike: "Yes, he will."

Currie: "My understanding Representative, is that as you've defined the items that you want to insure are exempt in your Bill. The Department of Revenue says that there is a more substantial fiscal impact than I think you intend or

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than you have suggested. Are you continuing to work with the Department to try to insure that the language in your Bill captures only the items that you intend to capture?"

Countryman: "Yes, we continue to have discussions with them. They wanted to make it not for profit. That didn't work exactly with some of these community repeaters, because the person who does erect the repeater is not in...necessarily in a not for profit. I've suggested we define them as people who operate under a license under Part 90 of the Federal Communications Commission, which the people who understand this industry and tell me, tell me that those people are owner/operators, that is they are not in the business of selling communication services and we're trying...we have defined it, I believe, so it wouldn't include any telecommunications device. But we still have ongoing discussions with the Department in an attempt to working out some language that...that would tighten it more. But my intent is only to have an owner/operator type business that's using a community repeater, nobody who is selling for a price, communication services."

Currie: "At this point the Department says that the revenue impact could be as much as five million dollars, which doesn't square with what you've told us and I'm sure is not your intention. You're telling us that you want to exempt people who presently are not paying the tax from whom the Department of Revenue is not trying to collect the tax. So I guess I would ask you if you're... Well, I will support your Bill, but I trust that you will continue working to see to it that we're not talking a five million hit on state General Revenue Funds."

Countryman: "That's definitely the case, Representative. I'll be glad to work with you as the Chairman of the Revenue Committee here in the House, so that we can come to that

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language and work on maybe defining some language."

Speaker McPike: "Further discussion? The question is, 'Shall House Bill 760 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 113 'ayes', no 'nays' and none voting 'present'. House Bill 760, having received a Constitutional Majority, is hereby declared passed. House Bill 1070, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1070, a Bill for An Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This is a vehicle Bill, sponsored by the Minority Spokesman of the Revenue Committee and myself. I would be happy to answer your questions and would appreciate your support."

Speaker McPike: "Any discussion? Question is, 'Shall House Bill 1070 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Cullerton."

Cullerton: "Well, I think we have an historic first here, Mr. Speaker. I think this is Representative Currie's first vehicle Bill. I don't think we've ever trusted her with a vehicle Bill before and I think she should be honored."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 108 'ayes', 1 'no', 4 voting 'present'. House Bill 1070, having received the Constitutional Majority, is hereby declared passed. House Bill 1100, Representative Countryman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1100, a Bill for An Act pertaining to taxpayer's rights. Third Reading of the Bill."

Speaker McPike: "Mr. Countryman."



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Countryman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an important Bill. This is the Taxpayer's Bill of Rights. If you remember last year the federal government passed a federal Taxpayer's Bill of Rights, this would be an Illinois Taxpayer's Bill of Rights. This places a number of guarantees into law which protect the taxpayer's rights. It creates the Office of Taxpayer Ombudsman within the Department of Revenue and it's empowered to assist taxpayers in resolving their problems with the Department of Revenue, and to take actions to reduce taxpayer confusion and error. It creates a twelve member taxpayer's advisory council, which will review Illinois tax laws and the Department's practices with the intent of identifying areas where improvements can be made, and protecting taxpayer's rights and will cooperate with the taxpayer ombudsman in enforcing such rights. It also creates rights in the following areas: Tax notices; whenever a taxpayer is contacted by the Department of Revenue concerning a determination of tax, the taxpayer must be furnished with a written statement explaining the rights of the taxpayer during an audit, appeals, refund or collection processes. All notices must include an explanation of tax liabilities and penalties. Present law does not specify that. An abatement of taxes for erroneous written advice by the Department; whenever the Department provides the taxpayer with erroneous written advice, the Department must abate the taxes and penalties which are assessed the taxpayer on such information or advice. Property seizure; it extends the time for property seizure from ten to thirty days. It prohibits the Department from canceling installment contracts which it's entered into with a taxpayer for payment of taxes, unless the taxpayer fails to provide accurate financial information requested

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by the Department, or fails to pay the tax, or does not respond to the Department for more information. Seized bank accounts must be placed in the taxpayer's bank, in an escrow account for twenty-one days, to permit the taxpayer to correct any Department error. No such requirement currently exists. It provides that the Department is required to adopt regulations setting forth times and places for taxpayer's interviews and to permit the taxpayer to record such interviews. Interest on overpayments; interest to be paid by the Department for overpayments, must be equal to the interest charged by the tax...by the Department for underpayments. Filing extensions must automatically be granted where federal extensions are granted. It gives the taxpayer a right to sue the Department if the Department has intentionally or recklessly disregarded the state's laws or regulations in collecting taxes. There's a maximum recovery of a hundred thousand dollars. The court may fine a taxpayer for up to ten thousand dollars for filing a frivolous suit against the Department. No such rates currently exist. Professional fees and costs are recoverable if the taxpayer prevails. In review of liens, the taxpayer...the Department is required to establish an internal review process concerning liens against taxpayers. If a lien is determined to be improper, the Department must publicly disclose the fact and correct the taxpayer's credit record. No such requirement currently exists. The Taxpayer's Council will be...consist of four members appointed by the Legislative Leaders, who shall appoint...each appoint two members. Excuse me. The Governor appoints four members, each of the Legislative Leaders, two, for a total of twelve. And the council shall review legislation, review the powers and responsibilities of the Department and make

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recommendations, review the practices of the Department with the intent of identifying areas where improvements can be made in protecting taxpayer's rights. Review and analyze the relationships between the Department and local governments. Review and annually report the Department's administration of existing tax laws and make general improvements for the recommendation of the state's tax laws and file an annual report. This Bill will in essence give the taxpayers, in a state in which we have a self-assessment system generally, a right to be heard in a way in which generally the forms are made, where other things are done. If collection processes are against the wrong person, it gives that person a right in which to be heard, a feeling that the government is here in this instance, to help them in some ways. I'll be happy to answer any questions."

Speaker McPike: "Gentleman moves for the passage of House Bill 1100. The Bill is on Short Debate. Does anyone rise in opposition to the Bill? We have four people so far, in opposition to the Bill. Representative Olson."

Olson, M.: "Mr. Speaker, just a few brief questions. That was an extremely long description of what your Bill intends, Representative Countryman."

Speaker McPike: "Representative Olson, the Bill's on Short Debate. Do you wish to have it removed?"

Olson, M.: "No, I don't want to have it removed. Just two short questions. How much is it going to cost?"

Countryman: "Well, the Department of Revenue has given me a projection that they think is between two and a half and three million dollars."

Olson, M.: "How much?"

Countryman: "I happen to disagree with that."

Olson, M.: "How much?"

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Countryman: "Between two and a half and three million dollars. Because in Committee, they indicated they didn't believe it'd cost anything, they had existing personnel to handle it."

Olson, M.: "And is the Director of Revenue in support of this Bill?"

Countryman: "I doubt it."

Olson, M.: "Thank you, very much."

Speaker McPike: "Representative Leverenz."

Leverenz: "Just a point of order. If he's not in opposition, I would suggest that he walks back and talks with his colleague."

Speaker McPike: "Thank you. Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I'm not necessarily in opposition, just a couple of questions. Representative Countryman, how does this list of Bill of Rights compare with the federal list that you alluded to? Identical or is it unique?"

Countryman: "It parallels it almost exactly. There are some things of course you can't do, because federal law does, you know, is different than Illinois law and you can't have the automatic extension for instance in the federal law, which we have in the Illinois law."

Phelps: "You mentioned the council would be comprised of twelve members."

Countryman: "That's correct."

Phelps: "You said the Governor would appoint four."

Countryman: "That's correct."

Phelps: "And the Legislative Leaders each, two?"

Countryman: "That's correct."

Phelps: "That's eight."

Countryman: "It makes a total of twelve."

Phelps: "Where's the other four come from?"

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Countryman: "Governor; four, Legislative Leaders; eight."

Phelps: "Okay. The...one particular list of Bill of Rights that you mentioned; if the Department has a reckless disregard of the taxpayer's intent, or what was the wording? What... You're an attorney, I'm not. What would it comprise of, reckless disregard?"

Countryman: "Well, I think it would...it's intentional by the way, so it requires something substantial, but it would be the instance if they came looking for David Phelps and said, you owed them ten thousand dollars, and you said, 'Wait a minute, I don't owe ten thousand dollars, I paid all my taxes,' and they were wrong and seized your property, that would be an intentional disregard. If you put them on notice that you did not owe the money and have gone and taken every effort to show them where you don't owe them money, and even though you've done that, and they knew that wrongly they've gone and charged you and ruined your business or your credit reputation."

Phelps: "Does this Bill of Rights apply only to income tax, or are we talking about property tax protest beyond the Board of Review on a county level."

Countryman: "It applies to the state taxes, which does not include the property tax. So, we'd be talking about income taxes, sales taxes, telecommunication taxes and the like."

Phelps: "Thank you."

Speaker McPike: "Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker. I'm going to let you judge. I support the Bill, but I do oppose some of the provisions. May I ask the Sponsor a question?"

Speaker McPike: "Proceed."

Frederick: "Yes, Representative, wouldn't there be a better way to put the list of taxpayer's rights on Department notices? Couldn't you put it on a registration packet or an income

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tax form instead of on every single notice that the Department sends out?"

Countryman: "Well, we've debated that with the Department and we have a substantial disagreement. I think it would be just as costly to do it on the forms that they are talking about, plus they want to put it on every individual income tax return as we send it out for people to fill it out. I think people are honest and they are going to pay their taxes and do it right. And I don't think you want to put out there a notice; 'If you've got an error, you can call the Department, here are your rights.' But, if they send you one of those assessments that they do on a computerized form that's darn near impossible for anybody to figure out unless they've got five accounting degrees, then they ought to have that notice in there and they know that they can contact the ombudsman or the Department to get an explanation of what it is that the Department's telling them was in error. Many times the Department is right. Many times we believe the Department may be wrong. But, more often they are right than they are wrong, but we need to explain and communicate to that taxpayer why it is that they are making some assessment."

Frederick: "Secondly, the Department does worry about the length and the time between notice and seizure of property. They believe the delinquent taxpayers will either hide their assets or sell them before the property can be seized. Do you think maybe you ought to remove this position and reduce the length of time between...?"

Countryman: "Well, they have a substantial liening process in Illinois, which means you can file liens against real estate personal property by recording them. Those liens take effect immediately and this Bill does not interfere with those. What this does is, it delays some of the time

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of seizures. In my discussions with the Department they have said to me that they usually don't seize property for 30 days, but they want the ability to do it within 10. They don't have to go to court and take a judgment, as any other creditor would against an individual, and for that reason they can automatically go out and seize somebody's property. Property seizure invokes what most of us conceive as the due process rights guaranteed under the United States Constitution and the Illinois Constitution. And in the federal court decision some years ago, some of our procedures were held to be unconstitutional as violative of due process because they didn't grant people 30 days from the initial notice until the time their property could actually be seized or applied to the judgment. I think this gives due process to the taxpayers."

Frederick: "Well finally, I... This is my question, do we really need the oversight board? Isn't the General Assembly oversight enough?"

Countryman: "Unfortunately, I would disagree with you. When those of us who, during the course of the year, prepare taxes for other people, we find that the department's become so ingrained in what it is that they're doing, they aren't thinking about it from the preparers standpoint or the individual as preparers. My seatmate, Representative Johnson, has a Bill to create an easy tax form in Illinois that the federal government uses. I think we need this. I think it ought to be comprised of citizens who make out their own tax return. I think it ought to be comprised of CPAs and tax preparers. People from all groups who say the department really isn't looking in this area. For instance, this year I filled out fiduciary tax returns for a number of people. I think the department's fiduciary tax

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return form is somewhat confusing. I've written them with suggestions, but that's because I'm a Member of the General Assembly and feel I have an obligation to do that, but I don't think that the average citizen will do it. I think this'll give us citizen input in the procedures and the department...I frankly think the department will benefit from it much more than they anticipate they will at this time."

Frederick: "Okay. That... those are all my questions and I do support the Bill and I hope everybody will vote 'aye'. Thank you."

Speaker McPike: "Representative Edley."

Edley: "Mr. Chairman, I've got a question for the Sponsor if he'll yield. I've got a question for the Sponsor. Representative Countryman, have you got a price tag on this Bill from the Department of Revenue?"

Countryman: "That question was asked me by Representative Olson when we started out here, but what the department said in Committee was, they didn't think it was going to cost anything. In the last few days they've given me some sheets which say that they think the cost is going to be between two and a half to three million dollars, but what they're doing is, they're saying they feel they have to add 30 people in tax compliance, 11 people in public services and 19 people in tax processing. They also claim that they need some management services to change their computers. I frankly think that that's an extremely high figure for something that they claim and sometimes that they're already doing with their problems resolutions division and the people that work in that division could work in the ombudsman's division. There's going to be some cost, but I don't believe they're nearly that high"

Edley: "I've looked at your Bill and I think you've got some good



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ideas in there. Are you familiar with my Taxpayers Rights Advocate Bill that I'm sponsoring, House Bill 1434? Have you had a chance to look at that?"

Countryman: "Yes, I've taken a look at it and I think the problem I had with it was that the advocate was appointed by the department director, where the ombudsman here is appointed by the Governor and not under the jurisdiction of the department director, which is the...that latter appointment is similar to the federal situation."

Edley: "The tax advocate that I have, though, reports to the Governor and reports to the General Assembly."

Countryman: "That's...that's correct."

Edley: "Yeah. Okay."

Speaker McPike: "To the Bill, Mr. Edley."

Edley: "Yeah. I think that this Bill has some good ideas in it, but the department has some problems with it and I would suggest that the Sponsor work out those problems with the department. My Bill...the department doesn't have any problems with and hopefully we can address that Bill later on in the Session. Mr. Speaker."

Speaker McPike: "Representative Dunn."

Dunn: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Gentleman's legislation..."

Speaker McPike: "Representative Dunn, we're on Short Debate."

Dunn: "Oh, pardon me. Well, I'm for the Bill. Thank you."

Speaker McPike: "Representative Leverenz, you have spoken and Representative Black, you're the last one, so Representative Countryman to close."

Countryman: "Thank you, Mr. Speaker. I won't belabor this. This is a good Bill. It's the Taxpayers Bill of Rights. I think I've thoroughly explained it to you. I don't think there's anything in this Bill that we can't live with and, matter of fact, I think it's good legislation. It'll take

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problems away from us as Legislators. When we get constituents calling us asking us to resolve problems, we can refer them to this taxpayers ombudsman. If I could say that word we'd do better. And I think..."

Speaker McPike: "Representative Leverenz, for what purpose do you rise?"

Leverenz: "I made an inquiry of the Chair earlier. I'm now having my light flash so that I can explain my vote."

Speaker McPike: "What was the inquiry?"

Leverenz: "I asked if it was on Short Debate before. Six people asked questions. I was wanting to take it off of Short Debate if all those people had questions."

Speaker McPike: "No one asked to take it off and no one rose to speak against the Bill. Mr. Countryman, would you please bring your remarks to a close?"

Countryman: "Yes, Mr. Speaker, I'll be glad to. I think it's a good Bill and I ask for your favorable vote."

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

Leverenz: "Before we put up 100 votes on this, the Gentleman explained that the Department of Revenue is going to hire 30 people to do this. It will cost \$3,000,000 in general revenue funds. It's absolutely absurd."

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

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. As a Joint Sponsor of this legislation, I rise in support of the Bill. I might point out that there has been some discussion with regard to the hiring of personnel, et cetera. I would point out that the department currently has an 18 person division called problems resolution. Now, we envision that that division will be incorporated into the Taxpayers Bill of Rights and into the ombudsman's

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office. So I think the department's estimate of the Bill are a little high. I might also point out, who should be surprised that the department would be opposed or have problems with the Bill that gives taxpayers rights? It's a good Bill. I urge your support and hope for a favorable Roll Call."

Speaker McPike: "Representative Flinn. Mr. Flinn, you're on."

Flinn: "Well, Mr. Speaker, I don't want to explain my vote on this Bill, but I would like at the appropriate time to make a Motion that we suspend with the explanation of votes until the deadline is passed Friday night."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 106 'ayes', 4 'nos', 4 voting 'present'. House Bill 1100, having received a Constitutional Majority is hereby declared passed. Representative Flinn."

Flinn "Well, as Representative Leverenz says, now? Is now the time for me to make the Motion? I move ..."

Speaker McPike: "No, Representative Flinn, I don't think it'd be proper to make that Motion at this time."

Flinn: "Well, when would be time?"

Speaker McPike: "The Chair would be concerned that if we do not allow an explanation of votes that everyone will want to speak in debate, and that we'll be here all day. That Bill was on Short Debate and it took a half hour to get through a Bill on Short Debate."

Flinn: "Well, I'm sorta one of those many out here that gets a little bit sick of us talking for 20 or 25 minutes and pass a Bill by 100 votes. Obviously, there's something wrong with our system. Unless we look into it, we're going to be sitting here Friday night with a lot of good Bills go down the drain. Fortunately, the only good part about it, there'll be a lot of bad ones go with them."

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Speaker McPike: "The Chair's in complete agreement, Representative Flinn. House Bill 1147, Representative Didrickson. Read... Out of the record. House Bill 1471, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1471. A Bill for an Act to amend an Act in relation to compensation. Third Reading of the Bill."

Speaker McPike: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1471 amends the Municipal Code and it increases the bid limits from five to ten thousand dollars for public improvement contracts in municipalities of less than 500,000 on all contracts pertaining to public improvement, maintenance and material which are not paid in whole or part by special assessment of taxes. What this does is simply address an inflationary problem and it simply changes the bid amount from five to ten thousand dollars. I would urge your support."

Speaker McPike: "Gentleman moves for the passage of 1471. The Bill is on Short Debate. Does anyone rise in opposition to the Bill? Representative Black."

Black: "Thank you very much, Mr. Speaker. I rise in opposition to the Bill simply because if I understand it correctly, you're increasing, you're doubling the amount that a unit of government can go out to buy goods or services, up to ten thousand dollars, without competitive bidding. I... for that reason I rise in opposition to the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 64 'ayes', 41 'nos', 6 voting 'present'. House Bill 1471 having received a Constitutional Majority is hereby declared passed."

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Representative Cullerton in the Chair."

Speaker Cullerton: "On the Order of Third Reading, House Bill 1787. Representative Young. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1787. A Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Cullerton: "I understand that that Bill was on the Consent Calendar, is that correct, Mr. Clerk?"

Clerk O'Brien: "Yes. The Bill is on the Consent Calendar."

Speaker Cullerton: "Alright. House Bill 1831, Representative McNamara. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 1831. A Bill for an Act to amend the Revenue Act, Third Reading of the Bill."

Speaker Cullerton: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. This amends the Revenue Act and increases the disabled veterans homestead exemption from forty-seven five to fifty thousand. The current law provides that certain disabled veterans are entitled to receive an exemption for property. The housing must be owned and used exclusively as a residence by the disabled veteran or the spouse or a non married surviving spouse. If enacted, it would increase the market value of the exempted properties and it will mean approximately 100,000 dollars less revenue statewide. I urge for its approval."

Speaker Cullerton: "The Gentleman has moved for the adoption... the passage of House Bill 1831. On that, is there any discussion? There being none, the question is, 'Shall House Bill 1831 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 109 voting 'yes'. Representative Kirkland wishes to be added to the Roll Call as a 'yes' vote. On this question there's 110 voting 'yes', one

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voting 'no', one voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2130, Representative Didrickson. Representative Didrickson, I can't see. You're hiding behind your flowers. You want to have the Bill called? Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2130. A Bill for an Act concerning youth drug dependency programs. Third Reading of the Bill."

Speaker Cullerton: "Representative Didrickson on House Bill 2130."

Didrickson: "Thank you Mr. Speaker and Members of the House. House Bill 2130 amends the Liquor Control Act and increases the retailer license fee by 50 dollars and sets up a new youth alcoholism and substance abuse prevention fund. I think it's most appropriate that it's being called today. We have about 600 young people, plus adults out there on the Capitol steps who are most concerned about prevention in the State of Illinois. I think all of us on this House floor would like to demonstrate that we too, agree that prevention is the key and education is the solution. I ask for an 'aye' vote."

Speaker Cullerton: "The Lady has moved for the passage of House Bill 2130. On that question the Gentleman from McDonough, Representative Edley."

Edley: "Yes. I'd like to be shown, on House Bill 1787 as voting 'aye'. I pushed the button and it didn't work."

Speaker Cullerton: "Representative, was that on House Bill 1787? That Bill's on the Consent Calendar. Perhaps you meant 1831."

Edley: "The previous Bill, I was told was 1787."

Speaker Cullerton: "No. Actually it was House Bill 1831."

Edley: "1831? Okay, 1831."

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Speaker Cullerton: "The Journal will reflect your intention. On this question, House Bill 2130, any discussion? Representative Homer."

Homer: "Thank you. Will the Lady yield?"

Speaker Cullerton: "For a question. Yes, she will yield. Representative Didrickson."

Homer: "Representative Didrickson, the retail liquor establishment, what's their position on your Bill?"

Didrickson: "I have not received any correspondence from them. I know that it's been, I think about 9, 10... It's been a considerable length of time since it has been increased, and that may be why I haven't heard from them."

Homer: "They didn't show up in Committee and oppose your Bill, or you haven't received any correspondence from them?"

Didrickson: "Not to my recollection, no Sir."

Homer: "Alright. Thank you."

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

Mautino: "Thank you very much. Will the Sponsor yield?"

Speaker Cullerton: "She indicates she will."

Mautino: "Representative Didrickson, I'm sorry that I didn't hear your explanation. You're doubling the licensure provisions?"

Didrickson: "No. It's going up from 75 dollars to 125 dollars. Fifty dollars a year. It's kind of like digging into your pocket here for prevention for kids. As a retail merchant selling spirits and putting in another 50 dollars in a prevention pot."

Mautino: "But the question is...That money currently goes to the Illinois Liquor Control Commission for the oversight of the industry. What are you establishing in your Bill that provides for that funds to go elsewhere?"

Didrickson: "What we are establishing is a youth prevention

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fund."

Mautino: "And how do you get the dollars from the Illinois Liquor Control Commission to this fund? Because there's no avenue to do now, under the Dram Shop Provisions."

Didrickson: "They are earmarked, as you know, according to the legislation that this new infusion of dollars, which would be 800,000 to 1,000,000 dollars will be earmarked for this Youth Alcoholism and Substance Abuse Prevention Fund and..."

Mautino: "Now you've still got to tell me how it gets from a license holder..."

Didrickson: "Because we're creating a new fund."

Mautino: "And how does the money get from the Illinois Liquor Control Commission to that fund?"

Didrickson: "How does the money get to the Illinois Commission right now?"

Mautino: "It goes directly to it into their account. What is left over, the Governor takes on the lapsed period spending. It's been about a million and a half to three million dollars. There's no mechanism for that money to provide for anything other than the oversight and the investigation of those licensure provisions. That's the original intent of the law and that's why it's there."

Didrickson: "I don't have an answer for you right now, Representative Mautino. And I think that's...I would hope that's a detail that we can work out."

Speaker Cullerton: "Further questions?"

Mautino: "Would you mind taking it out of the record? I'd be happy to come over and talk to your people at this time, cause there's no way to do that with the license fees being increased, in a dedicated fund."

Didrickson: "If there's a vehicle for the Governor to take those lapsed dollars and do something with them, why not, since



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this is earmarking into a prevention fund, do the same thing? But I would be glad to take it out of the record and go back to it later."

Speaker Cullerton: "Representative Didrickson, did you say you wish to take the Bill out of the record?"

Didrickson: "Yes, I have. Thank you."

Speaker Cullerton: "Okay. The Bill's out of the record. House Bill 2484, Representative Keane. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2484. A Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Keane on House Bill 2484."

Keane: "Thank you, Mr. Speaker. This Bill is an initiative of the Attorney General. He's worked it out in conjunction with the Department of Revenue. Basically it adds to the Class 3 and 4 felony offenses of the willful failure to file a return on behalf of a corporation. The Bill will expressly make willful failure to file a criminal violation and in addition will require designations of such persons likely to be liable. I'd be happy to answer any questions. I ask for a favorable Roll Call."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 2484 On that, is there any discussion? There being none, the question is, 'Shall House Bill 2484 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 111 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2486, Representative Keane. Mr. Clerk, please read the Bill."

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Clerk O'Brien: "House Bill 2484."

Speaker Cullerton: "86."

Clerk O'Brien: "House Bill 2486. A Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Keane on House Bill 2486."

Keane: "Thank you, Mr. Speaker. This is another initiative of the Attorney General. We don't...There's going to be an amendment placed on the Bill in the Senate that has been requested by the Department of Revenue, but basically the Bill requires the Department of Revenue to notify the Attorney General when a corporation has committed ten or more violations or is in default by 10,000 dollars or more. The Amendment is agreed to, it was just felt we should move this to the Senate, do the Amendment over there and work it that way. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Cullerton: "The Gentleman's moved for the passage of House Bill 2486 and on that is there any discussion? There being none, the question is, "Shall House Bill 2486 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 112 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2784, Representative Kubik. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2784. A Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Cullerton: "Representative Kubik on House Bill 2784."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. 24...House Bill 2784 is a Department of Revenue

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administration Bill. It makes a couple of changes with regard to estimated tax payments. It also makes some changes with regard to taxable income for life insurance companies and reinstates the Illinois capital gains addition modification language to the Bill. It also includes an Amendment by Representative Currie which closes a loophole in the law. I would be happy to answer any questions and would appreciate..."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2784. On that, is there any discussion? There being none, the question is, 'Shall House Bill 2484 (sic, 2784) 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 113 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2785. Representative Frederick. Representative Virginia Frederick. Mr. Clerk, Please read the Bill."

Clerk O'Brien: "House Bill 2785. A Bill for an Act to amend an Act in relation to taxation. Third Reading of the Bill."

Speaker Cullerton: "Representative Frederick on House Bill 2785."

Frederick: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2785 does specifically three things. It raises the coin operated amusement device tax from ten to twenty-five dollars and allows for proration for less than one year's time. It provides for the department to issue a credit memo if requested by the taxpayer and it allows for rounding to the nearesy dollar, sales tax liability. I know of no opposition. It's a Department of Revenue initiative and I move passage of House Bill 2785."

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

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Bill 2785 and on that is there any discussion? There being none, the question is, 'Shall House Bill 2785 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This if final passage. 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', one voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Joint Resolution Constitutional Amendment #4. Representative Lang. Mr. Clerk, please read the Constitutional Amendment. Mr. Clerk, has this Constitutional Amendment been read a second time?"

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #4. This Constitutional Amendment has been read a third time in full previously."

Speaker Cullerton: "Representative Lang on House Joint Resolution Constitutional Amendment #4."

Lang: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This Amendment passed the House last year by a vote of 110 to one and the Senate last year by a vote of 52 to one and was on the ballot in November. It was narrowly defeated by less than one-half of one percent of the vote. The fact that Con Con was on the ballot caused a lot of people to go to the polls and vote 'no' on all the Constitutional Amendments and this Bill failed because of that. This Bill deals with the tax sale on delinquent property. Currently, owners of delinquent property can let the taxes just remain unpaid for over 5 years before they have to redeem the property and many times they don't redeem the property. The purpose of this Constitutional Amendment is to shorten this time dramatically on commercial property of seven or more residential units. This would not affect single family homes. Shortening this time will put more property

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on the tax rolls faster, will cause developers to come in and pay for taxes on delinquent property and develop these properties so we will accomplish putting more property on the tax rolls, bringing more taxes in and cleaning up some of our blighted areas, abandoned areas, because developers will then rebuild properties where they've been burned out, broken down and abandoned and I urge your 'aye' vote."

Speaker Cullerton: "The Gentleman has moved for the passage of House Joint Resolution Constitutional Amendment #4. On that is there any discussion? This is a Constitutional Amendment, it will require a three-fifths vote. Any discussion? There being none, the question is, 'Shall House Joint Resolution Constitutional Amendment #4 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage on a Constitutional Amendment. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. This Constitutional Amendment having received the required three-fifths Constitutional Majority is hereby declared passed. On the Order of banking, House Bill 184. House Bill 184, on the Order of banking. It's the first Bill on that Order. Representative Anthony Young. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 184. A Bill for an Act to amend the Motor Vehicle Retail Installment Sales Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Anthony Young on House Bill 184."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 184 deals with the Motor Vehicle Retail Installment Sales Act and attempts to address the very

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serious problem in the City of Chicago and other parts throughout this state. Prior to 1981, interest rates on used cars were capped at the federal level. In 1981 when there was wide ranged deregulation, those caps were removed. Currently, Illinois law only demands that the interest rate be stated on the contract. The legal aid societies throughout this state have numerous instances of where the interest rates charged on used cars exceed 50 percent, 59 percent, 60 percent. The contract I have in my hand right now is 59 percent interest rate on a used car. House Bill 184 would send a message out to the car dealers, used car dealers in this state that 59 percent interest is unconscionable and should not be allowed. What the Bill would do, it would cap the interest rates based on the federal prime interest rate. House Bill 184 says that any car less than 2 years old, the interest rate charge could only be 10 points over the prime rate. Any car less than 4 years old could be 13 points over prime and any car 4 years or older could be 16 points over prime. Ladies and Gentlemen of the House, 16 points over prime is enough margin of profit for three or four financial institutions. For example, the prime rate today is 11 1/2 percent. This Bill would merely say that the interest that could be charged on a used car if it was sold today, could not exceed 27 1/2 percent. The opponents to this Bill will give arguments such as that credit would not become available, or it will be less available in communities where the risk is high. Ladies and Gentlemen, the high interest rates of 59 and 60 percent are not charged based on any foreseeable standard of risk. 59 percent interest rates are charged on young buyers and old buyers and unsophisticated buyers who simply do not read the contract, but are more interested in the amount of the monthly note.

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It's a good Bill. It's a consumer Bill. It's meant to stop usurious interest rates of 59 and 60 percent. I'll be happy to answer questions. I urge an 'aye' vote."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 184. On that is there any discussion? The Gentleman from Cook, Representative Parke."

Parke: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. There's no doubt that the Sponsor is introducing this on behalf of people that he has empathy for. But quite frankly, our concern is that in fact this is going to hurt the very people he is trying to help, because the people that are putting out these loans though we think are exorbitant and should not be at this level, quite frankly, we put these levels that are proposed in this legislation and not let the marketplace, which will be responsible for the most part in handling the interest rates, the people who are offering these loans will not be able to offer loans at all in the areas that he is concerned with, because of the lapse ratio of the loans that are currently in some of the areas that Representative Young is addressing. They will not be able to secure loans because the loans just won't be available. When they charge 59 percent, we would believe that that's outrageous, but I would say that for the most part, those are not the rank and file loans that are being given out. There are always people that will abuse them, and we believe that there's a process that can be used against people like that and this is using...trying to solve a problem with a sledge hammer where the approach ought to be a little bit more subtle. And though I think the Sponsor is well intended, I believe that this is the inappropriate approach to this legislation and that there are many groups that are against it, including the bankers associations, Sears and Roebuck, the

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Community Bankers, Household International, just to name a few that are against this legislation, though it's well intended, will have counter productive motions, in fact, on this legislation and we oppose it."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Preston."

reston: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of House Bill 184. Contrary to what was said by the previous speaker, if we are indeed at all concerned by the plight of consumers in Illinois, it is absolutely unconscionable, absolutely unconscionable, to let a young person, old person or anyone in between to pay the kind of outrageous interest rates that were referred to in the Consumer Protection Committee when we held hearings on House Bill 184. We finally were able to get a representative from the used car industry to testify and when I asked the question, can you in any way justify a 59 percent interest rate or a 45 percent interest rate or a 40 percent interest rate or a 35 percent interest rate or a 30 percent interest rate or a 25 percent interest rate, the Gentleman who appeared, said that no, he could not justify charging that kind of interest to a consumer. House Bill 184 permits the charging of interest rates of anywhere from 10 to 16 percentage points above the federal discount rate. As was stated, that could be as high as 27 percent interest rate, which I think is unconscionable in itself. But that is what would be permitted. Anything above that, charging interest rates up to what we heard of 59 percent is an unconscionable charge to consumers in Illinois. We ought not to permit it. We wouldn't be here today if those interest rates were not being charged in some segments of our society. The time has come to say no. We have to put a stop to it. This House Bill 184 does that and I urge



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your 'aye' vote."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative McGann."

McGann: "Mr. Speaker...Thank you, Mr. Speaker and some Members of the Assembly. I rise in support of House Bill 184. I applaud the Sponsor for the work he has done for over three years in trying to resolve this matter. He has gone a complete circle around from his original attitude and approach to resolving the problem. We should not allow in this state exactly what is happening in the City of Chicago. For those of us who attended the hearings 3 years ago in the City of Chicago, it was very, very difficult to accept the testimony and say that you could be against any legislation in this order. These poor people that have to have transportation to get to their jobs far away are paying such unheard of interest rates for an automobile. The automobile doesn't last. They're still saddled with those payments. I think that Representative Young has done a true and admirable job in trying to bring about a pragmatic approach, a reasonable interest rate, something that everyone could live with. And if you can't make dollars on 16 points over the prime, then you shouldn't be in business. I'd ask for all of us in this House to support with an 'aye' vote on House Bill 184. Thank you for listening to me."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Morrow."

Morrow: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. I rise in... to support House Bill 184 because this is another example of the haves and the have-nots. If you're able to put down a third or one-half of a down payment on a new car, then they will reward you with a 2.9 percent interest rate. A 2.9 percent interest rate. But

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if you aren't able to put down a half or a third, you gotta take what they will give you. Someone else mentioned abuse, but back home we call this type of situation nothing more than a juice loan. And this is what this is. Juice. I rise and I urge that we votee 'aye' on House Bill 184 because as we have noted before, back in our communities, we did ban juice loans and we need to ban this situation here. Thank you very much."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker. Normally I would be against the caps on loan dollars. But in this case I think it's very important that when he is allowing such a tremendous increase of 16...up to 16 percent over the prime rate, anybody that charges more than that should go to jail. I think that they are exploiting people. I think it's something that must be corrected and I'm happy to support this piece of legislation. Thank you."

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

Black: "Thank you, very much, Mr. Speaker. I reluctantly rise in opposition to House Bill 184. Now Ladies and Gentlemen of the House, this Bill has been brought to us before. I think it has failed on at least two occasions. Now let's just look at the real world in which we live. If you try to restrict or regulate credit, what happens? It just disappears, it goes somewhere else. So the very people you're trying to help will be the first, the very first people that you'll hurt. This isn't going to work. You know, I guess...I guess at some point we're all going to have to ask ourselves, at what point does government become everyones mother and father? You know, this General Assembly some years ago passed a consumer, a consumer

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education requirement in this state's high schools. Now maybe we ought to ask the education community why the consumer education class isn't working. If you've got people that are going out there paying 30, 40, or as I heard, 50 percent interest to finance a used car, then there's something wrong with the consumer education requirement that this General Assembly passed. Now that's where we ought to be putting our emphasis. Let's educate the people so they can make reasonable choices in a free marketplace. I rise in opposition to 184."

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

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

Speaker Cullerton: "The Gentleman from St. Clair, Representative Flinn has moved for the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair the 'nos' have it. The Representative from Cook, Representative Williams."

Williams: "Thank you, Mr. Speaker. I rise in support of this noble legislation because of the fact that I know what it is to experience hardships. I know what it is to have to get to a job and I know what it is to have to go in and be forced to work with individuals, be forced to work with loan companies to get a meager loan on a used car that we know that the loan will last longer than the car. I know, in fact, that when he talks about consumer protection, he doesn't really talk about the fact that we're dealing with people who have no choice. If you've got to get to work and if the guy who stands over you, who holds the very essence of your life's blood in his hands tells you that the only way you're going to get to work is to pay through your nose, to pay out everything that you have in order to

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get a small loan to take care of a car that will not last as long as the loan, I understand that a person has no choice. In the law we have something that we call unconscionable, and that's what this particular Bill does. It prevents unconscionable business practices. When two people have notes that have unequal bargaining powers, a person who must get to work, who must take out this loan, who must drive, who must do these things, has no choice. And what we're trying to say here today is that people who sit up and they say, 'I'll give you this car at 20 percent', they come back a year later, they can't afford the loan, they take the car back and then they sell the same car at the high, extremely high interest rate to another person. We are doing nothing but protecting these unscrupulous business people and we must stop this today. This is not a consumer protect, this is not a issue where we're going to teach people in consumer classes. What we have to do is prevent businesses from putting people in a position where they can no longer defend themselves and that's all we're doing. We're saying to those poor people who cannot defend themselves that we will provide a defense for you and I ask and I urge today that we support this very noble cause. Please vote 'aye'."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Balanoff."

Balanoff: "Thank you, Mr. Speaker. I rise in support of House Bill 184. Oftentimes it's important to say enough is enough and in this case enough is too much. Consumers must be protected from unscrupulous used car dealers. All of us have seen movies, heard reports and talked with constituents about the nightmare of exorbitant interest rates when buying a used car. Even if 59 percent interest rates are the exception and not the rule, this Bill will

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insure that those few who try to fleece the unwary used car buyer will be held in check. Nobody is saying lending institutions should not make a profit, but if this Bill was to become law today, the maximum allowable rate would be 27 percent. Certainly enough to make a very handsome profit. Enough is enough. Let's do something for the consumers, our constituents today and I urge an 'aye' vote on House Bill 184."

Speaker Cullerton: "The Gentleman from Cook, Representative Sutker."

Sutker: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I really didn't intend to talk on this Bill until some Legislators, whom I respect, on the other side of the aisle so vehemently opposed it. I would like to suggest that when they talk about a free market, they're not talking about what this Bill is directed at. We're dealing with people who are disadvantaged and underprivileged and who are not sophisticated in the world of commerce. It seems to me it's our responsibility to make certain that they're not misused and abused and all that Representative...the Representative's Bill really does is to make certain that these people are not exploited. And the exploitation, Ladies and Gentlemen, is one that would allow, on a six year old car, as I understand it, an interest rate of 27 1/2 percent. It boggles the mind that there are people that are suggesting that that is fair. It seems to me, Ladies and Gentlemen of the House that this is one Bill that we should send out a loud and clear message that we're not going to allow, we're not going to countenance the abuse of those in our society who are least able to protect themselves. Education would be fine and we should continue to do so, but these people have a limited market to which to go and it seems to me, Ladies and

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Gentlemen of this House, we should aid them and make certain that they're not exploited and this Bill will prevent such exploitation. I urge an 'aye' vote."

Speaker Cullerton: "The Lady from Cook, Representative Zickus."

Zickus: "Yes. In the late 1970's there was a usury law in Illinois and it limited the interest that could be charged on residential home mortgages. We went through a period where every single mortgage dried up because the interest rates were much higher than what was allowable in Illinois. So I strongly feel that a Bill such as this is definitely going to hurt the people that we are trying to help. Thank you."

Speaker Cullerton: "Gentleman from Macon, Representative Dunn."

Dunn: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I think it's regrettable that we have to consider legislation like this today. I do rise in support of it. I'd just like to point out that there probably aren't more than a handful of us left around here who voted against the Bill in 1981 which removed the caps on interest rates. Those of us who voted against it predicted that things like this would happen and that legislation like this would be needed. It's a sorrowful thing that we didn't take proper action back in 1981, but at least we can take a positive step back toward common sense with the approval of House Bill 184 today and I recommend an 'aye' vote."

Speaker Cullerton: "The Gentleman from Fulton, Representative Homer."

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

Speaker Cullerton: "He indicates he will."

Homer: "Representative Young, there are questions here about what the interest rate limits in your Bill are. Let me just ask you. As I read the Bill, if a car is not more than two model years old, the interest rate is 10 percentage points

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above the federal reserve discount rate. What currently is the federal reserve discount rate?"

Young: "Today that rate is 11 1/2 percent."

Homer: "So, this would set a cap at 21 1/2 percent on the newer cars?"

Young: "That's correct."

Homer: "And a cap of 24 1/2 percent on cars up to 4 years old?"

Young: "That is correct."

Homer: "And 27 1/2 percent interest on cars more than 4 years old?"

Young: "And that's based on today's federal reserve rate and if that rate were to go up, Representative, then the cap would go up according to the rise in the rate."

Homer: "Well those...those rate...those ceilings sound pretty exorbitant. Do you mean there are transactions where lenders are charging people more than those rates?"

Young: "The contract in my hand, Representative, is for 59 percent interest."

Homer: "59 percent annualized interest?"

Young: "That is correct."

Homer: "How old's the car?"

Young: "The car was 6 years old at the time of the contract."

Homer: "Well, Mr. Speaker, to the Bill. I find it staggering that there would be anyone who would rise in opposition to a Bill such as this. I mean, even the worst gougers out there have got to feel pretty good about the ability to nail people under this Bill. 27 1/2 percent annualized interest, and they're lobbying against that? I mean, I respect the people who apparently are against the Bill, and have talked to me about this Bill and usually I think they have some very valid points, but candidly, I think the Sponsor's put a very modest proposal before us here and to say that we're unwilling to cap rates at 27 1/2 percent

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interest on people who finance used cars...I mean that's a pretty lousy vote, so I would have an easy time deciding this one. I'm going to vote 'yes'."

Speaker Cullerton: "Representative Young to close."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill has been well debated. I would just add that so often we hear that it's a noble cause, it's a good cause. We sympathize with the people you're trying to protect, but this isn't the way. Well, I tell you the way is not to allow 59 percent interest on used cars and I suggest there is no small select group of people we're trying to protect. Young people are being taken advantage of, first time buyers, unsophisticated buyers. There were caps on these transactions for 30 years prior to 1981 and they were still made, so credit will not dry up. These cars will still be sold and the sellers will still make a profit. The only thing we're dealing with is whether that profit will be reasonable, whether 16 percentage points over prime is reasonable or whether you think 59 percent is reasonable. And I ask for your 'aye' vote."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 184. The question is, 'Shall House Bill 184 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open, this is final passage. Representative Davis to explain her vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just doing a bit of quick calculation, I find that with the proposal of this Bill even with 21 1/2 percent on a five thousand dollar car, the first year's interest is one thousand one hundred dollars and I think that's more than ample. Therefor, I vote to support this legislation."

Speaker Cullerton: "Have all voted who wish? Representative Parke, did you speak in debate, Sir? Do you have a



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Constitutional point or do you have a...inquiry?"

Parke: "Yes, Mr. Speaker, if this gets the required number, I'd like a verification of the Roll Call."

Speaker Cullerton: "That's fine, Sir. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question... Representative Young requests a poll of the absentees."

Clerk O'Brien: "A poll of those not voting. DeJaegher, DeLeo, Deuchler, Frederick, Kulas, Mautino, Ronan and Santiago."

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

Matijevich: "I'm going to explain my vote. I voted 'aye' even though I thought the Bill didn't go far enough. Anybody charging 59 percent ought to be guilty of a juice loan and ought to be in jail."

Speaker Cullerton: "Representative Giorgi."

Giorgi: "Mr. Speaker, I was here in 1981, I think, when this Assembly voted to take the lid off all interest rates and I feel that it was one of the most depressing days I've spent in Springfield in the 25 years I've been here. And all of the things we prophesised that day came to pass. Within a month they were charging 40, 50 and 60 percent interest on car loans and every other kind of loans. I think this is a terrible travesty on the citizens of Illinois. I think anyone that voted to abolish the interest rates 8 years ago ought to vote to reinstate them today."

Speaker Cullerton: "Representative Capparelli wishes to vote 'aye'. Is there anyone else who seeks recognition for the purpose of voting or explaining their vote or changing their vote? There is no one seeking recognition. Representative Young requests that the Bill be put on Postponed Consideration. And therefor, it's on Postponed Consideration. The next order of business will be Public

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Welfare. On the order of Welfare Reform, House Bill 219, Representative LeFlore. Representative LeFlore House Bill 219 on the Order of Welfare Reform. Mr. Clerk, please read the Bill. That's on the Agreed Bill... Okay, out of the record. Yes, Representative White, on House Bill 300. Representative White...or Representative Currie, I'm sorry. Representative Currie on House Bill 300. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 300. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Currie on House Bill 300."

Currie: "Thank you, Mr. Speaker, Members of the House. This is a Bill that was crafted by the House Human Services Committee, including recommendations from the Legislative Joint Committee on Welfare Reform, the Governor's and the Department of Public Aid's Illinois Welfare Forum and many of the other proposals that have been voiced in the State of Illinois to improve our welfare system. As amended, the Bill would extend day care and medical benefits for public aid recipients for a twelve month period now permitted and reimbursed under federal law. Would provide improved accountability in the Department of Public Aid's Project Chance Program, would insure that people who go into nursing homes do not leave impoverished the spouse that stays at home in the community. Would codify the Social Services Advisory Committee within the Department of Public Aid. Would exempt children's hospitals from the I CARE program and would make sure that there is carryover authority for immigration control funds within the Department of Public Aid. As amended, Members of the House, the Bill would invoke a state cost...annual cost of 8.8 million dollars above the Governor's introduced budget level. More than two-thirds of those dollars would come

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about by virtue of exempting the children's hospitals from the I CARE Program. Virtually every Member of this House has voted at Amendment stage to exempt children's hospitals from the I CARE Program. This is our opportunity on Third Reading to say 'yes' to that proposal. I'd be happy to answer your questions about House Bill 300. I think that as crafted by the House Human Services Committee and as amended on this Floor, this gives us the opportunity to insure a State Department of Public Aid that does a real job for clients of the department and a real job for the taxpayers of the state."

Speaker Cullerton: "The Lady has moved for the passage of House Bill 300. Is there any discussion? On that question, the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. I rise in opposition to this illustrious House Bill 300 which consists of 25 legislative proposals that were combined into House Bill 300. At the time this Bill was presented in Committee, she...the Representative speaks of the Amendments that were presented. None of them were passed. The subject that we're talking about is not in the price that we have been told. We're looking at a figure of approximately 142.7 million dollars. That's what's in this wonderful Bill. You hear the talk about how we have to conform with this and we have to conform with that. I have to tell you that the citizens were not represented. Not when you can consolidate the thoughts of 25 different Legislators and 25 different Bills. It's a bad precedent. It's a bad Bill and I urge a 'no' vote."

Speaker Cullerton: "Further discussion? The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in opposition to the Bill. It has some good ideas, there's no doubt about that."

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In fact, there's probably some Republican ideas in this. However, it fails on two points. The first is the kinds of dollar costs that is included in this that the previous speaker alluded to. The second is the manner in which it passed the Committee. We have had in that Committee some fine leadership from the Chairman of that Committee who has in the past worked in a cooperative area to allow Bills to be heard. To allow individuals to handle their own Bills and now we're suddenly faced with a Committee Bill process, in fact the Sponsor of this particular Bill, what I assume is the Sponsor, indicated that these would be Committee Bills. And that these indeed would be handled by the Chairman of the Committee and I see now that that's no longer the case. As a consequence you have to question the exact process by which these Bills were allowed to pass. The Committee could have treated each of these as individual ideas. Allowed each of us to vote on these issues. The one problem that we have when we go back home...it's just impossible to explain to the people back home, yeah, there was some good ideas in it, some bad ideas, we had to take the good with the bad or we had to vote against the bad and forget the good. Why cannot these ideas rise and fall on their own merits? Obviously, some would lose. But that's the process by which we have. To put them into a conglomeration, into a Bill like this, is not in the part of the Committee process, it's not one that we should support and this is not a Bill that should have our support as well. Thank you."

Speaker Cullerton: "Representative White on Committee Bill 300."

White: "Mr. Speaker and Ladies and Gentlemen of the House, as Chairman of the Human Services Committee, for a long period of time we've had a wonderful relationship with the other side of the aisle. We had 55 Bills that dealt with public

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aid that came before our Committee. It would have been impossible for us to have handled the Bills in the manner in which the last speaker just alluded to. If we had passed out all Bills, it would've cost the State 1.3 billion dollars and I think that the State of Illinois cannot afford that kind of a price tag. We decided that we should use three Bills and this Bill is one of three using the Committee Bill process. Committee Bill process is not new to us. It's not new to this Body. We think about welfare reform, we talk...we think about unemployment compensation and a few more, that system has worked extremely well and this is the system that we have devised for these three Bills and I stand in support of House Bill 300, which is one of three Bills that are Committee Bills that came out of Human Services Committee and I ask this Body to stand with us and support this wonderful piece of legislation."

Speaker Cullerton: "Further discussion? There being none, Representative Currie to close."

Currie: "Thank you, Mr. Speaker. Just to reiterate the point that the cost in this Bill is not substantial. We're talking very little money above the Governor's proposed budget and the bulk of those new dollars are dollars to make sure that the four children's hospitals in this state can continue to survive, can continue to care for our poor and very ill youngsters. Virtually every Member of the House has voted for the children's program. This is your opportunity to make that vote stick. I encourage a 'yes' vote on final passage in this House of House Bill 300."

Speaker Cullerton: "The question is, 'Shall House Bill 300 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. Representative Tate to explain his vote."

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Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 300 includes 28 different Bills at a cost of...to the taxpayers of either...between 67 million and 91 million. In one Bill alone, it would have a fiscal impact of sending nine to 16 million to the City of Chicago for one specific hospital. In this Bill it deletes the requirement that all applicants be tested for reading and writing and English. House Bill 1106. It adds a provision that for the 12 month day care effective on April 1, that we must conform with all federal provisions which would also increase the cost. It deletes the requirement on individual caseloads, which our caseloads are already overwhelmed with too many recipients. It require..."

Speaker Cullerton: "The Gentleman from Cook, Representative Bowman to explain his vote."

Bowman: "Thank you."

Speaker Cullerton: "Representative Tate, why don't you...excuse me, Representative Bowman, Representative Tate, maybe you could complete your remarks."

Tate: "Thank you. It removes the requirement that recipients be notified of other programs that they may be eligible for, for when they're terminated for...So I would suggest for all Members that they be very cautious because there are some good provisions in this Bill, but even if you're pro-recipient, there are some bad provisions and certainly if you're concerned about making education a priority and you're fiscally concerned about the current situation of our state budget, then I would suggest that you might want to withhold your votes right now until we have a better idea of where we're going to find 97 million dollars, which is the impact of this Bill."

Speaker Cullerton: "The Lady from Cook, Representative Davis to explain her vote."

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Davis: "Yes. I certainly support this legislation, Mr. Speaker, Ladies and Gentlemen of the House, because what we have here is a number of vital fetuses who survived birth. Now we must be concerned with the housing, the feeding and the medical care of those individuals. We must be concerned with sustaining life. Thank you."

Speaker Cullerton: "The Gentleman from Cook, Representative Bowman to explain his vote."

Bowman: "Well, thank you, Mr. Speaker. Ladies and Gentlemen, those of you who are concerned about the impact on the budget, let me just point out that we passed the public aid budget yesterday. That all the...provisions of House Bill 300 were provided for in that budget and we did so at...with a very modest increase above the recommended levels because we were able to make substantial cuts elsewhere in the public aid budget. We've been cutting other budgets, so that I can assure the Members of this House that we will pass a balanced budget to the Governor at the level recommended by the Governor and with adequate provision for House Bill 300."

Speaker Cullerton: "The Gentleman from Madison, Representative Stephens to explain your vote."

Stephens: "No, thank you."

Speaker Cullerton: "Oh, I'm sorry. Representative Ropp from McLean to explain his vote."

Ropp: "Yes. Thank you Mr. Speaker, Members of the House. It just seemed like a couple of years ago we passed a Bill to help public aid recipients get back on their feet with a program called Project Chance. That moved up to about 75 million and I'm not sure there are any more people off of public aid now than there were then, but this program with another 90 million...I mean, where are you intending to go with these programs? It seems like we ought to have

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allowed one to effectively do the job without trying to add ten or fifteen other new programs that probably won't do any better than what we're doing now."

Speaker Cullerton: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Oh, I'm sorry, Representative Jones, you had your light on, do you want to explain your vote? Shirley Jones."

Jones: "That's okay."

Speaker Cullerton: "Okay. Representative McCracken? Representative McCracken requests a verification. Mr. Clerk, would you please first poll those not voting?"

Clerk O'Brien: "Poll of those not voting. Barger. Stange and Stephens. No further."

Speaker Cullerton: "And could you please poll the Affirmative Roll Call, please."

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

Speaker Cullerton: "Representative McCracken, there's a few people that are asking leave to be verified. The first one...Representative Stephens, I'll be right with you. Let me just get these leave to be verified. Representative Leverenz is down here in the well, he asks leave to be verified. Representative Flowers. Where is Representative



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Flowers? Representative Flowers was just at the well and asked leave to be verified, but we had not... I did not give her that... You did not give her that permission. Representative Levin, you ask leave to be verified? Representative Richmond asks leave to be verified, is that correct, Representative Richmond? Okay. Representative Flowers at the rear of the Chamber and you asked leave to be verified, Representative Flowers? Okay. We're making a list... Representative Steczo is here at the well and asks leave to be verified. Representative Edley is in the center aisle. He asks leave to be verified. Representative Homer is at the rear of the chamber and he asks leave to be verified. Representative Terzich is at his chair and he asks leave to be verified. So let's read that list. Leverenz, Levin, Richmond, Flowers, Steczo, Edley, Homer and Terzich. Representative Stephens."

Stephens: "Thank you, Mr. Speaker. How am I recorded?"

Speaker Cullerton: "Mr. Clerk, how is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as...he's not voting."

Stephens: "Please record my vote 'no'."

Speaker Cullerton: "Okay. Representative McCracken."

McCracken: "Thank you. Representative Kulas."

Speaker Cullerton: "Representative Kulas. Representative Kulas in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Please remove him."

McCracken: "Representative Keane."

Speaker Cullerton: "Representative Keane. Representative Keane is in the chamber."

McCracken: "Representative Farley."

Speaker Cullerton: "I'm sorry. Return Representative Kulas to the Roll Call. He's at his desk."

McCracken: "Representative McGann."

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Speaker Cullerton: "Representative Andy McGann. He's in the rear of the chamber."

McCracken: "Representative Shaw."

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

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

Speaker Cullerton: "Please remove him."

McCracken: "Representative Lang."

Speaker Cullerton: "Representative Lang is in the chamber."

McCracken: "Representative Anthony Young."

Speaker Cullerton: "Representative Anthony Young. Representative Anthony Young. Is Representative Anthony Young in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Please remove him."

McCracken: "Representative Lou Jones."

Speaker Cullerton: "Representative Lou Jones is in the aisle."

McCracken: "Representative Matijevich."

Speaker Cullerton: "Representative Matijevich is in his seat. Representative Shaw has returned to the chamber. Please add Representative Shaw to the Roll Call."

McCracken: "Representative Santiago."

Speaker Cullerton: "Representative Santiago is in his chair."

McCracken: "Representative Preston."

Speaker Cullerton: "Representative Preston was in the gallery and he left. That's not good enough, he's got to be on the floor. How is the Gentleman recorded?"

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

Speaker Cullerton: "Please remove Representative Preston."

McCracken: "Representative Dunn."

Speaker Cullerton: "Representative John Dunn. Is the Gentleman in the chamber? Representative John Dunn. How is the

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Gentleman recorded?"

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

Speaker Cullerton: "Please remove him."

McCracken: "Representative Giglio."

Speaker Cullerton: "Representative Giglio. How is Representative Giglio recorded?"

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

Speaker Cullerton: "First of all, Representative Dunn is in the center aisle, please add Representative Dunn to the Roll Call. Representative Giglio...I'm sorry, add Representative Preston to the Roll Call, he has returned to the Roll. Now, Representative Stern, do you ask leave to be verified?"

McCracken: "I'm almost done."

Speaker Cullerton: "Representative Stern asks leave to be verified. We still have Representative Giglio, I think. You still had a request. Is the Gentleman in the chamber? He's not, please remove him. Representative Anthony Young has returned to the chamber, please add Representative Young to the Roll Call."

McCracken: "Nothing further."

Speaker Cullerton: "This Bill...On this question there are 62 voting 'yes', 47 voting 'no', 3 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative LeFlore? Representative LeFlore? I've been told that House Bill 219 is not on an Agreed List, so if you wish to call it, it's on this Order, we can have it called right now. Mr. Clerk, please read House Bill 219."

Clerk O'Brien: "House Bill 219. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Cullerton: "The Gentleman from Cook, Representative LeFlore on House Bill 219."

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LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 219 is...Hold on just a minute, Mr. Speaker."

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

McCracken: "There was an Amendment adopted to this. We've withdrawn our opposition, you can return it or vote it now."

Speaker Cullerton: "Okay. It's back on the Agreed Bill list, Representative."

LeFlore: "Thank you."

Speaker Cullerton: "Congratulations. House Bill 444, Representative Doederlein. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 444. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Cullerton: "The Lady from Kane, Representative Doederlein on House Bill 444. Representative Doederlein, not Representative Didrickson."

Doederlein: "House Bill 444..."

Speaker Cullerton: "I apologize, Representative, the electrician... You're wearing the same jackets, so perhaps that caused the confusion."

Doederlein: "Okay. Ready?"

Speaker Cullerton: "So Representative Doederlein on House Bill 444."

Doederlein: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 444 is the Public Aid Pay-Back Bill. Public Aid recipients attempting to collect back pay from previous or current employers would have to inform the state of such efforts and then the Department may, by intervention, attach a lien or the recovery of back wages equal to the amount of the assistance provided by the

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department to the recipient. This is a good Bill. It was brought to me by a constituent in my area who attempted to pay back the public aid and they couldn't do that, so I think this is a good Bill. And I ask for your 'aye' vote."

Speaker Cullerton: "The Lady has moved for the passage of House Bill 444. On that, is there any discussion? There being none, the question is, 'Shall House Bill 444 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 108 voting 'aye', one voting 'no', 4 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 745, Representative Trotter. On House Bill 745. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 745. A Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Trotter, House Bill 745."

Trotter: "Thank you, very much, Mr. Speaker, Members of the House. I would like to reiterate my statement of last week that it's an honor and a privilege to carry House Bill 745 for the expectant mothers and the children of the State of Illinois. This Bill incorporates several components. As we know, it's an omnibus Bill. But they have...even in its multi-faceted state it has a singular purpose and that's to address the inadequate access to health care here in the State of Illinois, which will ultimately correct the tragedy of infant mortality. Before I get into what the Bill actually does, I'd like to share with you a few ugly statistics. That infants born in Illinois face a higher prospect of dying before their first birthday than any other state in the nation. That the State of Illinois ranks as the seventh worst state in the nation in terms of

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its infant mortality rate. Illinois has the highest of any northern industrial state and is exceeded only by six southern states in its infant mortality rate. And up until 1986, the State of Illinois has experienced a decline in this rate, but as of 1986, the infant mortality rate has actually gone up. This is a tragedy that we must address. It's a tragedy that we can address and stop with passage of House Bill 745. House Bill 745 asks that four things be done. That we extend Medicaid coverage for certain pregnant women, the working poor women and of the infants up to the age of one. The department and the government has issued a revised Medicaid plan for this coverage which said income eligibility standard of 130 percent of the federal poverty level is to be met. This Bill extends to those children up to the age of 8 coverage so that they can get their immunization. So that they can be healthy children and attend our public schools. This Bill requires that there is an implementation of presumptive eligibility. The same plan that the federal government is passing at this time. This plan here asks that we exempt the children's hospitals in our state and in the state of Missouri from the current I CARE program. A program that is very deficient in its repayment schedule and its reimbursement. We ask that these hospitals that give special treatment to our children receive special consideration from this House, from this Body and from the Illinois Department of Public Aid. We're asking that you vote with me and pass House Bill 745 for the children and for the expectant mothers of this great state."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 745. On that question the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. Would the

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Sponsor yield for questions?"

Speaker Cullerton: "Representative Trotter indicates he will answer questions."

Wojcik: "Representative, what is the current state law regarding the coverage of pregnant women and children?"

Trotter: "The current state law says it will only go up to 100 percent of the level of poverty and up to age one. We're trying to extend that up to age 8 and to also extend that ceiling of 100 percent to 130 percent."

Wojcik: "Would you like to explain a little bit more about your Bill and tell us what it totally entails?"

Trotter: "What it totally...I thought I had explained it to you, Representative."

Wojcik: "No. On the mandates. What are we looking at in regard to the mandates?"

Trotter: "The mandates being that this Bill would raise the standard...the standard of eligibility up to 130 percent of the federal poverty level. And the only other mandate that we're talking about here is exempting the children's hospitals from the I CARE program. That's Wyler's Hospital in Chicago, Children's Memorial, Cardinal Glendon and the Children's Hospital in St. Louis. And presumptive eligibility also is incorporated into this language."

Wojcik: "Okay. What hospitals are going to be exempt under the I CARE legislation?"

Trotter: "I just named the four of them to you. That's Wyler's, that's Children's Memorial in the City of Chicago, that's Cardinal Glendon and the Children's Hospital in St. Louis, Missouri."

Wojcik: "Okay, fine. Also, what is so different about the children's hospital that the state should pay them the cost that no other provider group is paid similarly?"

Trotter: "Well these are specialty care hospitals, which most

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children...Just like any kind of profession, a specialty in medicine. The doctors that practice there actually have additional training and because of the high cost of the intensive care, the perinatal care and the postnatal care that is needed. We're talking about...right now, we're talking about costs for the children. It costs roughly 1500 dollars a day for these children to be housed in these hospitals, where it's only a thousand dollars more than we're asking that pay for them on the front end of their life."

Wojcik: "Did you say that the fiscal impact was about 23.8 million dollars, or did you say what the impact would be?"

Trotter: "That's on the annual basis. I did not say, but that is on the annual basis."

Wojcik: "Do you know what the state's share is?"

Trotter: "I'm sorry, I..."

Wojcik: "Do you know what the state's share is? What it would cost the state?"

Trotter: "That's a half...16.2, as you know, the other percentage will be assumed by the federal government."

Wojcik: "Thank you."

Trotter: "That's only 9.5 for next year."

Speaker Cullerton: "Further discussion? The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you. Would the Sponsor yield for questions?"

Speaker Cullerton: "He indicates he will."

Ryder: "Representative, it's my understanding that there is a collection of four different topics that are in Amendment #1 to House Bill 745. Is that correct?"

Trotter: "That's correct."

Ryder: "Alright. And the first one establishes that at 130 percent?"

Trotter: "Yes." Ryder: "Seonc one was originally House Bill885



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by Representative Matijevich which extends up to 8...In other words it is eight times the original extension of the maximum age under federal law? From one to age eight, is that right?"

Trotter: "That's half correct. What it is is the original Bill mandated. This language in the Amendment makes it much more permissive."

Ryder: "I'm sorry, I didn't hear the last part."

Trotter: "It's permissive. It makes it permissive at this point."

Ryder: "When is that effective?"

Trotter: "That's effective as of January first."

Ryder: "Does it include House Bill 2065?"

Trotter: "Yes, it does."

Ryder: "That's a presumptive eligibility program? Statewide presumptive eligibility?"

Trotter: "That's correct. Actually, the President is also, and he's making it nationally, so it's not just our state that's inclusive in that kind of language."

Ryder: "Okay. I haven't talked with the President about your Bill, and I..."

Trotter: "No, I haven't talked with him either, but I have read that he is also in support of that kind of legislation."

Ryder: "I see. And it also includes House Bill 2562, which is the Children's Hospital, by the current Speaker pro tem."

Trotter: "That's correct."

Ryder: "Representative, there's a fiscal note requested I don't know if that was before or after the Amendment, do you?"

Trotter: "I'm sorry."

Ryder: "A fiscal note was requested. I don't know if that was before or after your Amendment was placed on the Bill."

Trotter: "It was submitted after."

Ryder: "And what was the amount of the fiscal note that was

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supplied?"

Trotter: "The total fiscal note for the hospitals, which state costs would be 12.7."

Ryder: "I'm familiar with the hospitals. That was the subject of my Amendment."

Trotter: "For the hospitals..."

Ryder: "I mean for the entire Bill. Do you have that now?"

Trotter: "The state share of House Bill 745 would total 9.5 million in FY '90."

Ryder: "Now I am confused. You're indicating that the cost..."

Trotter: "Oh, I'm sorry. I'm getting some new...Let me go over these facts and figures."

Ryder: "I know you're getting some expert advice from the right and the left. Mostly on the left, yes. Do you have a new, revised, corrected, approximate..."

Trotter: "Okay...the children's hospital is the only..."

Ryder: "...budget-busting cost?"

Trotter: "...Well, the children's hospital will be the only Bill that will be going in effect this year. And that's for 9.5 million."

Ryder: "Fine. Do you... And do you have no other projected cost?"

Trotter: "And the... the other cost would be in July of 1991. It would be 3.45 for pregnant women. There's no cost... minimum cost for presumptive eligibility, and if we utilize the option of putting the age of the children up to eight, which is optional, then it would be 19.4."

Ryder: "Representative, one last question before I discuss the Bill. Have we not passed legislation that exempts the children's hospitals already? Was not that...was not that part of House Bill 300?"

Trotter: "There was a similar provision, correct."

Ryder: "Does the same thing? Accomplishes the same objective?"

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Meets the same criteria as the Speaker pro tem's Bill that has been attached to three or four different other Bills, right?"

Trotter: "Essentially, yes."

Ryder: "So the only part of this Bill that goes into effect this year, the only part of your Bill that is mandatory, is something that we've already passed."

Trotter: "No, presumptive eligibility also."

Ryder: "To the Bill."

Speaker Cullerton: "Proceed."

Ryder: "Thank you, Mr. Speaker. As well-intentioned as the Sponsor is of this, and I believe that to be the case, what we have is one of the unfortunate by-products of a conglomeration of ideas, concepts and other people's Bills that are all been force-fed into this one particular Bill. We will pass, if my estimation is correct, the Speaker pro tem's concept on children hospital at least three times, perhaps four, which may, indeed, be a good idea. I'm not going to debate that, but overkill is simply one of the by-products of force-feeding of this Committee concept. It's not a good idea. The intentions of the Sponsor's are very well intended. Some of those ideas had they had the opportunity for open air debate would be some that I could support. But by the fact that we are force-feeding this, this is not an idea whose time has come. It is not an idea who has seen the process work; and therefore, we should oppose the Bill."

Speaker Cullerton: "Further discussion? The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. There are essentially four ideas in this Bill, not a conglomerate, not a massive number at all. All of them deal with the problems of infant mortality, of a state

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infant mortality rate that is appalling, is abysmal compared to sister states across the nation. One of the most important parts of the Bill is the extension of Medicaid support for low income pregnant women with incomes up to 30 percent above the federal poverty level. It may be important for the Members of this House to know that that's a major initiative of President Bush this year. Implementing legislation in Congress is sponsored by Senate (sic - Senator) Robert Dole in the Senate and Representative Bob Michael, our own Congressman, in the House. I think it behooves us to listen to the concerns of these Republican Legislators at the national level who are shocked and appalled by high infant mortality rates. This state suffers more than most. And the only responsible vote on this Committee Bill, House Bill 745, is a 'yes' vote."

Speaker Cullerton: "Further discussion? There being none, the Gentleman from Cook, Representative Trotter, to close."

Trotter: "Thank you very much, Mr. Speaker. This Bill...thank you very much. This Bill carries the same language that Governor Thompson signed on to in his address to the National Conference of Governors. This Bill also incorporates the same message signed on by the President, George Bush, and the Congress of the United States. This Bill is about motherhood and apple pie and transcends race, gender or politics. This Bill is the right to life for those who have no choice. This Bill is for the children and for their healthy future. A vote other than an affirmative one is a vote against the growth and the future of this great state. And I ask all of you to give a 'green' vote with me and send a resounding message to the children born and unborn that we care. Thank you."

Speaker Cullerton: "The Gentleman moves for the passage of House

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Bill 745. The question is, 'Shall House Bill 745 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? Representative McCracken, do you wish to explain your vote? You request a verification if the Bill passes, okay. Have all voted who wish? Mr. Clerk, please take the record. The Gentleman from DuPage, Representative McCracken, has asked for a verification. Mr. Clerk, would you please poll those who are not voting."

Clerk O'Brien: "Poll of those not voting. Stange. And Zickus. No further."

Speaker Cullerton: "Mr. Clerk, ..."

Clerk O'Brien: "Poll of the Affirmative?"

Speaker Cullerton: "Yes, there's been a request for a verification. Could you please Poll the Affirmative."

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

Speaker Cullerton: "Yes, Representative Breslin, Lang and Novak ask leave to be verified. Representative DeLeo in the rear of the chamber asks leave to be verified. DeLeo just went out...DeLeo...Representative DeLeo, could you show your

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face to Representative McCracken. Yes, okay. He has leave. Representative Van Duyne? Anyone else seeking leave to be verified? Representative Dunn? Representative Turner? How about Representative Turner? Representative Turner's okay. Representative Preston is okay. Representative Davis asks leave to be verified. Okay. I'll read that list. Representative Breslin, Lang, Novak, DeLeo, Turner, Preston and Davis. Now, Representative Hasara."

McCracken: "I think we should read the list backwards. That'll take a little more time, plus we'll be certain that we have the right Members on it."

Speaker Cullerton: "No, I'm not trying to stall. I'm doing it as a courtesy to you so you don't...so you know who it is that is not verified."

McCracken: "As a courte...you could stop reading the names as a courtesy to me."

Speaker Cullerton: "You got a deal."

McCracken: "We could do these a lot quicker."

Speaker Cullerton: "No problem. Representative Hasara."

McCracken: "Representative Krska."

Speaker Cullerton: "Excuse me, Representative McCracken. Representative Hasara, for what purpose do you rise?"

Hasara: "Please change my vote from 'yes' to 'no'."

Speaker Cullerton: "Lady wishes to vote 'no'."

McCracken: "Ready?"

Speaker Cullerton: "Representative McCracken, Representative Van Duyne...Representative Jones is here and wishes leave to be verified. And Representative Van Duyne was in the chamber and asks leave to be verified. And then he left, thinking he had leave. So he does not have leave. Representative Hicks, for what purpose do you rise?"

Hicks: "Yes, Mr. Speaker, would you change me from 'no' to 'aye',

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please."

Speaker Cullerton: "The Gentleman wishes to be recorded as 'aye'.

Okay, now, Representative McCracken."

McCracken: "Representative Krska."

Speaker Cullerton: "Representative Krska? The Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Please remove him."

McCracken: "Representative Edley."

Speaker Cullerton: "Representative Edley is right here."

McCracken: "I know, I just did that so he can leave."

Speaker Cullerton: "Okay, thank you."

McCracken: "Representative Capparelli."

Speaker Cullerton: "Representative Capparelli? The Gentleman is recorded as voting 'present'."

McCracken: "Okay, it doesn't matter. Representative Terzich."

Speaker Cullerton: "Okay, Representative Van Duyne, are you seeking recognition to...did you want..."

McCracken: "Alright, I'll ask for him and we'll get it over with. Representative Van Duyne."

Speaker Cullerton: "The Gentleman's in the chamber. That... the previous one you asked was..."

McCracken: "Representative Terzich."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Giorgi."

Speaker Cullerton: "Representative Giorgi's here at the well."

McCracken: "Okay. Representative Williams."

Speaker Cullerton: "Representative Paul Williams? Is... where's Representative Williams? Is Representative Williams in the chamber? How is...okay, I see Representative Williams,

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he's got to come inside. Okay, Representative Williams is in the chamber."

McCracken: "Alright. Okay. Representative Mulcahey."

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

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

Speaker Cullerton: "He's in his seat."

McCracken: "Representative Mautino."

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

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

Speaker Cullerton: "Remove him. Add Representative Terzich to the Roll Call. He's returned to the chamber."

McCracken: "Representative Giglio."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative McNamara."

Speaker Cullerton: "Representative McNamara is in his seat."

McCracken: "Representative Brunsvold."

Speaker Cullerton: "Representative Brunsvold? Is Representative Brunsvold in the chamber? How's the Gentleman recorded?"

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

Speaker Cullerton: "He's right down here. Representative Brunsvold is here at the well."

McCracken: "Alright. Representative White."

Speaker Cullerton: "Representative White...is in the aisle."

McCracken: "Representative Shaw."

Speaker Cullerton: "Representative Shaw...is in the rear of the chamber."

McCracken: "Representative Anthony Young."

Speaker Cullerton: "Representative Anthony Young? Is the



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Gentleman in the chamber?"

McCracken: "I'm done."

Speaker Cullerton: "On this question there are 7...60...Representative Mautino, please add him to the Roll Call. On this question there are 63 voting 'yes', 47 voting 'no', 1 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Trotter's first Bill. Maybe they'll at least sign the copy of the first Bill. Representative White, on House Bill 1152. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 1152, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Cullerton: "Representative White on House Bill 1152."

White: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1152 is a Bill that is designed to provide relief to Medicaid providers who have the responsibility of providing service to the truly needy. It seeks to provide public aid reimbursement to community health centers on the basis of their cost and for the past ten years they have not realized any gain. It also requires the Department of Public Aid to use their more current basis for nursing home payments used in the last annual rather than the most recent audited cost, which reports...which was reported about two years ago. It changes nursing home groupings for the purpose of...for the purposes of cost reporting determining the rate of reimbursement. It also takes the children's hospitals out of the I CARE program. And for the past three years many of these hospitals have realized the reduction in reimbursement from the State of Illinois, which has resulted in about 13 hospitals closing across our great state. The bottom line is that this Bill will cost the State of Illinois about \$19,000,000. The grand total

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in the beginning was about 57,000,000. Because of federal reimbursement and the Governor's budget, the cost to the state is now 7...19.7 million dollars. And I move for its passage."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1152. On that question is there any discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House, again this is one of those omnibus Committee Bills wherein we had about five to six to seven Bills incorporated into one. The Bill includes the I CARE program again for hospitals which means that we now have got three or more Bills on the floor that are proposing children hospitals. We also have got the cost that we are looking at is approximately 39.7 million dollars. This is after federal reimbursement. The Bill is not only unaffordable, but even if it were affordable, it represents such a collection of bad ideas that it should not be passed. I just ask for a 'no' vote."

Speaker Cullerton: "Any further discussion? The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This one...this one makes me unhappy. Not only, not only is it a collection, I mean, it's a collection of a half a dozen Bills, including one of mine, but my Bill was a vehicle Bill. And you took the idea for a vehicle Bill, you put it into your Bill, I can't use it next time. When you steal an idea for a vehicle Bill, that makes me unhappy, not to mention the fact that it's the third time that we have to reduce the children's hospital out of I CARE. This should not be called a Spea... or a Committee Bill. This ought to be the Speaker pro tem Bill and be referred to as such hereafter. Unfortunately, we have a fine Sponsor with a very expensive Bill, a conglomeration again, that stole a vehicle Bill

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from me and I can't forgive you for that. Vote 'no'."

Speaker Cullerton: "The question is, 'Shall House Bill 1152 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. Representative McCracken... requests a verification."

McCracken: "Yeah, since the vehicle Bill was stolen out from under us, we feel we should verify this."

Speaker Cullerton: "Alright, Mr. Clerk, would you please read those not voting. Poll those not voting."

Clerk O'Brien: "Didrickson. Hicks. And Trotter."

Speaker Cullerton: "Representative Hicks wishes to be recorded as 'aye'. Representative Trotter wishes to be recorded as 'aye'. Mr. Clerk, could you please read the affirmative vote...Poll the Affirmative vote."

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

Speaker Cullerton: "Now those seeking recognition for leave to be verified. Representative Brunsvold. Representative Steczo. Representative Leverenz. Representative Mary Flowers. Representative Wyvetter Young."

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McCracken: "That's it. That's fine, no more."

Speaker Cullerton: "That's it. Okay, Mr. McCracken, do you have any questions of the affirmative?"

McCracken: "Representative Van Duyne."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Granberg."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Laurino."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Lang."

Speaker Cullerton: "Representative Laurino has returned to the chamber. Please add him. Representative Lang is at the rear of the chamber. And Representative Granberg is in the center aisle, please add him to the Roll Call. Speaker Cullerton: "Representative Saltsman, Representative McCracken indicated he did not wish to give leave to have anybody else be verified..."

McCracken: "Is Representative Saltsman here?"

Speaker Cullerton: "Yes. Representative Saltsman, he's in the center aisle."

McCracken: "Alright."

Speaker Cullerton: "Representative Van Duyne has returned to the chamber."

McCracken: "Representative Breslin."

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Speaker Cullerton: "Well, first let's see if we can add Representative Van Dyne. Yes. I think Representative Breslin is in the chamber."

McCracken: "Representative Phelps."

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

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

Speaker Cullerton: "Remove him."

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 'aye'."

Speaker Cullerton: "Remove him."

McCracken: "Representative Krska."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Terzich."

Speaker Cullerton: "What was that name?"

McCracken: "Terzich."

Speaker Cullerton: "Representative Terzich. First of all, let's add Representative Phelps to the Roll Call. He's in the center aisle at the rear of the chamber. And Representative Terzich. Is Representative Terzich in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Edley."

Speaker Cullerton: "Representative Edley's at his chair."

McCracken: "Alright. Representative Richmond."

Speaker Cullerton: "Representative Richmond is in his chair."

McCracken: "Nothing further."

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Speaker Cullerton: "On this question there are 62 voting 'yes', 47 voting 'no', 2 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. Representative Ryder, for what purpose do you rise?"

Ryder: "I have an inquiry of the Chair."

Speaker Cullerton: "Yes, Sir."

Ryder: "Do we have any more Speaker pro tem Bills?"

Speaker Cullerton: "Yes, there's ten more that I'm the Chief Sponsor of that we'll be calling."

Ryder: "Would you mind giving me the list so that I can be aware."

Speaker Cullerton: "Yes, I'll ask Mr. O'Brien to give that list. It's on my desk."

Ryder: "Thank you very much."

Speaker Cullerton: "Thank you. And now it's time to go to the Order of Mental Health, which probably be a good one for us to all to go to at this point in time. Mental Health. Mr. Clerk, House Bill 1025. Please read the Bill. Mr. McGann, out of the record. House Bill 1508. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 1508, a Bill for an Act in relation to physical and mental health. Third Reading of the Bill."

Speaker Cullerton: "House Bill 1508, Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. The Amendment of House...Amendment #1 to House Bill 1508 became the Bill. It's a Committee structured Bill, which is basically an omnibus Committee Bill that serves both sides of the aisle. Representative Martinez, Representative Ropp, Representative Levin, Representative Black, Representative Cowlshaw, Representative Ryder and myself on different items that were necessary to help in effectively taking care of those needy in the state. I'll

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be very happy to answer any questions. I would ask for an 'aye' vote to amend it...House Bill 1508."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1508. On that, is there any discussion? There being none, the question is, 'Shall...Representative from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I think I heard the Sponsor correctly when he mentioned my name. Perhaps it was another one of my vehicles that was stolen in this one as well, but I don't think so because I think the Bill had a substance. The reason that I say that is that there does appear to be a price tag on this amount. Again we stand in opposition to this. We stand in opposition to it not only because of the price tag, we stand in opposition to it because of the Committee concept, the manner in which it was treated in Committee and the manner in which this matter has been continued to go. Frankly, there are some ideas in here that are good. I just wish we'd had an opportunity to vote for them on an individual basis and for that reason, I stand in opposition."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall House Bill 1508 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...Representative McCracken? Requests a verification. Mr. Clerk, would you please poll those not voting."

Clerk O'Brien: "Mautino. Ropp. And Stange. No further."

Speaker Cullerton: "Mr. Clerk, could you please Poll the Affirmative."

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

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Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn.  
Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke.  
Homer. Lou Jones. Shirley Jones. Keane. Kraska. Kulas.  
Lang. Laurino. LeFlore. Leverenz. Levin. Martinez.  
Matijevich. McGann. McNamara. McPike. Morrow.  
Mulcahey. Munizzi. Novak. Phelps. Preston. Richmond.  
Ronan. Saltsman. Santiago. Satterthwaite. Shaw.  
Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van  
Duyne. White. Williams. Wolf. Woolard. Anthony Young.  
Wyvetter Younge. And Mr. Speaker."

Speaker Cullerton: "Representative McCracken, on the Order of  
leave to be verified. Representative Stern..."

McCracken: "No. No. Nobody."

Speaker Cullerton: "Representative Stern, leave is denied.  
Representative Flowers."

McCracken: "Let's start."

Speaker Cullerton: "Leave is denied. Representative LeFlore,  
leave is denied. Representative Ropp wishes to be recorded  
as voting 'no'. Okay. Representative McCracken."

McCracken: "Ready?"

Speaker Cullerton: "Any questions?"

McCracken: "Representative Flowers."

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

McCracken: "Representative LeFlore."

Speaker Cullerton: "Representative LeFlore...is at his seat."

McCracken: "Representative Stern."

Speaker Cullerton: "Representative Stern is..."

McCracken: "Representative Morrow. No others."

Speaker Cullerton: "Representative Morrow is...in the chambers."

McCracken: "Ready? Representative Leverenz."

Speaker Cullerton: "Representative Leverenz? Is the Gentleman in  
the chamber? Representative Leverenz. How is the



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Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Giglio."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Shaw."

Speaker Cullerton: "Representative Shaw? Representative Shaw is in his chair."

McCracken: "Representative...okay. Representative Santiago."

Speaker Cullerton: "Representative Santiago? Representative Santiago? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him. Representative Leverenz has returned to the chamber. Please add Representative Leverenz to the Roll Call."

McCracken: "Representative Bugielski."

Speaker Cullerton: "Representative Bugielski?"

McCracken: "Representative Terzich."

Speaker Cullerton: "...in the center aisle. Representative Terzich is at his chair."

McCracken: "Representative Giorgi."

Speaker Cullerton: "Representative what? Giorgi? He's in his... center aisle."

McCracken: "Representative DeLeo."

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

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

Speaker Cullerton: "Remove Representative DeLeo from the Roll

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Call."

McCracken: "Representative DeJaegher."

Speaker Cullerton: "Representative DeJaegher? He's in the back...rear of the chamber."

McCracken: "Representative Currie."

Speaker Cullerton: "Representative Currie is over here in the...giving an interview."

McCracken: "Alright. Representative Steczo."

Speaker Cullerton: "Representative Steczo is in his chair."

McCracken: "Representative...nope, he's there. Nothing else."

Speaker Cullerton: "Representative Van Duyne, for what purpose do you rise? Representative Van Duyne. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. On a point of personal privilege. If they are going to keep doing this as a procedural matter, why don't the Chair admonish the doormen as to coming and bringing us notes and calling us out in the hallway. I was called out twice on the last Bill, verified off twice on the same Bill and only because I was outside the main door. So, you know, if they're going to keep verifying every Roll Call, then maybe we ought to just not go out in the hall and talk to our lobbyists or our constituents and maybe we ought to be held here inside the chamber."

Speaker Cullerton: "On this question there are 61 voting 'yes', 47 voting 'no', 2 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 1571, Representative McGann. Out of the record. Representative McGann...you wish to have the next Bill called? Alright, Mr. Clerk, please read House Bill 1571."

Clerk O'Brien: "House Bill 1571, a Bill for an Act to establish a comprehensive community-based mental health service system. Third Reading of the Bill."

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Speaker Cullerton: "Representative McGann, on House Bill 1571."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I'm asking House Bill 1571 to be sent over to the Senate as a vehicle to answer the needs of the Citizens Assembly on Mental Health and Developmental Disabilities. They have worked hard, but they haven't got their whole package together so we're going to ask that we send it over to the Senate and then it'll come back for our review. I'd ask... answer any questions and I'd ask for the support of the entire House on House Bill 1571 from the Citizens Assembly on Mental Health and Developmental Disabilities. Thank you."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1571. Is there any discussion? There being none, the question is... Representative Ryder. Representative Ryder, on the question."

Ryder: "Thank you. Representative McGann, did you say this was a vehicle?"

McGann: "That is correct, Representative."

Ryder: "Representative, with all due respect to the Sponsor, you are currently in the process of passing a number of Bills that contain merit, any of which could serve as a vehicle for the ideas that you wish this one to have. I don't think it's in the best interest to have as many vehicles floating around as we do, and for that reason, and also because we don't get our fair share of vehicles, and I feel like equity is part of the vehicle trade. If you get a car, we'd like a car and we are without wheels at the moment. Yeah, we don't even have a bike or a tricycle, so reluctantly we stand in opposition."

Speaker Cullerton: "Representative McCracken."

McCracken: "I'm glad that the Democratic staff is standing outside the door, so when I say that no one has leave to be

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verified, they won't go anywhere. That was very wise. I also object to passing out a shell. The only shells that come out of this chamber are Democratic shells. Many of these Mental Health Bills are called Committee Bills, because what was done was everything was telescoped into a single Bill, trying to force a 'yes' vote. Republican Bills were killed and their contents put in other Bills and not only in this Committee. And we are tired of it. We've asked to have certain calls called, you're going to this call which is all Democratic Bills. You know, we've just had it. We're not...we don't want to cooperate with this system. So, when this passes, if it gets a 100 votes, I'm still going to verify it. And I'm going to verify every Bill until we get some equity here. And I'm not going to give leave to anybody to be verified. So don't bother asking."

Speaker Cullerton: "Further discussion? There being none, the question is, 'Shall House Bill 1571 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, take the record. On this question there are 64...Representative McCracken asks for a verification. And Mr. Clerk, please read those... poll those who are not voting."

Clerk O'Brien: "Deuchler. Santiago. And Shaw. No further."

Speaker Cullerton: "Representative Shaw."

Shaw: "Yeah, how am I recorded, Mr..."

Speaker Cullerton: "You're not voting."

Shaw: "Would you vote me 'aye', please."

Speaker Cullerton: "Representative Shaw wishes to vote 'aye'. Now, Mr. Clerk, would you please poll those in the affirmative."

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold.

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Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke.  
Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska.  
Kulas. Lang. Laurino. LeFlore. Leverenz. Levin.  
Martinez. Matijevich. Mautino. McGann. McNamara.  
McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps.  
Preston. Richmond. Ronan. Saltsman. Satterthwaite.  
Shaw. Steczo. Stern. Sutker. Terzich. Trotter.  
Turner. Van Duynes. White. Williams. Wolf. Woolard.  
Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Cullerton: "Questions of the affirmative. Perhaps we could assist Representative McCracken in his verification by asking Members to please be in their chair."

McCracken: "Ready?"

Speaker Cullerton: "You've indicated...Representative Flowers, he's indicated he does not wish to give leave to anyone to be verified. Representative..."

McCracken: "Representative Flowers. Is she here?"

Speaker Cullerton: "Representative Flowers...in the center aisle."

McCracken: "Representative Wyvetter Younge...Oh, I'm sorry, she's here. Representative Bowman."

Speaker Cullerton: "Representative Bowman's over at...the other side of the aisle."

McCracken: "Representative Phelps."

Speaker Cullerton: "Representative Phelps is in the rear of the chamber."

McCracken: "Representative..."

Speaker Cullerton: "Whistling."

McCracken: "Where is he?"

Speaker Cullerton: "Now he's moving. Now he's coming down the aisle."

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McCracken: "He's a moving target. Representative White."

Speaker Cullerton: "Representative White...is at his chair."

McCracken: "Representative McNamara."

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

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

Speaker Cullerton: "Remove him."

McCracken: "Representative Woolard."

Speaker Cullerton: "Representative Woolard? First of all, let's return Representative McNamara who's in the center aisle. Representative Woolard. Is the Gentleman in the chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman is recorded..."

Speaker Cullerton: "He's in the rear of the chamber. I'm sorry."

McCracken: "Alright. 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 'aye'."

Speaker Cullerton: "Remove him."

McCracken: "Representative Monique Davis."

Speaker Cullerton: "Representative Davis is right down the front of the chamber."

McCracken: "Representative Turner."

Speaker Cullerton: "Representative Turner? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove Representative Turner from the Roll Call."

McCracken: "Representative Shirley Jones."

Speaker Cullerton: "Representative Shirley Jones is in her chair."

McCracken: "Representative Terzich."

Speaker Cullerton: "Representative Turner has returned."

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Representative Terzich, is Representative...please add Representative Turner back to the Roll Call...Representative Turner, back to the Roll Call. Representative Terzich? Is the Gentleman in the chamber? How is the Gentleman recorded?"

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

Speaker Cullerton: "Remove him."

McCracken: "Nothing further."

Speaker Cullerton: "On this question there are 63 voting 'aye', 48 voting 'no', none voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2286, Representative Satterthwaite. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2286, a Bill for an Act to ensure the availability of sites for community residences for persons with disabilities in this state. Third Reading of the Bill."

Speaker Cullerton: "Representative Satterthwaite, on House Bill 2286."

Satterthwaite: "Mr. Speaker and Members of the House, I refer you all to the fact that the Bill has been amended with House Amendment #1, which becomes the Bill. Under the amended version of the Bill, it simply becomes a reporting process where home rule municipalities will submit their plan to the Council on Developmental Disabilities to show how they are accommodating within the community disabled residents and the facilities that have to be licensed. I believe in this amended form, the Bill has no objection and I would ask for a favorable Roll Call."

Speaker Cullerton: "The Lady has moved for the passage of House Bill 2286. On that, is there any discussion? The Gentleman from Cook, Representative Morrow. Representative Morrow."

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Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 2286 with the Amendment that was adopted in Committee. With the Federal Act of OBRA that was passed in 1987, each city is going to have to come up with some type of plan to incorporate cilas. And what a cila is, is a Community Integrated Living Arrangement. And with that, I urge that we vote 'aye' on this. This Bill would allow that a plan be made, I believe by June 1st of 1991. They would have to report back to us here. And for that reason I urge a green vote on House Bill 2286."

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

McCracken: "Thank you. Parliamentary inquiry. Is this a...pre-empt home rule. Does it require 71 votes for passage?"

Speaker Cullerton: "I will ask the Parliamentarian to look at the Bill. Do you wish to speak to the Bill, Representative McCracken, while we're waiting for that inquiry? If not, there's other people that wish to debate the Bill, I could call upon them."

McCracken: "Alright, apparently the Amendment deletes that Section. If you could confirm that."

Speaker Cullerton: "Okay. Do you wish... do you wish to debate the Bill? Representative from Macon, Representative Dunn, on the Bill."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen. While there is a lull in the action, I would like to indicate for the record that my wife is employed by a community...health organization in my community, and they receive federal and some small state grants and to the extent I may have any conflict of interest, I intend to vote my conscience on all Bills which come before us. Thank you."



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

Satterthwaite: "Mr. Speaker, on the point of...overriding home rule authority. The original Bill would have, in fact, overridden home rule authority, but the amended version does not. It simply calls for a report of what is being done by those municipalities."

Speaker Cullerton: "Yes, thank you, Representative Satterthwaite. Representative McCracken, the Amendment that you refer to was adopted and the Bill does not require a three-fifths vote. Any further discussion? Representative Satterthwaite, you've...wish to close?"

Satterthwaite: "I would simply ask the Membership to support the Bill. It is needed so that we are able to find out what is being done within our communities to house our developmentally disabled people."

Speaker Cullerton: "The Lady's moved for the passage of House Bill 2286. The question is, 'Shall House Bill 2286 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? Representative Ryder, one minute to explain your vote."

Ryder: "No, I...apparently we are...have a little trouble verifying 108, so I'll withdraw that request."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 109 voting 'yes', 2 voting 'no', none voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. Representative Ryder, on House Bill 1662. This is on the Order of Medical Practice. There are three Bills on this Order: Representative Ryder, Leitch and Ropp. Representative Ryder, on House Bill 1662. Mr. Clerk, please read the Bill."

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Clerk O'Brien: "House Bill 1662, a Bill for an Act concerning administration of Acts regulating health care professions. Third Reading of the Bill."

Speaker Cullerton: "Representative Ryder, on House Bill 1662."

Ryder: "Mr. Speaker, pro tem, I want to compliment you. I don't think there's any other Order of Call that contains three Republicans only. I don't know how you did it. It's a mastery of the work and I compliment you. This must be the only Order of Republicans that you have going and I appreciate it. Sixteen sixty-two is an administration Bill concerning certain regulation...of the Department of Professional Regulation. It contains several Amendments that we put on last night that are, indeed, agreed. I would not pretend to tell you that everything within the Bill is agreed. It is not. I would urge your support."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1662. On that, is there any discussion? There being none, the question is, 'Shall House Bill 1662 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. Representative Keane? 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 1721, Representative Leitch. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 1721, a Bill for an Act to amend the Radiation Protection Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Leitch, House Bill 1721."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1721 is a Bill which simply would exempt from accreditation nurses, technicians and assistants who

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operate x-ray machines under a doctor's supervision in medical plants. Recently, the requiring Act for accreditation went too far. And this Bill is a Bill of practicality, because there are many shops and plants where all that's required is to press a button to determine whether there's a broken hand or injury requiring further medical treatment. It's a very simple, practical Bill, and I would appreciate a favorable Roll Call."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 1721. On that question, is there any discussion? The Gentleman from Cook, Representative Young."

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

Speaker Cullerton: "He indicates he will."

Young: "Representative, I'm sorry. I didn't quite hear all of your explanation of this Bill. Could you give just a little more information, please?"

Leitch: "Yes, about a year ago, there was requirements for continuing education required under the Department of Nuclear Safety for everyone who operates an x-ray machine. And what is the common practice in Illinois and in many, many businesses and other places, there are machines where people under a doctor's care would take a quick look to see whether a hand were broken or some other thing happened. This does...so that then if it were determined to be broken, then they go to the hospital and check it out. Now, this does not exempt people who...who operate and want to continue to...get continuing education for the more complicated forms of x-ray, the diagnostic, the cat cam, the other kinds of x-ray equipment. This is very simple, practical stuff that occurs everyday in many factories throughout Illinois."

Young: "Let me ask you, do the Illinois Nurse's Association have

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a position on this Bill that you know about?"

Leitch: "Not that I'm aware of. I don't...I'm not aware of any...any trade association that's opposing this Bill."

Young: "Well, to the Bill, Mr. Speaker, Ladies and Gentlemen of the House. The Illinois Nurse's Association is opposed to this legislation, because a nurse could be put in a situation where they're responsible for a person administering this treatment that are not accredited. And secondly, I understand that the Department of Nuclear Safety also opposes this legislation. So, I rise in opposition to this legislation. It's a good idea, but I think it has a few kinks in it yet that the Sponsor ought to try to work out with the Department of Nuclear Safety and the Illinois Nurse's Association."

Speaker Cullerton: "Further discussion? Representative Leitch, to close."

Leitch: "Thank you. If the Illinois Nurse's Association is opposed, they have not communicated that to me nor to our staff. This is very simple...simply a Bill about practicality. It is very unrealistic and a very impractical to require in these situations, in these office buildings and other places, the same kind of accreditation required for hospital diagnostic techniques. And what is going to occur, if this Bill doesn't succeed and if this practice is not amended to a reasonable condition, is that all over Illinois there will be lots of factories and other places that will simply not be able to continue to have simple x-ray machines, which is never the intent of the accreditation when this was originally proposed. And so I would simply ask for a favorable Roll Call and some common sense. The Illinois State Chamber is totally in support of this. It's their recommended Bill. And I would ask for a favorable Roll Call."

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Speaker Cullerton: "The Gentleman has...moved for the passage of House Bill 1721. The question is, 'Shall House Bill 1721 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. Representative Satterthwaite, to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, sometimes common sense is not very common. When you're using dangerous equipment, you need to have appropriate training so that you do not needlessly expose either yourself or some one else to radiation, which may cause health problems for both the person using the equipment and for the person being observed by that equipment. It is certainly bad practice for us to permit the use of this dangerous equipment by people who are not trained to understand the dangers of what they are using. This Bill should not pass."

Speaker Cullerton: "The Gentleman from Cook, Representative Parke, to explain his vote."

Parke: "Thank you. I believe that there's some misunderstanding. It is my understanding that the Illinois Nurse's Association has no position on this legislation and, in fact, that has been verified just a minute ago. So, if that is the criteria on which some people are voting, they have no position on this legislation."

Speaker Cullerton: "Have all voted who wish? Mr. Clerk, please take the record. On this question there are 68 voting 'yes', 33 voting 'no', 10 voting 'present'. This Bill, having received the required Constitutional Majority is hereby declared passed. House Bill 2552, Representative Ropp. Mr. Clerk, please read the Bill."

Clerk O'Brien: "House Bill 2552, a Bill for an Act to amend the Illinois Nursing Act. Third Reading of the Bill."

Speaker Cullerton: "Representative Ropp, on House Bill 2552."

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Ropp: "Thank you, Mr. Speaker and Members of the House. Let me first of all say that House Bill 2552 is not one that is totally supported by the Illinois Nurse's Association. It is, however, supported by the Illinois Medical Association, and what we're attempting to do, we've still been in negotiations the last several weeks to try to get some unanimity. But because of the restraint of our time schedule in the Legislature, I do ask for your support, so that we could move this on to the Senate. What it does, it places the medical assistant as a portion in the Nurse Practice Act. Throughout the State of Illinois we do have medical assistants currently working in outpatient offices. These are people who perform duties for and at the discretion by the physician, by the doctor. They answer telephone calls and they send out billings. They may also take temperatures and blood pressure, and at no time do these people ever intend to get into the hospital, which currently the nurses are saying will threaten their profession. They will not go into the hospital as those nurses...are stating. They are currently working throughout the State of Illinois. The reason for this, as in any profession, and particularly the medical profession, they are attempting to get insurance for medical malpractice. Because they are not stated in the statute anywhere, they cannot get insurance. And I ask for your support, be happy to answer any questions. They go in the same portion of the Nurse Practice Act as orderlies and nurses aids, which also do not have any description as to what they specifically do, but as a kind of accepted practice that they have been doing for years and years and we just want to continue that and place it in the statute. I'd be happy to answer any questions you might have."

Speaker Cullerton: "The Gentleman has moved for the passage of

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House Bill 2552. On that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Cullerton: "He indicates he will."

Dunn: "I didn't hear the Gentleman's remarks. What is the position of the Illinois Nurse's Association with regard to this legislation?"

Ropp: "I mentioned the first thing, they are opposed to it, because they feel it is threatening the nurse profession and I have stated in my remarks that at no time will these medical assistants go into the hospital per se. That is our intent and that is currently where medical assistants work as outpatient workers."

Dunn: "Thank...to the Bill, Mr. Speaker. I would rise in opposition to the legislation. We've gotten along up to this point on our statute books without a category of medical assistants. The nursing profession is well-defined. It is well policed. They are very professional and I don't think we need to whittle away at the licensing of their profession with a new category of licensure, particularly when they are opposed to the concept. I think we should stop this Bill right here. And if there does, in fact, arise at a later time an area of agreement, we can certainly introduce legislation or find a vehicle at that time to address the concern. But so long as the nurses are opposed, at this time I would recommend a 'no' vote on this Bill."

Speaker Cullerton: "Further discussion? The Gentleman from Cook, Representative Shaw. Representative Shaw, on House Bill 2552."

Shaw: "Yeah, Mr. Speaker, thank you. Ladies and Gentlemen of the House, I, too...what...will the Sponsor yield for a question?"

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Speaker Cullerton: "He indicates he will. Representative Ropp."

Shaw: "The...on this particular assistant, is this something similar to a physician's assistant?"

Ropp: "I'm sorry, Representative, I did not hear you."

Shaw: "Is this something to the assistant physician? Is..."

Ropp: "They do assist physicians in that they answer the telephone. They send out billings. They keep records. They perform laboratory tests. They may also take temperatures and blood pressure."

Shaw: "Are you aware that you have assistant physicians in the statute already that...bet your pardon."

Ropp: "I'm not aware of that. The...obviously they didn't come to me and want me to introduce a Bill that they had already...was in the statute. This is a clear difference."

Shaw: "To the Bill. I think that you already have assistant physician in the statute that are doing possibly some of the work, supposedly that the nurses should be doing. And this is another attempt to erode the nursing profession. And I think that this Bill should be defeated without question, because this happens to be a bad Bill and I think that we would be doing a disservice to the nursing profession if we passed out legislation like this. I urge a 'no' vote on this Bill."

Speaker Cullerton: "Representative Ropp, to close on House Bill 2552."

Ropp: "Thank you, Mr. Speaker and Members of the House. The previous speaker just in response, the medical assistant is a licensed position in the statute. It has been brought to my attention and this is not that same kind of person. This person works in outpatient offices. They're actually working in many of your districts right now. And the problem is that these people cannot get insurance because insurance companies are saying they need to be located in



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the statute. We've tried several different places and we hope that this will be acceptable. And we will also, I can assure you, continue working with the Nurse's Association so that we could make acceptable agreement in the Senate. But because of the restraint of time, I am asking for your support so that we can get this past the House and moved on. I welcome your support and ask for it kindly."

Speaker Cullerton: "The Gentleman has moved for the passage of House Bill 2552. The question is, 'Shall House Bill 2552 pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. This is final passage. The Gentleman from Warren, Representative Hultgren, one minute to explain his vote."

Hultgren: "Thank you, Mr. Speaker. I may have a potential conflict on this, and therefore, I will be voting 'present'."

Speaker Cullerton: "Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 25 voting 'yes', 79 voting 'no', 8 voting 'present'. This Bill, having failed to receive a required Constitutional Majority, is hereby declared lost. Representative Pullen in the Chair, but only for the purposes of an announcement."

Pullen: "Well, thank you, I think, Mr. Speaker. Ladies and Gentlemen of the House, I would like to introduce two Gentlemen to you who have just come from that other Body where they have just concluded their Memorial Day Commemoration. I have with me Captain James Umberger of the U.S. Coast Guard, who is Captain of the Coast Guard for the Port of Chicago. Captain Umberger and...to give us just a few words, I have with us Rear Admirable...Rear Admiral Arthur Beach, U.S.N, Retired. Admiral Beach lives in Park Ridge, which is why I am given the privilege of

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introducing him to us. He has served our nation at Pearl Harbor, Guatecanal, Iwo Jima, Okinawa, again in the Korean War and in Viet Nam. Where his command was credited with rescuing many downed pilots and detached troops. He is one who has served to bring our boys home before they became POW's and MIA's for which we can certainly thank him. Among his many service awards are the Navy Cross, Distinguished Service, Silver Star, Navy Medal, Bronze Star, Purple Heart three times, Meritorious Service, Navy Commendation, American Defense, American Campaign, Victory Medal, Phillipine Liberation, National Defense, Korean Service Medal, United Nations Medal, Combat Action with a V for Valor three times and the Viet Nam Gallantry Cross. He and his family live in Park Ridge. He has three sons and one daughter and seven grandchildren. He is a cousin of the famous naval author and retired Navy Submariner Captain Edward L. Beach. And he retired from active service in 1975 after 34 distinguished years of service to his country and to our country. And I would like to introduce for just a few words to us Retired Rear Admiral Arthur C. Beach."

Beach: "Thank you, thank you very much. Ladies and Gentlemen, it's an honor to be here with you today. And as I said in the other room across the hall, what happened to this Irish neighbor, south side boy from Chicago, could only happen in America and where I stand before you in mid-America. I'm proud to be here and proud to be among you people. I would like to make this as short as possible, because I know you are very busy. I'd like to recite our latest patriotic song that I hold very dear to me. And it goes like this: 'I'm proud to be an American, where least I know I'm free. And I won't forget the men who died and gave that right to me. I'd gladly stand up next to you and defend her till today, because there is no doubt I love this land. God

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bless the USA.' And God bless all of you."

Pullen: "Admiral Beach is also asking us to commemorate the commissioning of the U.S.S. Lincoln and has brought some Lincoln penny pins by which to do that. Thank you for being with us today."

Speaker Laurino: "Representative Laurino in the Chair. On the Order of Labor, page 9 on your Calendar, House Bill 39, Representative DeLeo. Is Representative DeLeo in the chamber? Out of the record. House Bill 83, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 83, a Bill for an Act to amend the Steel Products Procurement Act. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #1 is being offered by Representative Tate."

Speaker Laurino: "Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1...the purpose of this Amendment is to delete the provision in the Bill that specifies content requirements of products and commodities purchased by the state. It is designed to make this Bill one that...that we encourage the state to buy American products when possible. There are some inherent problems with the current Bill as it is in terms of trying to determine what actually represents content in a Bill. For example, many of our auto dealers or many of our tractor dealers, et cetera, might outsoar certain parts of their tractors or automobiles without being able to put a specific percentage designation on their...on the end product. What this would do is it would encourage Illinois Government to, in fact, buy American which all of us would like to do without putting...placing the additional hardship of trying to define what the content requirements are and the additional

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regulations that go along with the Bill. I would encourage all of the Members to take a hard look at this. Resist...is infact a Buy American Amendment that all of us can support."

Speaker Laurino: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Members of the House Representatives. I stand opposed to this Amendment. This Amendment will gut the total Bill and take away the contents, so therefore I ask for a 'no' vote on the Amendment."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor of this Amendment yield? Thank you. Representative, if I read your Amendment correctly, we might say that your Amendment is kind of the Wal-Mart approach. Would you agree with that?"

Tate: "Yeah. Exactly."

Black: "Alright. You know, I think everybody ought to pay attention to the Gentleman's Amendment. I think you're all familiar with Wal-Mart, the Wal-Mart simply encourages and by doing so has been very successful that you buy American products whenever possible. Sam Walton doesn't get into percentages or parts, he just says, 'Hey, you ought to buy American products. And we're going to encourage manufacturers to submit their bids and do business with us.' And whenever possible, Sam Walton, or as we know as Wal-Mart does that. And I think you've all seen the results. I think the Gentleman's Amendment is one of...it ain't common sense. If it's worked in the retail business, which is cutthroat and competitive, it ought to work anywhere. I rise in support of the Gentleman's Amendment."

Speaker Laurino: "Further questions? Representative Young."

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

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House. I rise in opposition to the Gentleman's Amendment. Obviously, the common sense approach just hasn't been working, Representative, because the buy American approach on a voluntary basis simply has not been successful. That's why we have the problems we have in the country and in the state. Further, the Sponsor of the Bill has rose in opposition to this Amendment. This Amendment certainly guts the Bill. It makes...it takes the possibility of a program that will help Illinois businesses and turns it into something voluntary that actually already exists now. The Sponsor doesn't want it. It won't help Illinois businesses and I urge a 'no' vote on the Amendment."

Speaker Laurino: "Any further discussion? Seeing none, hearing nonw...Representative Tate moves that House Bill... or Amendment #1 to House Bill 83 be adopted. For closure, Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have a great deal of respect for the Sponsor of this Bill and I understand his intent of this Bill. However there's some inherent problems with the Bill itself. If anyone reads this legislation, the problem is is how do you define content? There's no specific explanation in this Bill. So the purpose of this Amendment is to encourage companies, including their subsidiaries or their affiliates, regardless of where they...their location, they shall be able to buy American products commodities whenever possible and whenever available. I think each and every Member of this General Assembly would like to see all state agencies using U.S. made products and more specifically Illinois products. This is a good Amendment. This is a Buy American Amendment. This makes a bad Bill a lot better."

Speaker Laurino: "On that question, all those in favor indicate by saying 'aye' on Amendment #1 to House Bill 83. All

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those in favor on Amendment #1 vote 'aye', opposed vote 'nay'. Board is open. For what reason does the Gentleman from Madison, Representative Stephens, arise?"

Stephens: "Well, as a point of information, Mr. Speaker. I...for some reason a Page left a note on my desk to all House Democrat Members from the Speaker urging each of you to remain on the floor for the next couple of hours. And I just wanted to let the Chair know that the Republicans will be here all day."

Speaker Laurino: "Thanks for that...erudite speech on your attendance. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Amendment #1, having received 47 'ayes', 68 'nos' and 0 voting 'present', fails. Any other Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I would like to correct Representative Tate. He thought that his was truly a Buy American Amendment. He's incorrect. Actually, this one is the true Buy American Amendment because what we have in House Bill 83 and I really question the Sponsor and I'll do that on Third Reading, is why have we made the inclusion of Canadian content to be equal to United States content? I'm going to be deleting that favorite nation status for Canada. I think we ought to have a level playing field here. And so with your...with all do respect, Representative LeFlore, this Amendment deletes the Canadian preference and keeps it a true Buy-American Bill."

Speaker Laurino: "Further discussion? Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to this Amendment, because it

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takes away the free trade agreement between Canada and the United States."

Speaker Laurino: "Further discussion? Representative Young."

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

Speaker Laurino: "He indicates he...she will."

Young, A.: "Representative, the last speaker indicated that there was a federal free trade agreement with Canada. Are you aware of that agreement?"

Didrickson: "Yes, I am and I'm aware of the difficulty with which opening up those borders occurred."

Young, A.: "So, if we adopt this Amendment we'll be flying contrary to existing federal law. Won't we Representative?"

Didrickson: "I guess that really highlights the foibles of what we do down here. You're correct."

Young, A.: "Alright. To the Amendment, Mr. Speaker, Ladies and Gentlemen of the House. We certainly don't want to go on record as adopting an Amendment that the Sponsor tells us all violates current federal law, and I'd ask for a 'no' vote on the Amendment."

Speaker Laurino: "Further discussion? Representative Didrickson to close."

Didrickson: "I think that's exactly the point that we wanted make, which is what Representative Young made. We are all painfully aware of how difficult it was to open up the borders in Canada and yet we on the heels of such an agreement have closed it down and shut it down and said that we are going to have to have, you know, American made products. We all know that that's almost impossible. But as long as that is...the road and the path that my Democratic colleagues are willing to go down, then I think we ought to make it a pure American...a pure American Bill, pure American content and eliminate this favorite status

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that you're giving to Canada. I ask for an 'aye' vote on this Amendment. It's a good Amendment. It's an American Amendment."

Speaker Laurino: "Representative Didrickson moves that Amendment #2 to House Bill 83 be adopted. All those in favor indicate by saying 'aye'. 'Nays'. 'Nays' have it, the Amendment fails. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, offered by Representative Loleta Didrickson."

Speaker Laurino: "Representative Didrickson."

Didrickson: "Well, now here we have an opportunity to make this Bill a little bit better. Amendment #3, is going to say that we will not allow the product content specifications to apply to European Common Market countries Canada, for my colleagues on the other side of the aisle, Mexico, Japan, some East Block countries, etc. It's effect is to essentially destroy the product content requirements. Perhaps that's what we want to do."

Speaker Laurino: "Further discussion? Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition of this Amendment. This Amendment guts the whole Bill and I'll ask for a 'no' vote on the Amendment."

Speaker Laurino: "Further discussion? Representative Didrickson to close."

Didrickson: "I think this is a fine Amendment. What we are really doing here, is saying that this Section is not going to apply to those nations granted most favorite status by the United States Government. We've heard some dialogue on the floor here with regards to our Canadian counterparts, and I think that this Amendment deserves an 'aye' vote and I would ask for that."

Speaker Laurino: "Representative Didrickson moves that Amendment



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#3 to House Bill 83 be adopted. All those in favor indicate by saying 'aye'. 'Nay'. 'Nays' have it, the Amendment fails. Further Amendments, Mr. Clerk."

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

Speaker Laurino: "Representative Didrickson, on Amendment #4. Take it out of the record? Withdraw the Amendment. Further Amendments, Mr. Clerk."

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

Speaker Laurino: "Representative Tate, Amendment #5."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 would promote the economic growth of Illinois products, commodities and services to serve the best interests of the state. What it basically does is, I ask or I call on this Amendment to call upon the Speaker, the Minority Leader in the House and the President and the Minority Leader in the Senate, each to appoint two persons on a task force from business, from labor, from agriculture, from the educational community, to...with the assignment on what we can do to really improve state government's purchasing habits and address this problem. If you look at this Amendment, it establishes the task force within sixty days. They will report back to this General Assembly in one year with some specific recommendations on how we can help sell Illinois products and commodities and services. Now, if you really want to promote...this issue has been around in this chamber for the last five years. The Governor has never signed this Bill. If people really care about buying American and selling Illinois products, there's no reason why we can't bring labor, business and people from the educational community to sit down and try to address a problem. If you

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really believe there's a problem, then let's have these people get together, the leaders of this state, get together and come back with some recommendations on a Bill that we can pass out of this General Assembly and a Bill that the Governor will sign because he's not going to sign this Bill. So, if you vote for this Amendment, he will sign this Bill. So, I move for it's adoption."

Speaker Laurino: "Further discussion? Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 guts the total Bill, therefore, I stand in opposition of Amendment #5 and I ask for a 'no' vote. Thank you."

Speaker Laurino: "Represen...Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. This is a good Amendment. What we're attempting to do here is to provide some credibility in this whole system. We have from time to time added to the Department of Commerce and Community Affairs, thousands and thousands and even millions of dollars to promote Illinois, to promote the good things that we have here, to encourage people to come into our state and to encourage business to come into our state. This is just another attempt to add to what we are already doing. And I kind of question why you even needed the Bill in the first place, because the Department of Commerce and Community Affairs has been doing an excellent job. We need to promote our products. We need to become more aggressive exporting, not to state that this Bill is attempting to do. We have to place an embargo on it. There's no reason for this."

Speaker Laurino: "Further discussion? Representative Young."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Gentleman's Amendment.

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It may be an excellent program, Representative. I'd be happy to support your own Bill establishing this program, but this is not the program the Sponsor of the original Bill wants. It guts his Bill. He's trying to address the problem, that had it been addressed adequately on the national level over these last nine years, this Bill wouldn't be necessary. We don't have a cohesive trade policy on a national level. We need to at least try to develop something for Illinois businesses on a local level. This Amendment is not well-intentioned. The Gentleman wants this program, we'll be happy to support him on a piece of his own legislation or have him introduce it himself, but the Sponsor of the Bill wants this program. The Governor doesn't always sign something the first time he sees it. He's seen this before. Let's show it to him again. Give the Governor a chance to correct one of his mistakes of the past. Let's defeat this Amendment."

Speaker Laurino: "Representative Tate to close. Representative Tate moves that Amendment #5 to House Bill 83 be adopted. All those in favor...Amendment #5, indicate by saying 'aye'. Mr. Clerk, the Gentleman requests a Roll Call. All those in favor of Amendment #5 to House Bill 83 indicate by voting 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment...Amendment #5 to House Bill 83, having received 46 'ayes', 68 'nay', 0 voting 'present', fails. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. For what reason does the Representative Ewing arise? House Bill 85, Representative Ronan. Read the Bill, Mr. Clerk. 85."

Clerk Leone: "House Bill 85, a Bill for An Act to amend the Illinois Wage Payment and Collection Act. Second Reading

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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 Turner."

Speaker Laurino: "Representative Turner."

Turner: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. Amendment #1 simply eliminates a problem...or not a problem, but it eliminates the sweat equity that's put into building residential dwellings throughout this state. Sweat equity is a concept that is being used now as we're trying to make houses affordable in this state, and that is an approach where potential buyers or owners work out their down-payments for the purchase of that home. Then I move for the adoption of Amendment #1."

Speaker Laurino: "Any discussion on Amendment #1 to House Bill 85? Hearing none, seeing none on the board, Representative Turner moves that Amendment #1 to House Bill 85 be adopted. All those in favor indicate by saying 'aye'. 'Nays'. The 'ayes' have it, Amendment #1 is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 692, Representative Farley."

Clerk Leone: "House Bill 692, a Bill for An Act to amend the Unemployment Insurance Act. Second Reading of the Bill."

Speaker Laurino: "Any Amendments or Motions?"

Clerk Leone: "There are no Committee Amendments."

Speaker Laurino: "There are no Committee Amendments. Representative Farley wishes that this Bill be held on Second Reading."

Farley: "That's correct, Mr. Speaker. If you could hold this, we have an agreed Amendment that'll be up from LRB in about an hour and we'd like to get back to it at that time. So, if

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you would hold in on Second, Mr. Speaker."

Speaker Laurino: "Fine. We will do that. House Bill 692 will be held on Second Reading. For what reason does the Gentleman from Livingston, Representative Ewing, arise?"

Ewing: "Mr. Speaker, we have some guests in the chamber. On a point of personal privilege, I would like to introduce the Department Managers, Office Managers for the State of Illinois, for the DCCA Offices that we have overseas. And I think they're standing in line as I'm going to talk from my right working left, we have John Hemmer, from our Japan Office. John, raise your hand. Henry Smallwood, from our Brazil Office. Bart Smit, from our Brussels, Belgium Office. Norman Li, from our Hong Kong Office and Tom Tanaka, from our Japan Office. These gentlemen work very hard for us in our foreign offices to develop trade and business for Illinois business and industry. And I think we should give them all a big hand."

Speaker Laurino: "Welcome, Gentlemen. We'll proceed to House Bill 1078, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1078, a Bill for An Act to amend the Illinois Wage Payment and Collection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Klemm. Representative Klemm in the chamber? Representative Klemm, you have an Amendment offered on this Bill. Would you like to present it or do you want to take pictures?"

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2, simply makes and takes out the word 'shall' to 'may' makes it not a mandatory Act, but makes it

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subjective to a provision that would allow the employers to reach agreements with their people and give part-time employees these wage supplements. As you know, we're going to be having some increases in the minimum wage and a number of increases in the benefits that they'll be providing for their employees. And this will allow the small employer to at least be able to compete, still provide the benefits to these part-time employees, gives a measure I think of protection for both the small business person and the employees that will be working part time. And I do ask for your favorable support."

Speaker Laurino: "On that question, is there any discussion? Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 simply guts the Bill, is what it does. It just guts the Bill completely...by turning the mandatory language into permissive language. Employers could do this now of course, but they do not do this now and the purpose of the legislation is to begin the process of bringing this issue to the floor, whereby the large employers shall do what the Bill requires. So, I urge my colleagues to oppose this legislation...oppose this Amendment, because it guts the Bill."

Speaker Laurino: "Further discussion? Representative Klemm to close."

Klemm: "Well, thank you, Mr. Speaker. I'm always amazed that those who've never been in the business sector, will always tell business people what's best for them. Now, I know the previous speaker, perhaps hasn't had that much free enterprise experience, but I have; and let me assure you that the small business person really has some difficult time with these benefits that are mandated to them in trying to hire part-time employees. Now simply speaking

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that if they can't be competitive and if they can't afford to hire part-time employees and give the job opportunities to some of these young people who desperately need it, they just won't be able to do it at all. And I think it's unfair for people to say that this is going to be beneficial to our working men and women and particularly the young people, I think in Chicago, and in other areas that certainly we need some help for, to be able to allow the employer to determine what he can do and still stay in business. It serves no purpose to put small businesses out of business for the sake of saying this is going to help the working people. It does just the opposite. I do ask for your support."

Speaker Laurino: "Representative Klemm moves that Amendment #2 to House Bill 1078 be adopted. All those in favor signify by saying 'aye', opposed 'nay'. The 'nays' have it and the Amendment fails. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, offered by Bernard Pedersen and Lolita Didrickson."

Speaker Laurino: "Representative Didrickson on Amendment #3."

Didrickson: "Thank you, Mr. Speaker, Members of the House. Representative Bowman has said that this is for large businesses. I want to help them out to make certain that we're really talking about those large businesses that can absorb this shock of all of these mandated benefits for part-time employees. So instead of the minimal number of 500 we're gonna to make it 5,000, Representative Bowman, so that we're really talking about big corporations who can handle this."

Speaker Laurino: "Further discussion? Representative Bowman."

Bowman: "Well, the Lady is too kind. This Bill is fine, just the way it is, and in fact, by raising the limit, maybe she exempts any Illinois employer from coverage by this Bill.

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Maybe that's what she wants to do. Maybe she should just vote against the Bill. But I urge my colleagues to reject this Amendment, because it is merely a subterfuge to once again gut the Bill."

Speaker Laurino: "Further discussion? Representative Didrickson to close."

Didrickson: "Thank you, Mr. Speaker. In reference to those Illinois companies that are of that size, I'm really talking about Sears, Roebuck and Company, and I think that is a dramatic concern that many of us have, Representative Bowman. For all those reasons, I think that's why I have raised this number to the 5,000. The 500 is a marginal number when you start talking about those businesses that are just beginning to get on their feet and be called medium range businesses. This is a good Amendment. This is a very serious Amendment for anybody in Chicago who happens to be concerned about the loss of Sears, Roebuck and Company. You ought to pay attention to this Amendment and give it an 'aye' vote and I ask for a Roll Call vote."

Speaker Laurino: "Representative Didrickson moves that Amendment #3 to House Bill 1078 be adopted. All those in favor indicate by saying 'aye', opposed 'nay'. 'Nays' have it, the Amendment fails. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Representative Kubik."

Kubik: "Mr. Speaker, with all due respect, the Lady did ask for a Roll Call on the close and I think under the rules she's entitled to a Roll Call."

Speaker Laurino: "I'm sorry, I didn't hear her, but we will proceed with a Roll Call. Mr. Clerk. All those in favor of Amendment #3 to House Bill 1078 vote...will indicate by voting 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Take the record, Mr.



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Clerk. Amendment #3 having received 50 'ayes', 59 'nays' and 1 voting 'present', is hereby declared failed. Further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading. House Bill 1343, Representative Kulas. Representative Kulas. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1343, a Bill for an Act in relationship to unpaid leave. 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 Kulas."

Speaker Laurino: "Representative Kulas."

Kulas: "Withdraw Amendment #1."

Speaker Laurino: "Withdraw Amendment #1, Mr. Clerk. Further Amendments?"

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

Speaker Laurino: "Representative Kulas."

Kulas: "Withdraw Amendment #2."

Speaker Laurino: "Withdraw Amendment #2, Mr. Clerk. Further Amendments?"

Clerk Leone: "Floor Amendment #3, is being offered by Representatives Churchill and McCracken."

Speaker Laurino: "Representative Churchill, Floor Amendment #3."

Churchill: "Withdraw Amendment #3. Withdraw Amendment #3."

Speaker Laurino: "Withdraw Amendment #3, Mr. Clerk. Further Amendments?"

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

Speaker Laurino: "Representative Kulas."

Kulas: "Withdraw Amendment 4."

Speaker Laurino: "Withdraw Amendment #4, Mr. Clerk. Further Amendments?"

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Clerk Leone: "Floor Amendment #5, being offered by Representatives Churchill and McCracken."

Speaker Laurino: "Representative Churchill."

Churchill: "Withdraw #5."

Speaker Laurino: "Withdraw Amendment #5. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #6, offered by Churchill and McCracken."

Speaker Laurino: "Representative Churchill."

Churchill: "Withdraw, please."

Speaker Laurino: "Withdraw the Amendment, Mr. Clerk. Further Amendments?"

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

Speaker Laurino: "Representative Kulas."

Kulas: "Withdraw Amendment 7."

Speaker Laurino: "Withdraw Amendment #7. Further Amendments, Mr. Clerk?"

Clerk Leone: "Number 8, offered by Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #8 now becomes the Bill. When I presented the Bill in Committee, some of my Republican colleagues asked me to look into the federal legislation that is being worked on presently and Amendment #8 incorporates a lot of the issues that were raised in the federal legislation. It still keeps the...it's less restrictive than the federal legislation, cause it keeps the number of employees at 50 and it also includes the government and the local and state government is included in this Amendment and I would move for the adoption of Amendment #8."

Speaker Laurino: "Further discussion? Hearing none, Representative Kulas moves that Amendment #8 to House Bill

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1343 be adopted. All those in favor indicate by saying 'aye', 'nays'. The 'ayes' have it, the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Third Reading, page 18 on your Calendar. House Bill 75, Representative Ronan."

Clerk Leone: "House Bill 75, a Bill for An Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Laurino: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker and Members of the House. House Bill 75 amends the Municipal Code. Provides that in case of an injury caused by a municipal police officer...caused to a municipal police officer in a municipality of less than 500 population, the municipality shall be...shall indemnify the police officer to the extent not to exceed five hundred thousand dollars. Be glad to answer any questions concerning the legislation."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 75, and on that question, is there any discussion? Seeing none, the Gentleman from Cook, Representative Ronan to close."

Ronan: "I look forward to a favorable Roll Call."

Speaker Laurino: "Question is, 'Shall House Bill 75 pass?' All those in favor will vote 'aye', all those opposed will vote 'nay'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Hicks, 'aye'. This Bill having received 102 'aye' votes, 6 'nay', 1 voting 'present' and having received the required Constitutional Majority, is hereby declared passed. House Bill 416, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 25 of the Calendar, House Bill 416, a Bill for An Act to amend the School Code. Third Reading of the

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Bill."

Speaker Laurino: "Representative Curran."

Curran: "Mr. Speaker, House Bill 416 simply designates that the consumer...consumer...just a second. House Bill 417 (sic - 416) permits the student to take the annual...416 commits (sic - permits) the student to take the annual Consumer Education Proficiency Test only once."

Speaker Laurino: "The Gentleman has moved that House Bill 416...the passage of House Bill 416. And on that question, is there any discussion? Seeing none, the Gentleman to close."

Curran: "I don't know of any opposition. Just ask for a favorable Roll Call."

Speaker Laurino: "Question is, 'Shall House Bill 416 pass?' This is final passage. All those in favor indicate by saying...voting 'aye', opposed voting 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 111 'aye' votes, 2 'nay' and 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. Representative Black, for what reason do you arise?"

Black: "Well, Mr. Speaker, I had my light on before you even called for the vote. The Gentleman said there was no opposition to the Bill. I wanted to explain that situation, but it's too late now. I wish that you would watch that board maybe a little more closely. Thank you."

Speaker Laurino: "I apologize, Representative Black, but your light is on so often that I just thought maybe they forgot to turn it off. House Bill 491, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 491, a Bill for An Act in relationship to wages. Third Reading of the Bill."

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Speaker Laurino: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. House Bill 491 strengthens the enforcement of both the Minimum Wage Law and the Prevailing Wage Law. The...the genesis of the Bill came from my reading of the audit of the Department of Labor last year. That audit specifically noted that there were deficiencies in the enforcement then, of the Minimum Wage Law. The Department was noted for not properly and effectively enforcing the law. They noted particularly that there was a huge backlog of cases, that investigations sometimes were not begun until six months or more after a complaint was received, and in some instances, prosecutions of cases are delayed for more than two years even after the Department had exhausted all efforts to resolve the claims. They noted in particular a shortage of staff and higher caseloads and as a consequence, the Department could not even inspect target areas and reinspect previous violators in those target areas. As a consequence, Ladies and Gentlemen, I tried to draft a Bill that I thought would help the Department of Labor make a law that is self-enforcing. I did so by three separate measures. First of all, this Bill increases the monetary penalties for violators under both Acts. It also increases the criminal penalties under the Minimum Wage Law, making it equal to the Prevailing Wage Law. I see no reason why they should be different. It also allows the Department of Labor to litigate minimum wage cases on behalf of aggrieved employees at an earlier stage, and legal proceedings that is currently permitted. Remembering we're talking about the enforcement of the Minimum Wage Act here. These people are people with the lowest salaries in the State of Illinois. This Bill gives the Director of Labor the right to initiate legal action on their behalf. If in the

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Director's opinion they have been underpaid in either the Prevailing Wage Law or the Minimum Wage Law. Under current law, only the claimant has the right to bring the initial action pursuant to the two Acts. I'd be happy to answer any questions."

Speaker Laurino: "The Lady has moved for passage of House Bill 491, and on that question, is there any discussion? Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I had intended to support this Bill and the subsequent Bill or the next Bill that the Lady's planning to call on this issue, up until last night. When we moved this through the Amendment process, I supported the Amendment as a matter of fact, I stated basically that this is a good idea. They have been nicked by the Audit Commission, because they've been unable to enforce the Prevailing Wage Law to the degree that even they would like. But I pointed out that they've got some budget problems that need to be addressed to be able to do what they're suppose to do without expanding it to the degree that this Bill does and the next Bill does. I supported an Amendment to the Department of Labor's budget last night. We were found...we were told that it was technically incorrect. I would have pulled the Bill out of the record had we known that, so that we could have voted to give the Department the money necessary to administer the Acts that they've got. They're six to twelve months behind in minimum wage and prevailing wage claims already. I'm intending to vote 'present' on this, because we did not give the Department the money they needed to enforce what they've got."

Speaker Laurino: "Further questions? Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Would the Sponsor yield for

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a question or two, please?"

Speaker Laurino: "She indicates she will."

Didrickson: "Representative Breslin, this Bill did come through Labor and Commerce Committee and traditionally there are always a number of Republicans who are opposed to any kind of Minimum Wage Bill or Prevailing Wage Bill. As a Sponsor you have been most cooperative in trying to work with us on some of these. Since we have these Acts in our statutes, let's try to make them the best Acts, if we have to have Prevailing Wage and Minimum Wage Laws. But you have said that your Bill here addresses the very concerns that has come from the Department of Labor themselves in a report, and so I would ask you the three specific areas that you have outlined here, that your Bill will seek to correct. Are those at the direction of the Director of the Department of Labor?"

Breslin: "Oh, no, they are not and I did not mean to insinuate that they were. I said that I took these...I took my own action based on the audit of the Department. In my view this helps the Department enforce a law without their action. They are already underpaid and understaffed, and to the extent that we can make this Act self-enforcing, I think we ought to. It helps...Number one, it helps them...the litigants come forward on their own, by being able to obtain both attorney's fees and litigation costs, as well as recover underpayments. It increases the penalty, assuming that the employers of Illinois who don't want to be caught and have to pay a large fine, will automatically comply with the law, taking the burden off the Department of Labor to do investigations and acting as a proponent on these issues. So this was my own idea on how to best alleviate the problem."

Didrickson: "Okay. You have talked about increasing penalties

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and litigation. Obviously there's always awards that go with successful litigious claims. It increases the use of the courts. I noticed that you...one of the provisions limits an employer's liability to an employee for punitive damages. How do you think this will play out?"

Breslin: "Yeah. Punitive damages aren't listed in the Bill. It's a twenty percent penalty and I don't believe it's...at least it's not to my knowledge referred to as punitive damages, which is a term of art that's completely different. I mean you may consider it punitive, but it's...under the law it's not punitive damages."

Didrickson: "Well, that is...you know, once you increase litigation in situations such as this and take it out of the hands of the Department, as you say self-enforcing, you run the risk of punitive damages and increased settlements in that regard."

Breslin: "The object is, that these people will run the risk of paying a higher penalty if they violate the law. And it is hoped that when they know that, they won't violate the law."

Didrickson: "I don't think there is anybody... To the Bill, Mr. Speaker. There is nobody, I don't believe, on this House floor that wants to see abuse of statutes that are passed in the Illinois General Assembly, and to the extent that we can clean them up and make them better, I think that's admirable, whether we agree or disagree with the content of such legislation. However, one of the concerns raised by Representative Mays is indeed a concern of mine. Representative Breslin is bringing this to our attention because of a six to twelve month backlog with regards to minimum wage claims and prevailing wage cases. I would suggest to her and to Members on the other side of the aisle that indeed that's exactly what we tried to do last



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night, we tried to increase by a hundred and nine thousand dollars the ability of the Department of Labor to do just that, to enforce these measures themselves. I share Representative Mays' concerns that we have handcuffed and hand-tied the Department of Labor to do their job and we should be addressing this issue in a different way with regards to the appropriations process."

Speaker Laurino: "Further discussion? Seeing none, hearing none, Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, when any law that we pass is not promptly and fully enforced, the legislative intent is not lawfully carried out and discrimination against our citizens occurs. That's what I am trying to rectify. I join with Representative Mays and Representative Didrickson in trying to increase the appropriation for the Department of Labor and I encourage this Body when we have an Amendment that is appropriately drawn, to support such action. I know not everyone will agree, but that's my position. I have read their audits. There is no question that they are in need and I intend to support that as I intend to support this Bill. I urge 'aye' votes."

Speaker Laurino: "Question is, 'Shall House Bill 491 pass?' Those in favor will indicate by voting 'aye', opposed will vote 'nay'. Board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 102 'aye' votes, 9 'nay' votes and 1 voting 'present', having received the required Constitutional Majority, is hereby declared passed. House Bill 494, Representative Balanoff. For what reason does the...Representative Zickus arise?"

Zickus: "Yes, I'd like to be recorded as voting 'yes' on the last one, please."

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Speaker Laurino: "The record will indicate that you intended to vote 'yes'. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 494, a Bill for an Act to amend the Minimum Wage Law. Third Reading of the Bill."

Speaker Laurino: "Representative Balanoff on House Bill 494."

Balanoff: "Thank you, Mr. Speaker. House Bill 494 provides for a three step increase in the state minimum wage. It will increase the wage to \$3.85 per hour on October 1st, 1989, to \$4.05 per hour on April 1st, 1990, and to \$4.55 per hour on January 1st, 1991. It leaves in place the current Illinois law which allows for a 50 cent differential for those under 18 years old. It is the same Bill that passed both Houses of Congress and now sits on the President's desk. Now, just a couple of facts, between 1978 and 1981, Congress increased the minimum wage four times. During this time, total U.S. employment rose nine percent. Eleven states currently have a minimum wage that is higher than the federal minimum wage. California leads the nation and has a minimum wage as we speak, of \$4.25 per hour, and since its implementation unemployment has not gone up. In 1968, the minimum wage was about 53 percent of the average hourly wage of a manufacturing employee. That percentage has dropped substantially and today is less than 40 percent. According to the Illinois Department of Public Aid, a full-time minimum wage earner does not provide enough income to bring a family of two to the poverty line, and it leaves larger families \$2,000 short additionally per child. Finally, the State Department of Labor said this Bill will have no fiscal impact, and a fiscal impact note has been filed. I would urge...this Bill is important for all the working men in Illinois and I urge your 'aye' vote. Thank you."

Speaker Laurino: "The Gentlemen has moved passage of House Bill

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494 and on that question is there any discussion?  
Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This has to be the worst Bill of the Session. I don't know what this Sponsor is trying to do but I guess he's trying to drive the Illinois state minimum wage the highest in the nation and drive jobs out of this state. I mean even...even his own Democratic Party in Congress wouldn't be for this proposal. Labor and Democrats in Congress...had come up with a training wage; a wage that young people who have an opportunity to get a job. You know and everybody else knows that this proposal right here will drive jobs out, our young people in this state won't be able to get jobs. I don't know what you're trying to do. This is the worst Bill I've seen."

Speaker Laurino: "Calm down. Representative Didrickson."

Didrickson: "This may not be one of the worst Bills we've seen nor that we will ever see, however, I would like to say that this fine Democratic proposal is exactly the same Democratic proposal in the United States Congress that is going to get a Bush veto...a Bush veto. And we're gonna be hanging out there, hanging out there to dry in the State of Illinois, higher than many of the states in this country because we've had a Presidential veto at the national level that won't be able to be overridden. What you're doing here is...Representative Balanoff means very well and he's talking about trying to raise a family on the minimum wage. What you're talking about when you're talking about the minimum wage, you're really talking about a 60 percent of minimum wage workers are under 25 years of age and most of them are teenagers. What we do with the minimum wage in the State of Illinois and with these entry level jobs, these training level jobs, is that we allow teenagers to

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understand what the world of work is about. We under...we allow them to come to the workplace without any skills in the retail establishments and in the fast food establishments and allow them to learn those skills, that you set the clock, you get up in the morning and you get out there and you earn some earning money. Okay? We're not really talking about raising a family with these jobs, and when you increase the minimum wage, you now...then knock out of the box, teenagers, senior citizens who need this extra pin money. You're talking about women who need to return to the workplace and regain some of those skills that they haven't had over the last number of years. You're gonna be denying them an opportunity to be productive citizens. When you start adding to the minimum wage, all the other benefits that you're talking about and that we're talking about here in the General Assembly with regards to mandatory health insurance, parental leave, we could go on and on and on here; and what you're gonna be adding on to this is a, a wage that is going to outpace the productivity of that learner, of that person who is earning the minimum wage. This is probably one of the worst things you can do for minorities, this is absolutely one of the worst things you can do for women and senior citizens, and I would suggest to you on this House floor that those are the particular groups, the target groups that we work so hard for and to provide jobs and opportunities. Please do not react with a knee jerk reaction such as our colleagues in the U.S. Congress have done, and set yourself up to be higher than most states in this country. It's a bad Bill, it's a bad precedent, and there are nine states, nine states that we compete with for jobs, for Sears Roebuck, those kind of retailing jobs that do not have a minimum wage at all. A 'no' vote on this Bill is going to be the

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best 'no' vote you're gonna cast."

Speaker Laurino: "Representative Wennlund."

Wennlund: "Me? I stand in support of this and I think looking at the list of Sponsors of this legislation, that we in the southern part of the state have made a serious error. And we positively should have been participating as Sponsors, not just supporters, because this not only addresses the issue of our youth, this positively addresses the issue of people trying to make a living in Southern Illinois, and I support those people wholeheartedly. I believe positively that we have an obligation to take care of those people who have been responsive to the needs of their families, and that's what we're talking about in Southern Illinois. We're talking about the kind of people that have kids, that want to provide a living for them. We've got people that positively do not like the idea of living on the roles of relief, but they choose, they choose to take the jobs at minimum wage, so that they can hold their heads high, so that they can provide those kinds of things that they want for their children. But they're not adequately addressing that and we positively believe that we have a responsibility as Legislators to represent those people, and that's what I stand in support of. I stand in support of the people that sent me here and will send me back. I am very proud to support the Chicago and the Northern Illinois delegation. I only feel bad that I wasn't placed as a primary Sponsor of this Bill."

Speaker Laurino: "Representative Black."

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

Speaker Laurino: "He indicates he will."

Black: "Thank you. Representative, can you tell me at the best estimates, currently how many million Americans are

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employed."

Balanoff: "Certainly, not enough. I don't know the answer."

Black: "Alright. I believe...according to figures I have, it's about 60 million Americans are currently employed. Can you tell me of the 60 million who are currently employed and you said not enough, and I find that interesting since we've brought the unemployment rate down to obscene levels, to some of the lowest levels since the pre-Carter days, but be that as it may, how many of the 60 million workers who are employed, how many million of those are employed at the minimum wage?"

Balanoff: "Can you repeat the question?"

Black: "Yeah. Of the 60 million Americans that are now employed, how many million are employed at the minimum wage?"

Balanoff: "I'm not sure."

Black: "If my figures are correct, let's say four million. May I ask you another question. Since 1980, the proportion of workers receiving the minimum wage has increased or decreased?"

Balanoff: "Has the percentage of workers..."

Black: "No, the proportion of workers since 1980, the proportion of workers receiving the minimum wage has increased or decreased?"

Balanoff: "We think that they've decreased."

Black: "Very good, they have indeed decreased. Let me quote the figure from Newsweek, July 11, 1988, the column written by Robert J. Samuelson, and the last time I checked, I don't think Robert J. Samuelson is a card carrying Republican, but anyway, Robert Samuelson says, 'Since 1980, the proportion of workers receiving the minimum wage has fallen from about 11 percent to 4 percent.' Let me ask you another question Representative, are you familiar with a columnist by the name of Walter Williams?"

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Balanoff: "No."

Black: "So you're not familiar with him? Well, let me just...Walter Williams is a columnist with the Heritage Feature Syndicate. Walter Williams is black. Let me quote if I could to you, let me quote...let me quote what Walter Williams said, alright? This is a direct quote from an article taken from the Springfield Journal, April 13, 1989, by Walter Williams. 'Seriously, Congress is up to no good even though they profess to be acting on our behalf. Virtually all economists, left and right, agree that the minimum wage law causes unemployment for the lowest scaled members of the work force. The only real debate is in regard to the magnitude of the unemployment effect.' That was from Walter Williams. Well, thank you, very much for your answers Representative. Mr. Speaker, Members of the House if I could, to the Bill. Let me quote from the article taken from a column by Robert Samuelson, in Newsweek Magazine, July 11th, 1988. 'The profile of the minimum wage worker simply doesn't fit the popular stereotype. Consider: 1. Most are not from poor families, about 70 percent come from families with incomes of at least 50 percent above the poverty line according to a study by the Congressional Budget Office. Only 19 percent come from families below the poverty line. 2. Most minimum wage jobs aren't held by heads of families, about two-thirds are held by young, that's age 24 and under and single workers. About a third of those are teenagers. A third of all minimum wage jobs are in restaurants. 3. Most workers do not get stuck in full-time minimum wage jobs, indeed two-thirds of the minimum wage jobs are part-time in nature. Some jobs permanently pay the minimum wage, but they have a very high turnover.' In closing, from Robert Samuelson, 'When government mandates higher

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labor costs, someone has to pay them. There isn't any free lunch. Companies are likely to raise prices and fire, not hire the least productive workers. After reviewing the available studies, economists Frederick Furlong and Mark Charney of the Federal Reserve Bank of San Francisco, concluded that the present proposal before Congress would raise inflation at least a quarter of a percent and result in the loss of one hundred to three hundred thousand jobs. The increase in unemployment would be among lower wage workers, the very group that the Minimum Wage Law is supposed to help.' Mr. Speaker, on the face, on the face of the Gentleman's Bill, the minimum wage obviously strikes a cord in everybody's heart. If it is to be, all I would..."

Speaker Laurino: "Bring your remarks to a close, Mr. Black."

Black: "Thank you very much, Mr. Speaker. If this is to be, all I would ask of the Sponsor, let it be done at the federal level, please keep Illinois on the same playing field as every other state. Thank you very much."

Speaker Laurino: "Representative Edley."

Edley: "Mr. Speaker, to the Bill. The minimum wage, in my opinion, is not a question of jobs, it's a question of economic justice. This wage has not been raised since 1981. I'm a small businessman, a small family business, we employ slightly over 20 people. I don't have anybody, anybody working for me today at the minimum wage or even at the proposed minimum wage here in 1989. Most people in my labor market, for unskilled labor you're talking four dollars to four dollars and fifty cents an hour. This is...this is...like I said earlier, this is not really a job question, this is a question of economic justice. There is a certain level below which we will not let the American worker work at, and three dollars and thirty five



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cents is not a liveable just wage. I ask for your support."

Speaker Laurino: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. This is a very interesting and a very positive kind of an approach to help people out. Tragically enough, what it is actually going to do, it will create an...a spiraling inflationary effect throughout this country and throughout this state, something that we can ill afford to see at this particular time. The other tragedy about this whole situation is that, as we continue to by law, increase wages, we have not by law, increased productivity or quality of that work that the individual would be performing. The real dissatisfaction with it is that we ought to be inspiring young people and adults to want to start at a level and not stay at this minimum level that we have now. If those of you think that you can actually raise a family on a minimum level, absolutely, that is not correct, they can't do it. But it's for those kinds of start up jobs for young people that are just beginning to learn how to handle money and to deal with savings and spending and so forth. So I urge you not to support this, that we ought to in fact be encouraging people to want to make more of themselves and not be satisfied with this particular wage. As you well know, people change some five to seven different jobs, hopefully those are on the increased level. You become more proficient, you accept better paying jobs, and you are a more productive citizen. So don't be satisfied with a minimum wage law, or a minimum wage level, because you ought to be looking for more than that. Let it happen at the marketplace, not by statute."

Speaker Laurino: "Representative Flinn."

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

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Speaker Laurino: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All those in favor indicate by voting...saying 'aye', those opposed voting...saying 'nay.' The 'ayes' have it the prev... The Gentleman from Cook, Representative Balanoff to close."

Balanoff: "Yes, in closing. When you raise the minimum wage, the standard of living of all working men and women goes up. And I would just like to say that in Congress, even Representative Lynn Martin voted to put this Bill on the President's desk. Governor Thompson deserves the same. The people in Illinois, the working men and women in Illinois deserve the same, and I would urge an 'aye' vote."

Speaker Laurino: "Gentleman has moved for the passage of House Bill 494. All those in favor will vote 'aye', those opposed will vote 'nay.' The board is open. This is final passage. Representative Giorgi."

Giorgi: "Mr. Speaker, you know it's kind of discouraging and disgusting with all this din in our ears, with the Republicans aping the arguments of the Chamber of Commerce and the Association of Manufacturers who are shipping jobs south of the border and all over the world, care nothing about the American worker. The American worker hasn't had a raise in eight years. A kid that is working for the minimum wage goes out and buys a candy bar, has to pay over a half a buck for it, he has to pay over a buck...a gallon for gas, he has to pay fifty bucks for his shoes, and you guys don't think a minimum wage worker doesn't need a raise. I'm gonna tell you something, something in Christian morality, a sin to Christ that havin for vengeance is depriving a wager of his earnings. So remember that and beware."

Speaker Laurino: "Representative White."

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White: "Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of this wonderful piece of legislation. If we are concerned about the public aid roles, I think this is the Bill that we should pass. If you look at three dollars and eighty five cents an hour times 40 it comes to \$136 a week. We give those who receive general assistance \$154 a month, and I think that if we want to get those individuals off those welfare roles this is the way to do it. Give them the kind of a wage that they will look forward to going to work and being a taxpayer rather than a tax eater. So please support this wonderful piece of legislation."

Speaker Laurino: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this wonderful piece of legislation. You know, I can't understand the...my colleagues on the other side of the aisle, talking...reported to be for the working people and then talk against a fine piece of legislation like this. I wonder what will the newspapers say back in their district. It's amazing to me, to see people who's suppose to represent their constituents, take the side of big business. And that's what the other side of the aisle has consistently done and that's what they're doing in terms of this legislation, is representing big business and not the people who sent them here. But yet, the newspapers from there respective district don't print a word of that when you have legislation..."

Speaker Laurino: "Bring your remarks to a close, Representative Shaw."

Shaw: "Come up to do something for working people of this state. I urge more 'aye' votes up on that board and I vote 'aye.'"

Speaker Laurino: "Representative Parke to explain his vote. You have one minute."

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

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House. I mean I just don't understand the argument that's been put forth. You know...in the Indiana area along the Illinois border, they send out fliers every month, every quarter, saying, 'Hey, come on over to Indiana, do your business over here, bring your business over here, hire our employees'. If you pass this kind of legislation, you in fact are telling our businessmen and women that you're not gonna be able to compete in Illinois and that those jobs and those businesses are gonna go to other states, not our state. This is a ridiculous Bill and I will tell you that this will have a...not an effect on big business, this is gonna have a negative effect on the small businessman or woman because they're not gonna be able to afford to hire those part-time people or those full-time people that are in the small jobs, the small businesses, that are just getting started. This is counterproductive and you know you're putting 67 votes up on there hoping that your colleagues in the Senate will veto this or the Governor will veto it. Well, I'm sick of it, we have a respons..."

Speaker Laurino: "Representative McCracken, one minute to explain your vote."

McCracken: "Thank you, Mr. Speaker. You know the newspapers are not again...are not for this Bill. And Representative Shaw, when you go home you can call the Tribune and tell them that you did not vote with them on this issue. The Chicago Tribune on May 21st, 1989, editorialized in opposition to this Bill. The Springfield Journal-Register editorialized in opposition to this Bill. There are many other papers that are in opposition to this Bill, and the reason for it is this; the first people who are gonna lose their jobs are the very people you say you're trying to help, the handicapped, the youth of this country, the minorities to the extent they have to live with these lower

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paying jobs. That is precisely whose going to be unemployed, because you know why, because the Illinois Minimum Wage Law doesn't affect interstate commerce, it doesn't affect Bell Telephone, or GM or Ford, it affects your mom and pop grocery on your corner. Those people are the ones who are gonna have to cut the employment that other people are realizing..."

Speaker Laurino: "Further discussion? Seeing none. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 67 'ayes', 48 'nay' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 568, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 568, a Bill for An Act regulating wages of laborers. Third Reading of the Bill."

Speaker Laurino: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill requires that all bid specifications issued by state and local government for public works construction projects must list the prevailing wage rate that's to be paid for each craft or type of worker needed to perform the contract. As a consequence, every contractor that bids on a public works project will know exactly what will be required that he pay his or her workers. In addition to that, this Bill requires that anyone who violates the Prevailing Wage Act two times, will be automatically barred from participating from bidding on a public works project for two years thereafter. They will be automatically put on the disbarment list. The reason I bring this to your attention, is because not only do we have a large incidence of people not provi...not abiding by the Prevailing Wage Act, the Illinois Department of Labor is hard pressed to

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enforce the law, again, because of what we already discussed in their understaffed position. As a consequence, the law is not being enforced. We have right now currently only two companies on the prevail...on the no-bid...debarred list. This Bill will put contractors on an even playing field. The contractor that abides by the law, is a law abiding citizen trying to do right by his employees, is really disadvantaged when he has to compete against people who are not complying with the law. This Bill will put everyone on an even playing field. Everyone will have equal notice as to what the law is. The Bill is supported by the State Federation of Labor, the Chamber of Commerce and the Illinois Construction Industry Committee, so I recommend that it be passed."

Speaker Laurino: "The Lady has moved that House Bill 568...for final passage, and on that question, is there any discussion? The Chair would like to remind the Membership that we've only got approximately two and one-half days to go through these entire Bills. If an explanation of your vote is adequate, please do so. If you have questions of the Sponsor, then proceed. Representative McCracken."

McCracken: "Thank you. Will the Sponsor yield? By the deleted language in the original Bill, is it your position that the contractor will have no right to the hearings specified in that stricken language before being put on the disbarment list?"

Breslin: "It's my opinion that a second hearing is not required, because hearings will already have been required with regard to whether or not they violated the Prevailing Wage Act in the first place. So it's my view that one hearing is enough. We don't need to either for due process purposes, or for fairness purposes, to grant two hearings."

McCracken: "Are you saying then that there will be a hearing in

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determining the first and second? So there would be two hearings already?"

Breslin: "That's correct."

McCracken: "Well, then what is the purpose of the language in the current law?"

Breslin: "The language in the current law requires that, as I understand it, that there be a pattern shown of...of consistent violation of the law. I think the term is...there has to be a pattern and practice of violations of the law. So the Department has to not only have noted that there were previous violations of the law, they have to have an extra hearing to determine that this meets the requirement of pattern and practice. I'm eliminating that from this Bill. By this Bill."

McCracken: "Alright. Well, I'm sure I won't convince you to see the light on Third Reading, but if you look at the language of the Bill, if there is a requirement of a pattern or practice, it's not stricken by this language. All that is stricken by this language, is the requirement for the hearings after notice being given. If there is that other requirement to which you refer, it's not stricken by this language. If it does still stand, then of course that's an unlitigated issue which anybody would have the right to litigate before the drastic action of penalty by disbarment. So, I just don't agree that this is a wise policy. There's absolutely no reason that a party should not have an opportunity to contest this before the disbarment occurs. And, it's just another Bill to penalize industry in this state. It has one point of view, that of labor and only labor. It has no interest in any fundamental justice between the parties, and for that reason I oppose the Bill."

Speaker Laurino: "Further discussion?" Representative

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Didrickson."

Didrickson: "Would the Sponsor yield for a question, please?"

Speaker Laurino: "She indicates she will."

Didrickson: "Representative Breslin, it is my understanding that there are no formal hearings at the Department of Labor, that they are...that it's the promulgated rules that take over here and that there are no formal hearings to be held. Is that your understanding or that is not your understanding by what you've said?"

Breslin: "I understood that they had rules and that they abided by the rules. But I understood that they had hearings. Now, I may..."

Didrickson: "Yeah, there are...it's my understanding from the Department of Labor that there are not individual hearings. While you're...Okay."

Breslin: "Our staff indicates that there are hearings and that the hearings cost between eight to ten thousand dollars to administer and that's one of the big costs for the Department of Labor. So we have a real difference of opinion as to what the facts are."

Didrickson: "I think while we're chatting here, perhaps some conferees there on that particular point may iron this out. May I ask you further; the agreed to, quote, unquote language, and that's agreed to by the AFL-CIO, State Chamber of Commerce and the Illinois Construction Industry, you are...it'smy understanding that you are tracking the federal language with regards to the notification. Is that correct?"

Breslin: "Yes."

Didrickson: "Is that word for word?"

Breslin: "I don't know. The Amendment was brought to me by the construction industry and they indicated that that's what they were tracking. So, I didn't do it myself."



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Didrickson: "Okay. Thank you, very much."

Speaker Laurino: "Further questions? Seeing none, the Lady from LaSalle, Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. I think you understand what the Bill is...has as its aim. I think it has the support of both business, industry and labor, and I think it is the right way to address the issue. I move for its passage."

Speaker Laurino: "The Lady moves for the passage of House Bill 568. All those in favor will signify by voting 'aye', those opposed vote 'no'. This is... Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 102 'aye', 9 'nay' and 3 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 1542, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1542, a Bill for An Act concerning comparable worth. Third Reading of the Bill."

Speaker Laurino: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 1542 deals with the problem of systemic discrimination against minorities and women in state government employ; discrimination that evidences itself in wage rates which include gender and race bias in the basic setting thereof. The Bill would provide that only state employees and those of the state universities systems are covered by the provisions of the Bill, and both Central Management Services and the managers of the state university system would have ten years in which to ensure that our wage rates are free of gender and race discrimination. Pay equity, comparable worth, is not a new issue in this Legislature as it has not been a new Legislature in those of our sister

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states across the country. It is well documented that there are disparities between the wages of those employed in predominantly female as against those employed in predominantly male occupations, both in this state government and in other public employment situations. The same holds true for minorities. According to a National Academy of Sciences study of more than ten years ago, the differences in wage rates is a function of gender and race discrimination. Women's work, according to the National Academy of Sciences, is not worth very much. In order to correct this basic inequity, this Bill would propose that only for state government employees, because those are the employees we have the greatest responsibility to ensure working situations that are free of invidious discrimination, only for them is this Bill proposed and it is proposed to see to it that we can join our sister states who have already taken major steps forward to ensure wage equity for their own employees. Minnesota, Wisconsin, Iowa, middle western states, have implemented programs of pay equity. Forty-one states across the nation have taken some action against discrimination in their wage rates for their own work forces. Sixteen states are already well on their way to implementation, and as I say, a substantial number of our middle western sister states have already gone the whole route. We have a responsibility to people who are a minority and people who are female who work for us, to see to it that they work in conditions that are fair and responsible. We are the managers of state government employ and it's up to us to direct our hired managers to see to it that the work force is free of the taint of inappropriate discrimination. I'd be happy to answer your questions and would welcome your support, finally, for House Bill 1542."

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Speaker Laurino: "The Lady has moved for the passage of House Bill 1542, and on that question, is there any discussion? Representative McCracken."

McCracken: "Thank you. I am proud to say that I rise in opposition to this Bill and let me tell you why. Because the underlying premise of this Bill is that certain categories of work are being discriminated by some unknown 'bogey person' I'll call it, because I don't want to sound discriminatory in my speech. It...it assumes as a foundation of its argument that there is some giant conspiracy out there to screw people economically. Because if they're women they're not good enough to make money. Who cares if they're nurses, who cares if they're doctors. What they're trying to tell you is, this giant conspiracy, which I assume is foisted upon America by white males, is...is the cause of pay differences among different types of work. Now ask yourselves, Do you believe it? Do you believe it's true? I know, I know, I know, you're all for it because you're all progressive thinkers, I know. But let me tell you this, that is precisely what this presumes, that the people who are in certain job categories are receiving less not because the work they do is different, but because they are women or blacks or some other imaginary minority. That is precisely what the argument is. Now ask yourselves, Do we live in a conspiracy society? Do we believe conspiracy theories? Usually it's the liberals calling the right wing conspiracy theories wacko. Well today, I stand up and say to you, your left wing conspiracy theory is wacko. It is absolutely absurd. It is logically fallacious to go around and tell us that there's a giant conspiracy in America holding back fifty, sixty million people. 'Baloney,' it's not true. And when you're talking about state employees, which the Sponsor has

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picked up because she wants to limit the application of the Bill to make it more palatable politically, when you're talking about state employees, are they represented by unions? Yes. Do they bargain for their wages collectively under a free market system? Yes. Are the unions telling you that you as union members are being put upon by some giant white male conspiracy? No. No, they don't and you know they don't. It's absurd, it's absolutely absurd. In a society so sophisticated in labor relations as this country, do you think the existence of a conspiracy would go unnoticed for a hundred, two hundred years? Do you really think since the New...teen thirties, that there has been a conspiracy to hold fifty million people down? Is that what you're telling us? Well, in effect that's what you're telling us, because under no other theory does this plan make any logical sense. Zero. Do you know how they prove it? Do you know how they demonstrate the existence of this giant conspiracy? They stand up and say, 'Nurses aren't paid as much as doctors.' Oh, my God, what a conspiracy. Nurses aren't paid as much as doctors. Do you want to know why a nursing profession is a female profession historically? Because females choose to enter it. That is why. Nobody's breaking their arms to make them be nurses. And if...and now where women's aspirations are changing, if they want to go be doctors, they are getting into medical school. When the aspirations change, you will see the pay scales change. You will see various occupations no longer male or female dominated. You will see different characteristics making up these differing work groups. And do you know what the Sponsor of this Bill will say then? She'll say, 'It's another conspiracy.' Now with the new characteristics in the work force, some other imaginary minority is being discriminated against. That's

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what she'll say. This is absolutely absurd. I know it will be given serious consideration, but that..."

Speaker Laurino: "Representative McCracken, bring your remarks to a close, please."

McCracken: "I am sorry to say that this will be considered seriously. I do not attribute that to any good quality or characteristic of our society. Unfortunately on this issue, it's a free society and the wackier the idea, the more the press loves to play it up. So unfortunately, this will be given serious consideration. It shouldn't be."

Speaker Laurino: "Representative Williams."

Williams: "Thank you, Mr. Speaker. I rise as the imaginary minority here, to try my best to respond, because I understand what it is to give your heart out on something you believe in and possibly still lose. But I would like to say here today that there were some statements that were made that were wrong. One dealt with the inspiration of people who wish to go far and the fact that there's no such thing that a person would be stopped by the fact that he is a minority, be he imaginary or real. I think that the reality of society that has dictated over the past that a person can be limited by who he is, by what he is, by what sex he happens to be. The reality of life and I sit here today and I'd like to even think of myself as an example; I remember being around this chamber, not other chambers, but this chamber since 1975. I remember a lot of people who came here who were not imaginary minorities, who came here, who prospered, who did well, who became directors, who became executive directors of private companies, who did all types of things. They didn't hold law degrees, they didn't hold ten years of experience, but they did well and they went on. And I think that I had as much inspiration as every last one of them. I think I had twice

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as much drive, but for some reason I didn't get the same 'nod' for the same jobs. And I'm not accusing anybody of anything, but I am saying straight up that there is a real minority in this state and that there are people who truthfully cannot advance and are put into positions because of who they are. I know a lot of women, even women who work around this chamber who are secretaries but hold degrees, master degrees, and yet, when they want to do something other than being secretaries, a lot of people respond, 'Well, darling, please go ahead and do this letter for me and we'll talk about it later.' The reality of life and the reality of this chamber whether we like it or not, is that people are often hampered by who they are and artificial restraints are put upon their progress. So in spite of the fact that we are not, like I said, I don't think that being a minority is an imaginary thing, I was born a minority. And every time I can...you know, I think about all these little...I remember the time even when I was working for the Realtors and we went to a convention one day and I happened to be standing out front waiting for the guys and the guy comes up and assumes...what's a black guy standing out front in a suit. The logical thing was, here take my keys and park the car. And the point is, is that whether we like it or not, society has certain opinions about certain people and certain things, and this Bill just tries to give somebody who has in fact done their best, who does do a job that's worth the money and worth the time, the right to be paid for the job that they do. Nothing more, nothing less. I urge an 'aye' vote."

Speaker Laurino: "Representative Williams, the Chair hopes you got a good 'tip'. Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield? And before...could we calm down the House so that I can hear

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the answers? My question is; It would seem to me that this is going to create an awful big bureaucracy. How do you...if this passes, how would administer this kind of a plan, Representative Currie?"

Currie: "Well, CMS would do the administering. Representative Parke, I would remind you that they have always been responsible for creating wage scales for state employees. I think that they can create wage scales that are free of gender and race discrimination without any additional cost."

Parke: "Well, how many wage scales are you going to talk about creating with your legislation?"

Currie: "We're not talking about creating a single new wage scale. Right now, wages are set for each job classification. This job is about making sure that a job classification does not end up with a pay packet that's short at the end of the week because the payee is a woman or because the payee is a member of a racial minority."

Parke: "Well, that sounds good. That sounds really good..."

Currie: "...It does..."

Parke: "...But, how are you going to do it? I mean, you're telling me that..."

Currie: "...Well..."

Parke: "...This is something that you think is a good idea. How are you actually going to implement this?"

Currie: "We could do it the way Minnesota, Wisconsin, Iowa, New Jersey, the City of Los Angeles..."

Parke: "...Which is what?"

Currie: "Which is to say that when job classifications are connected to salaries, the relative complexity, the knowledge, the skill, the know-how that goes into the job is taken into account and that there is a comparison to make sure that jobs predominantly held by women and

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minorities are not undervalued given their relative complexity, compared to the wages that are connected to equally complex jobs held by primarily male, white people."

Parke: "Well, you know, we're talking about women in this. What happens if a man feels that he's been discriminated against on this legislation? It'll apply to him too, won't it?"

Currie: "I'm glad you brought that up, because any man who is in a job classification that's predominantly filled by women, any white person who's in a job classification primarily filled by minorities, that white, that male will benefit from this legislation absolutely."

Parke: "Well then, I think what we're saying is that anybody who's involved in the work force with the state can now, or the universities, then has a loophole, an out that if for some reason they don't think that they're getting paid what they think they deserve, being all these thousands and thousands of employees; then I think the way you implement this is you must go to court."

Currie: "No. Wrong."

Parke: "Oh, you don't go to court?"

Currie: "Wrong, wrong. In the first place..."

Parke: "...How would you do that?"

Currie: "...In the first place, there's a basic misunderstanding. We're talking about job classes that are predominantly filled by females or minorities. We're talking about comparing the complexity of those jobs with the job classes predominantly filled by majority males. So it's not an individual determination. We're asking CMS and the state university system to have a look at job classes that meet the criteria I've just described."

Parke: "Yes, but if a person feels that they qualify..."

Currie: "...So, it's not a person..."

Parke: "...In that job classification, what is their recourse



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under your legislation? If they feel that they are being discriminated by this bureaucracy and they're not getting what they think they're worth and they're not getting paid what they think they're worth, how they going to get recourse with your legislation?"

Currie: "Well, first of...well, first of all, just remember we're not talking an individual by individual determination, that's not the heart of the Bill. It's job classes and it's a limited number of job classes. But the first recourse an employee would have would be to file a grievance. Just the way an individual could file a grievance over any number of other issues that are relevant to the terms and conditions of his or her employment."

Parke: "So, they could file a grievance today? Can't they?"

Currie: "The point of this Bill..."

Parke: "...They...can't they file a grievance today?"

Currie: "They can file many grievances..."

Parke: "...That's right..."

Currie: "...But not on terms..."

Parke: "...Which makes that this legislation..."

Currie: "...Not on terms..."

Parke: "...Is not necessary..."

Currie: "... Not on terms of wage discrimination that has to do with gender and race."

Parke: "Well, I have news for you. Under the provisions of Title 8, under the Civil Right Act of 1964, they in fact do. And that is incorrect what you just told this Body that there is legislation on the federal level that allows them, if they're discriminated against, that we know time and time again throughout the United States that this legislation on the federal level has been used to solve racial and discrimination bases. And all I'm saying to you and I say to this General Assembly and I say it to the people of

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Illinois, that if in fact discrimination is being done, they have, under Title 7 of the Civil Rights Act of 1964, the ability to file grievances against this legislation. To this law...to this Bill. This is the problem that we have so often as bureaucracy, as a government is that we in fact look for the quick fix. The opportunity, instead of people going out and working hard to solve their own problems and collectively bargain for these issues, that the unions that supposedly represent the municipal...I mean, the state and university systems have the ability to do just what this woman is saying, without the bureaucracy that's going to be formed, without the tens of millions of dollars that this plan is going to cost to implement. The previous speaker said that he has...he has felt discrimination, but I may point out to that man and to everybody in this House that that Gentleman is here, today because he was duly elected, duly respected by the people in his area. He's a lawyer under this system. He didn't need any comparable worth legislation to get him to this point. He worked hard, he achieved. That's why this legislation is unnecessary, because we have the ability to get the job done now without this legislation. We could take the money that this is going to cost this state and give it to schools and give it to mental health, instead of wasting it on some pro-union position that is not going to work. And it's not worked in most of the places in this state. And there is legal ramifications that says it won't work."

Speaker Laurino: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hear a lot of Members on the other side of the aisle changing this Bill around, turning it into something it isn't. Now, let's talk some reason here. I hear the

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words, conspiracy. Representative Currie never said the word conspiracy. She's not talking about a white male conspiracy against women and minorities. I heard the word bureaucracy. I heard words about talking about millions of dollars, but let's talk about what this Bill is. What this Bill is is simple. It says, that if two people are doing the same job, they should be paid approximately the same based on their worth. Their worth is based on what they're doing, not who they are. So a woman shouldn't be paid less than a man. A black person shouldn't be paid less than a white person. It's a very simple theory. It's a very simple plan. And for people to say that it is not a simple plan, for people to turn this into something it isn't, belies what this Bill is all about. The idea of this Bill is to try to put people on an equal footing that are doing the same thing. That is what fairness is about. That is what equity is about. When I hear people talking about money, and when I here people talking about bureaucracy, I don't hear people talking about people. And what we're hear to do and what we're elected to do is to protect the rights and the interests of people. And it's people that are in these jobs. And the facts and the figures that we have seen have shown that there are people being discriminated against in these jobs. There are people being paid less than other people doing the same job. It's time that we stood up and protected those people. And yes we have a responsibility to be concerned about money. And yes we have a responsibility to be concerned about bureaucracy, but our primary concern as leaders in this state, as elected officials in this state, are to represent the people of this state. And to represent the people of this state, we have to represent them equally across the board, understanding their interests. If we fail to pass

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this legislation we will have not understood their interests. I urge an 'aye' vote."

Speaker Laurino: "Representative Johnson."

Johnson: "I...here I am. Yeah. I move the previous question."

Speaker Laurino: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor indicate by saying 'aye', those opposed 'no'. The 'ayes' have it. Roll Call. All those in favor of the main question be put will vote 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Capparelli votes 'aye'. Representative Granberg votes 'aye'. The previous question to be put, the main question to be put. Representative Novak, 'aye'. Representative Edley, 'aye'. This question having received 74 'ayes', 34 'nays' and 0 voting 'present', passes. The Lady...the Lady from Cook, Representative Currie to close."

Currie: "Thank you, Mr. Speaker, Members of the House. I think the issues have been well addressed. The issue is why does a nurse earn less than a truck driver, why is a secretary consigned to lower pay than a lawn worker, why is a day-care person undervalued. The answer is because in this society there is...discrimination, gender and race discrimination. It crops up in the wage rates, just as it crops up in other areas of our economic situation. Forty-one states have said yes to ending wage discrimination in their own work forces. I ask you to join me, the American Association of University Women, the American Civil Liberties Union, AFL-CIO, the American Federation of State, County and Municipal Employees, the American Jewish Congress, the Associated Firefighters of Illinois, the American Federation of Business and Professional Women, the Chicago Council of Lawyers, the

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Chicago National Organization for Women, the Coalition of Labor Union Women, the Illinois Association for the Education of Young Children, the Illinois Education Association, the Illinois Federation of Teachers, Illinois Impact, the Illinois National Organization for Women, the Illinois Nurses Association, the Illinois Women's Bar Association, the Illinois Women's Lobby Corporation, the League of Women Voters, the Midwest Women's Center, the Religious Network for Equality, Service Employees International, women employed and vote 'yes' on House Bill 1542."

Speaker Laurino: "For what reason does the Gentleman from Warren, Representative Hultgren, arise?"

Hultgren: "To explain my vote, Mr. Speaker, for the same reasons..."

Speaker Laurino: "Representative Hultgren, we haven't taken a Roll Call yet. The question is, 'Shall House Bill 1542 pass?' All those in favor will indicate by voting 'aye', those opposed vote 'nay'. Voting is open. This is final passage. Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, for the same reasons that I voted 'present' on House Bill 2552, I'll be voting 'present' on this Bill."

Speaker Laurino: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker, Ladies and Gentlemen...equal treatment."

Speaker Laurino: "You may have it."

Stephens: "Thank you, Sir. Ladies and Gentlemen of the House and especially the press, you know, this thing gets played wrong nine times out of ten. Tomorrow's paper will say, 'equal pay for equal work was passed', and that's wrong and you know it. I see people in the...in the press gallery now who have written the story wrong. It's equal pay for

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different work and that's why we oppose it. I vote 'no'."

Speaker Laurino: "Thank you, for your equal treatment. Representative Parcels, one minute to explain your vote."

Parcels: "Thank you, Mr. Speaker. I had some very intelligent questions to ask but I didn't have my light responded to. I would just like to say in a much lower tone than the volume that's been around here, that I think that we'd be stepping on the toes of negotiations that are already underway. There have already been some raises; the mental health tech and the social workers have had their pay raised. We're stepping on the union's toes. Collective bargaining will not be well served. We're already moving in this direction. Women have moved from 78.5 percent of men's salary to over 83 percent of men's salary. A male nurse doesn't earn any more than a female nurse. It's not done but discrimination by color or sex. And furthermore and the most importantly, I think it's terrible to tie women into these jobs. This is the day to be a woman. This is the day to be a doctor or a lawyer or a CPA. Times have never been better for women. Let's not tie them into low paying jobs by artificially raising the price. Let's encourage them to do other things, to step into these other jobs. Don't tie them down. I vote 'no'."

Speaker Laurino: "Representative Trotter, one minute to explain your vote."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. It amazes me how people can be against fairness. This Bill is about fairness. You're against a minimum wage. You're against pay equity for women. When are you going to be fair to the people of this great state? I urge all of you to vote 'yes' for a Bill that it's time for, now. Thank you."

Speaker Laurino: "Representative Harris to explain his vote. You

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have one minute, Sir."

Harris: "Thank you, Mr. Speaker. We debated this Bill extensively in previous years, but I think the debate this year could have been even further...gone further. But quite frankly, the Lady says that there is some arbitrary standard now going to be applied, simply because either women or minorities predominate in a job, therefore there is discrimination. The logic falls on its face. It doesn't hold water. It shouldn't be passed. The Bill...the cost is going to exceed forty million dollars by current estimates. That's an inappropriate use of our funds right now. The standards which are going to be used, somebody is out there going to say, 'We're going to say that a truck driver and a nurse or a truck driver and a secretary are worth the same'. It falls on its face. You know, if we try simply through legislative fiat to treat a plumber and a philosopher exactly the same way, then our society is in trouble because neither our pipes nor our theory..."

Speaker Laurino: "Representative Young, one minute to explain your vote."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just rise to try to say anything I could think of to get a few more green votes on this issue. I'm constantly amazed by some of the comments from those who oppose fairness and equality throughout the state. This Bill is not about unfairness, it's not about reverse discrimination. It's about solving a problem that every statistic available shows exists. Women make less than men in the same jobs. It's just as simple as that. Minorities make less than white males in the same jobs and it's as simple as that. Pay equity means exactly what the two words say, equal pay. We don't want satis... We don't want

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quotas. We don't want things to be better for women. We don't want things better for minorities. All we want is the same day's pay for the same work and I don't see why that could be such a horrible idea."

Speaker Laurino: "Representative Davis, one minute to explain your vote."

Davis: "Thank you, Mr. Speaker. I rise in support of this tremendously important legislation for many good reasons, I'll only share two with you. First of all, there are a number of women in my district. These women vote and they work and many of them know they have been discriminated against because of their gender. I also am voting for this piece of legislation because not only are women most often treated differently, but too often those who are of a different race are treated differently. And I don't think it's fair that they should always have to resort to hiring an attorney and going to court. Everyone in this Body certainly..."

Speaker Laurino: "The Lady will bring her remarks to a close. I'm sorry. Equal...equal time, I'm sorry, Representative Davis."

Davis: "I just want to say in the end. The Republicans don't even have a minority on their staff."

Speaker Laurino: "Representative Regan, one minute to explain your vote."

Regan: "Thank you, Mr. Speaker, Members of the House. Let's make it perfectly clear that this is not equal pay for equal jobs. Let me read from the Bill. 'For the purpose of this Section, Comparable Worth means the provision of equitable compensation relationships for positions which, although not in the same class, have been evaluated as equivalently based on the composite of the skill, effort, responsibility and working conditions'. Who says what job is worth what



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job. Who says a legal secretary should get paid the same as a plumber. That's the problem with this Bill and that's why I vote 'no'."

Speaker Laurino: "Representative Olson, one minute to explain your vote."

Olson, M.: "Yes, thank you. I would like to call your attention to what happens in private industry and private business. Job's wages there are paid upon what a job is worth in returning a profit for that business. I think that's a great way of doing it. It's a...it gets down to the nitty-gritty real quick. If a job pays so much money it's because there's a little bit of profit over and above that. It doesn't matter what your ethnic group is, what your sex is. There has to be a little profit. When we get into government and the bureaucratic side of it, we lose sight of what a job is worth because we have not unlimited money, but we have money to spend and spread out as we determine by rules and regulations, not by profits. I like the way the private industry does it."

Speaker Laurino: "The Gentleman from McDonough, Representative Edley, one minute to explain your vote."

Edley: "Thanks, Mr. Speaker. I'd like to say that as far as the concept of comparable...comparable worth and its relationship to the state government, I think it is possibly a doable concept. My problem with the legislation is I believe it should be handled in the collective bargaining process. That's where it should be done and I don't think we as Legislators should be involved in a micro-managing. We've allowed public employees to unionize. This is the kind of issue that they should use in their collective bargaining process."

Speaker Laurino: "Have all voted who wish? Representative Giorgi, for what reason do you arise?"

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Giorgi: "Just to explain my vote, Mr. Speaker."

Speaker Laurino: "You have one minute to explain..."

Giorgi: "...And I won't take a minute, Mr. Speaker."

Speaker Laurino: "...Your vote, Representative Giorgi."

Giorgi: "Mr. Speaker, there's times in the history of Illinois and in the the United States when we have to have face changes in the marketplace. We had to do it with child labor law. We had to do it in the forty hour week and many of our minority friends wouldn't be working, had we not passed the civil rights legislation, and emphasized the punitive language that they'd better adhere to it. I say that because of the status of the American family today, where one in two marriages end up in divorce, the women or the feminine part of the marriage need some support and this is a good...good reason to give them that support."

Speaker Laurino: "Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, I'm surprised to hear this measure described as a haphazard system. If this Bill goes into effect it in fact makes a more systematic evaluation of a job's worth than has been done in the past. It also seems to me to be backwards for us to be complaining, on the one hand that this might cost the state forty million dollars without recognizing that if in fact it cost the state forty million dollars, it's because women and minorities are being underpaid currently by that amount. And we deserve to have justice done so that everybody has an equal shot at those state pays."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Martinez, for what reason do you arise? Vote him 'aye', Sir, Mr. Clerk. Representative Currie, what's the pleasure of the Sponsor? This Bill having received 55 'ayes', 58

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'nays' and 2 voting 'present', fails. House Bill 1819, Representative Mautino."

Clerk Leone: "House Bill 1819, a Bill for an Act to amend the State Employees' Group Insurance Act. Third Reading of the Bill."

Speaker Laurino: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. House Bill 1819, which is amended, provides that the units of local government can apply to have all of their employees covered under the state's group insurance system that is operated by Central Management Services. The Amendment that was adopted provided for that same opportunity to accredited rehab facilities, which provide services to disabled people in the State of Illinois. There is no cost to the State of Illinois in accordance with the fiscal note by the Department of Central Management, because those participating governments pay one hundred percent of the cost of participation. We have a great number of sponsors, approximately twenty, as well as support from local municipalities, AFSME, ISCA, the firefighters, police associations, et cetera. I think it's legislation which is not new to this General Assembly. It passed this House sponsored by Representatives Myron Olson and Bill Black last Session at 113 to 3. And...I ask for your favorable support."

Speaker Laurino: "The Gentleman moves for the passage of House Bill 1819, and on that question is there any discussion? Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I join with Representative Mautino who explained this initiative very well. It came out of here comfortably last year. The Senate didn't fair as well for any number of reasons. I must tell you specifically, my office in

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Dixon, Illinois is located in a three story building with nothing other than insurance people. They are in support of this measure because they're not interested in writing to small groups with many cases we are addressing here. This measure is extremely valuable to many people and we urge joining Representative Mautino and giving it a 'yes' vote."

Speaker Laurino: "The Gentleman from Clerk...Cook, Representative Terzich."

Terzich: "Representative Mautino, could I ask a couple questions? You mentioned that...is the Central Management Service going into the insurance business by offering health insurance to members other than the state employees?"

Mautino: "Well, the Central Management Service is the administrating agency for the insurance health care coverage of all state employees. This is very similar to the pooling provisions that we have on the purchase of tires and automobiles and other services, batteries, et cetera. And this provides for other individuals to pay one hundred percent of their premiums at the local level to get into this program..."

Terzich: "...Well, if...if the...if this is the case, then this Bill is going to allow any governmental agency and their employees to participate in the state's group insurance plan?"

Mautino: "Units of local government, yes. And it must be all of their employees of which they pay one hundred percent of the costs."

Terzich: "Well, would the City of Peoria or City of Springfield or Chicago or DuPage County, would they be able to participate in the group insurance plan?"

Mautino: "They could, but they probably would not. This is designed and intended for those smaller groups of

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municipalities and cities that are having a difficult time even getting bids for the health conference coverage..."

Terzich: "...Is there any...could you basically tell me what places got a difficult time to get insurance for their employees?"

Mautino: "Well, there are...there are small cities which I don't happen to have those correspondences before me now, but I'll tell you, in my local hometown area there was only two bids for the local health care coverage for the city employees. And I don't believe there was any for the township employees."

Terzich: "And this...this program is not supposed to cost any money to the state?"

Mautino: "The...that is exactly correct. It's paid one hundred percent of all costs by the local government for the coverage of their employees."

Terzich: "Well, then what's the fiscal impact if this...if this Bill is adopted, what's the fiscal impact as far as the state? You mean to say it doesn't cost the state anything if they're not..."

Mautino: "The fiscal impact..."

Terzich: "...Going to pay...if there not going to pay any of the insurance premiums, and they're not...it doesn't cost anything to administer the program?"

Mautino: "It saves money. The fiscal impact cost to government is zero. The participating local government pays one hundred percent of the costs and it's administered by the Department of Central Management. There is no cost to the State of Illinois. It's been filed with the Clerk. I have a copy of it here. The answer is nothing."

Terzich: "What...what benefits are being...are being included? I think that the state program has HMO's, they have dental benefits, they have major medical, they have life

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insurance, they have optional life. Are all of these municipalities going to be able to participate the same as the state employee program?"

Mautino: "They may if they so desire if all of their employees are covered, and they pay one hundred percent of the costs. There's no cost to the State of Illinois."

Terzich: "Will they have any options of different benefits? For example, right now the state employees have got, you know, half of their salary as a life insurance benefit and they got a certain dental plan; will these other local units of government be able to pick and choose their benefits such as dental care or optometric care or anything like that?"

Mautino: "Standard and optional, they could take the high or the low options as state employees have the opportunity to do so. They could avail themselves of either, any, or all of those programs and they will pay a hundred percent of the costs."

Terzich: "And, but the municipality is not going to have any option other than the fact of taking the entire package which is the same benefits that are available to the state employees and the benefits thereof. And that they will pay those premiums regardless of what they are, which is supposed to be determined by who?"

Mautino: "They do not have to get into this program at all. It's voluntary on their part, number one. Number two, if they so desire they must enroll all of their employees and they could pick and choose provisions if they'd like, but by doing that it would cost them more money. In most cases it would cost local governments less, and it would be no cost to the state."

Terzich: "If that's the case, then if the state is going to provide this here coverage for them, are they going to be governed by the state insurance laws?"

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Mautino: "If Central Management Services is governed by those same provisions it would not change by adding local government employees or rehab employees."

Terzich: "Well, doesn't insurance companies have contractual or provisions where they have reserves, extended benefits and termination privileges and things of this nature? Wouldn't the state program have to provide the same protection for the people that they're insuring?"

Mautino: "Not really, Bob, because let us assume that instead of being local...local government employees, they were new employees to the State of Illinois. They're added to the program. A hundred percent of the cost is provided between them and state government. In this case it doesn't change any."

Terzich: "Well, thank you. To the Bill, I personally don't have any problem with the state providing coverage for any of these municipal employees or anything of that nature, but in the same token I still don't see how this would possibly work. That...what's happening again is that the state is going into the insurance business, which is extending medical benefits to people who are not members of the State of Illinois. And if this isn't setting up another insurance company and extending the benefits, you know, since we're going to expand it to each municipality we might as well expand it to include any person in the State of Illinois can participate in the state's group insurance plan and they'll pay the premium. I don't think this Bill is timely at this time."

Speaker Laurino: "The Gentleman from Will, Representative Regan. The timer's on."

Regan: "Thank you, Mr. Speaker. One of the reasons...to the Bill. One of the reasons we have to watch this carefully is there's a group out there keeping their eye on

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government that's in competition with the private sector. If you haven't got letters on this, I certainly have. In regards to...when we manufacture things to the state level that puts our local business man at risk. This Bill certainly puts our local agency force at risks. All your local insurance agents in your district are going to get hurt by this Bill. And I certainly know that in the long run, the insurance rates will go up for everyone in the state, because some of these local governments have employees that are quite old, quite ill, that's one of the reasons they're having trouble with insurance. They'll all join our program. The rates will go up from everybody in the state level and the local agents will get it just like they've been getting it if the banks sell it. Thank you, I'm opposed."

Speaker Laurino: "Representative Black."

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

Speaker Laurino: "...The timer is on."

Black: "Will the Sponsor yield?"

Speaker Laurino: "Indicates he will."

Black: "Yeah, Representative, I seem to recognize this Bill. Was this around last year?"

Mautino: "Yes, Sir. The Sponsors were Myron Olson and Bill Black, yourself, Sir."

Black: "Oh, thank you very much. I...Representative, another question, was not the state plan designed to be able to do this?"

Mautino: "Yes, Sir, that's exactly correct."

Black: "That's exactly what I thought. To the Bill, Mr. Speaker. I think the Gentleman is carrying a very reasonable Bill. It's one that local units of government are crying out for. I simply rise in support of the Gentleman's measure."

Speaker Laurino: "Further discussion? Seeing none, Sponsor to



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close."

Mautino: "I believe everyone understands what this legislation does. I think it's been explained in detail. I ask for your affirmative support."

Speaker Laurino: "Question is, 'Shall House Bill 1819 pass?' All those in favor indicate by voting 'aye', those opposed voting 'nay'. Board is open. This is final passage. Have all voted who wish? Ryder, 'aye'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This Bill having received 107 'aye' votes, 4 voting 'nay' and 1 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 2081, Representative Shaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2081, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Representative Shaw. Is the Gentleman in the chambers? Out of the record, Mr. Clerk. House Bill 2195, Representative Kulas. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2195, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Laurino: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2195 provides that when contract bids are made only by nonresident bidders the purchasing agency may specify that Illinois labor and manufacturing locations be used as a part of the manufacturing process. These specifications may be negotiated as part of the solicitation and bidding process. This Bill is a pro-Illinois labor and business Bill. And I would move for its adoption."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 2195, and on that question is there any discussion?"

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Seeing none, the Sponsor to close."

Kulas: "I'd just ask for a favorable Roll Call."

Speaker Laurino: "Question is, 'Shall House Bill 2195 pass?' This...All those in favor indicate by voting 'aye', those opposed by voting 'nay'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 109 votes, 0 voting 'no', 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. We'll return to page 9 on your Calendar, House Bill 39, Representative DeLeo, on Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 39, a Bill for an Act to amend the Uniform Peace Officer's Disciplinary Act. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Amendments?"

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

Speaker Laurino: "Third Reading. Page 8 on your Calendar under Criminal Law, House Bill 8, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill #8, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Amendments from the floor?"

Clerk O'Brien: "No Motions. Floor Amendment #1, offered by Representative Homer."

Speaker Laurino: "Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This Bill appropriately numbered...is known as the 08 Bill. The underlying Bill would reduce from .10 to .08 the level at which a person is presumed intoxicated for the purpose of driving a motor vehicle. And before I explain Amendment 1,

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I'd like to just give a very brief history of what the law has been in Illinois with respect to this standard. In the early 19...up until the early 1970's, Illinois had a bird...a level of .15 blood alcohol content where those who had an excess of .15 were presumed to be intoxicated. Those under .15 there was no presumption. It was...the law was changed in the early '70's, I believe, and at that time Illinois was brought in conformity with most of the other states at .10. In fact, most states in the union retained the .10 standard. It seems to be the recognized level through most jurisdictions as to when an individual shall be presumed to be intoxicated; .10 has been with us now...then for almost twenty years, and frankly, has been a standard that I think has served as a good bench mark. It's one that we've become accustomed to and one that, I think, makes some sense. However, the Sponsor to his credit wants to lower that standard from .10 to .08 and I supported him in committee and hope to support the Bill. I think the message sent to people who would drive...who would drink and drive is a good one, that if you intend to drink and you intend to drive you better watch out because Illinois is taking a no-nonsense approach to drunk drivers. I've been proud to support many of the initiatives of the Secretary of State and of others who have toughened Illinois's laws brought us into, what I think is a very progressive law that attacks the drunk driving problem. However, Amendment #1, I think improves the Sponsor's Bill by clarifying that what we are doing is allowing the presumption to be lowered to .08, however, the portions of the law that provide for a automatic conviction, we call it 'per se conviction', should be left at .10 as, in my opinion, should the summary suspension provisions, whereby an individual who...who agrees to take a breathalyzer and

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blows over the threshold amount has his driver's license suspended for ninety days, regardless of what the disposition of the charge is. So, under current law there are three aspects. There's the per se rule, that says if you drive over this amount you're guilty, regardless of how you were driving or how you're capable of handling that level of blood alcohol. Then there's another provision having to do with the summary suspension, that says if you take the test and you blow over a certain level that you lose your license for ninety days regardless of what happens to the case with which you are charged. And then there's the third provision, that says that if you...if your blood alcohol is over the threshold, the law presumes that you are intoxicated, however in those cases, you have the right to rebut that presumption with creditable evidence. And so what my Amendment does is say that we're not going to tamper with the summary suspension level, it'll remain at .10. The per se rule will remain at .10, but the Amendment will have the effect of allowing that portion of the Bill to stand that says, that if you're over .08 that the law will presume that you're intoxicated. You have a right to rebut that presumption, but the law nevertheless will presume that you're intoxicated. I would submit that that is the step that we should be taking now that makes sense, because for a long time in this state if you were somewhere between .10 and .05 there was no presumption. In other words, if you were arrested for DUI and you blew a .08 under current law, the law doesn't presume anything. You can still be charged with drunk driving, but the jury is not told to presume that you're drunk. Now to go from the current law, which has no presumption, to what the underlying Bill does and say, not only is there a presumption but you're guilty no matter

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what you come in and prove, you're guilty if you're .08 or .09, I think goes too far, is unnecessary and is a complete one hundred degree...a hundred and eighty degree reversal from what has been the law in this state for a number of years. And so I think my Amendment perfects the Bill by making it clear that all we're dealing with here in lowering the .08 is the presumptive issue, not the summary suspension, not the per se rule, which I think are... are very well situated at .10. The Bill, as amended will still send a strong message and it will in fact mean that a lot of people who are not being convicted now of DUI, who blow a .08 or .09, will be convicted or will feel compelled to plead guilty or enter into some sort of a plea agreement for rehabilitation through a dry road's program and be placed on court supervision. So, it will still be a very meaningful Bill, taking a big step in the area of toughening enforcement on DUI and yet, it won't be overreaching, which I think that the underlying Bill does to an unreasonable degree. So, I'd be happy to answer questions on the Amendment. I consider my Amendment friendly. The Sponsor of the Bill tells me he is going to oppose the Amendment and of course that's his right, but I offer it as a friendly Amendment to take a Bill and make it better and make it one that strikes, hopefully the proper balance between what is just and fair and yet, at the same time does take a significant step forward to get tough on drunk drivers and sends the right message. So, I would be happy to answer questions and would urge that you support this Amendment."

Speaker Laurino: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I must reluctantly rise in opposition to the Gentleman's Amendment. We have discussed this Amendment.

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I think he is very well-intentioned in terms of what he intends to do, but unfortunately, I think that his Amendment weakens the message that we want to send people in terms of driving when they're impaired. And it's for this reason that the various groups that have worked so hard in favor of House Bill 8 are opposed to Amendment #1. Opposition comes from, to this Amendment, comes from the Mothers Against Drunk Driving, it comes from the Department of State Police, the Secretary of State and others that see the Amendment as well-intentioned but weakening what the underlying Bill does. The underlying Bill is not really directed at whether somebody is drunk. In other words, where there is somebody singing, not able to walk a line. It really goes to the question of if a person is impaired. Studies going back to 1980 and before, documented that people are impaired not only at .08, but they're impaired below .05 and it's for this reason that in 1983 the President's commission on drunk driving recommended .08. And it's for this reason that in 1985 the Secretary of State's task force in DUI recommended .08 because if somebody gets into a car at .08 they are impaired. They are unable to respond to an emergency as quickly as somebody who is not drunk, who has not been drinking. They are in fact four times more likely to get into an accident. What this means is, it's more difficult for them to apply the brakes in case of an emergency. It's more difficult for them to see a person who darts in front of their car. So the question is one of impairment and at .08 all of the studies and all of the experts agree, everybody is impaired. So the message that House Bill 8 intends on sending is, please don't drive when you're impaired. Don't drive when you're at .08. And the Gentleman's Amendment weakens that message. It's something which I think the

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defense bar could have a field day with and as a result, I would reluctantly rise in opposition to that Amendment. I would finally point out that the one state that I'm aware of that has taken up the Gentleman's suggestion has done it at a .05, I believe it's a .05 level, since you're impaired at .05. If you're going to do a presumption it ought to be lower than .08. So for these reasons, I would stand in opposition to the Gentleman's Amendment."

Speaker Laurino: "Representative Johnson. Representative Johnson."

Johnson: "I think, Representative, with all due respect to the Sponsor of the Bill, I know is well-intended, that the difference between his comments on this issue and Representative Homer's comments on the Amendment reflect the difference in their respective experience in the area. Representative Levin has some philosophical opinions on an issue. Representative Homer has prosecuted cases for a number of years and defends cases for a number of years and realizes what the practical application in the real world of the House Bill 8 as unamended would be. I don't think I probably am going to vote for this Bill even if the Amendment gets on, but Floor Amendment #1 makes a significant improvement in...in a...in...in a Bill, that while it's well-intended really speaks up some of the tremendous faults that we have in our existing system. Tests that don't work well. Tests that reflect only sobriety at the time the test is taken rather than at the time of the offense. The tremendous variety and ways that the machine works differently at one time to the other. It is an area that is so complex, that you have to have been in the field trying cases, prosecuting and defending cases to see how this works. Representative Homer has correctly pointed out something in the law, that I don't think most

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people are aware of. There's two ways you can be convicted of drunk driving in Illinois. One, is if you're driving under the influence and that involves the various disfunctional aspects of somebody's conduct and behavior. The other way is an absolute per se conviction. If you are arrested and...and have a test that .10 or more, that's an automatic conviction, even if you aren't disfunctional. So what Representative Homer is saying in this Amendment, because of the tremendous variety of human characteristics whether you ate or whether you didn't, whether you're thin or whether you're heavy, whether your body assimilates alcohol in one way versus another. And whether the machine was: A. operating, and B. being operated by somebody who knew how to operate it. There's so many vagaries involved that the...least the per se offense that says, if you're going to be convicted automatically at .10 or in Representative Levin's case, .08 or more at least that ought to reflect some of the realities of the difficulty of dealing with this machine and dealing with prosecutions and dealing with defense. So, I think this Bill and Representative Countryman's Bill...or this Amendment, and Countryman's Amendments to come makes some sense in the real world of how these things work to a Bill that, while it's well-intended, doesn't address the reality of 1989 and drunk driving...drunk driving law and drunk driving application. This is a good Amendment. It makes sense and it reflects the fact that, again with due respect to the people involved, Representative Homer has prosecuted probably fifty of these cases and defended a good many of them too, for people who say that defending this issue is something that's pro-lawyer or opposition to this Bill is pro-lawyer, it's quite to the contrary. Changing the presumption to .08 or changing the per se offense to .08



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would probably increase half again the business that lawyers had. Because there's going to be more people arrested, more people going to jail, more people potentially losing their licenses in areas and they need lawyers. And they can afford to pay lawyers. But I'm not going to add to legal business at the expense of a system that is working very well now and doesn't need these changes that Representative Levin is proposing. Representative Homer's Amendments make sense. They're practical and they bring some realism to a Bill that frankly is not very realistic."

Speaker Laurino: "Representative Saltsman."

Saltsman: "Thank you, Mr. Chairman. I agree pretty much with Representative Tim Johnson. I'm not going to vote for this Bill either and I'm not going to vote for any Amendment or anything else that goes on it. We've went too far now. We've got our mom and dad's neighborhood saloons closed. They got one o'clock license. They're closing up at ten because people are scared to drive away from the back door. One thing that Representative Johnson was wrong on when he said you can be convicted for .10 or more. You can be convicted for .05. You can be convicted for .9... .09. This is what's happened in my district. They said, you're under the influence anyhow, go get a lawyer. These two people in the last three months, in my district. Neither one of them blew a 1. They were under the legal limits. They still had to go get a fifteen hundred dollar lawyer to go to court. A person who is not guilty. Now go ahead and lower this to .8 and even though Tom's Amendment sweetens it up, the Bill still ain't worth a damn. There isn't five people in this building right today, includin' the Senate where Bill Summer came out with forty votes, that knows that this Bill is any good. But have we got the guts to

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say we've had enough. We're fed up with it. Representative Johnson said it right. It's working well now. You mean you got people walking all over state, teamsters losing jobs, men losing work, everything, because they was .11. I'd like to raise it to .12, I could have saved half the people in my district. They never had accidents. There wasn't nobody killed. This is a terrible Bill; .10 don't mean anything, .08 don't mean anything. They arrest you at .5 and say go get a lawyer, we got to file a charge against you anyhow because you had alcohol on your breath. You admitted you had three drinks. Now how far do you want to go with our neighborhood saloons, go back to your liquor dealer's association and ask them. Boy, I had to do it because the newspapers, the Tribune's going to burn me. Well, there was seven of us two years ago, that voted against every ounce of legislation to make it as bad as it is now and we were criticized by one of the largest newspaper in the state. Editorialized, we were editorialized for being right. Now this is one time this State Legislature gotta to stand up, we've got to have the guts to say, quit letting Edgar run for reelection. Quit letting this be a campaign speech for people who don't give a damn about the common person on the street. This is a program that has to go down the tube. This is a terrible piece of legislation. I know you know how it got out of committee. I'm glad I wasn't on the committee, but all I can tell you is this is a very uncomfortable situation. If you want half your district walking, vote for this Bill. You'll never have any gas tax in this town because nobody's going to be able to drive."

Speaker Laurino: "Representative Williams."

Williams: "Thank you. I rise in support of this Amendment. I believe that right now, as we all know that the present

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level is a bit too much in the concept of per se guilt, without any ability to prove that you had some form of...at least that you were not in fact inebriated, you were not drunk because different people have different tolerance levels. And the reality of it all is that right now .08 is, I believe, has been explained to be about one and a half drinks. Is like...I think it's one and a half martinis would let you blow above a .08. And the reality of it all is that many individuals who may blow that, the question is, were you in fact drunk? Were you in fact unable to control the car? Were you in fact a danger to society while you were on the road? The least you should do is allow a person the opportunity to prove that even if he had these drinks and he was not, that his vision and that his ability was not impaired beyond this point where he would be unsafe to society. I think this is a good Amendment. I don't want to comment about the Bill, but I think this is a good Amendment and we ought to go ahead and pass this Amendment which it'd at least make the Bill somewhat better. I urge an 'aye' vote on Amendment #1."

Speaker Laurino: "Representative Homer moves Amendment #1 to House Bill 8. Representative Homer to close."

Homer: "Well, I think we've had a full and complete discussion of the...of the Amendment. The purpose again is to improve the Bill. I think the Bill is a good concept, but I think it overreaches in its current form and this Bill would provide, I think, a fair and equitable compromise that we should be able to promote as a tough drunk driving measure and yet one that's not so inherently unfair that...that people with one drink are going to be intimidated from taking the breath test. We want to encourage people to take that test. It's helpful in evidence and this Amendment will do that. And I hope that you'll join in

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supporting the Amendment."

Speaker Laurino: "Representative...Representative Homer moves for the adoption of House Bill...or Amendment #1 to House Bill 8. All those in favor indicate...signify by saying 'aye', 'nays'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Homer."

Homer: "Thank you, I...Mr. Speaker. I would ask to withdraw Amendments #2 and 3."

Speaker Laurino: "Withdraw Amendments #2 and 3, Mr. Clerk. Further Amendments?"

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

Speaker Laurino: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. I withdraw Amendment #4."

Speaker Laurino: "Withdraw Amendment #4. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Amendment #5 changes the Bill fairly substantially. What it does is it creates the offense of impaired driving at a level of .08 to .10. This Bill, when it came up in committee was heavily debated. And all the testimony was and all of the reports that we get is somebody's driving is impaired at .08. The offense of driving under the influence is just that, driving under the influence, not driving in an impaired condition. The State of Wisconsin has an offense, driving under an impaired condition. That offense carries a lesser penalty. Under this Amendment, the offense would be a Class B

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Misdemeanor, which means that someone's license could be suspended, not revoked for a period of ninety days. What we have done in the past four or five years, and I've supported a good many of the measures that have done that, is we've made DUI a heavy offense with considerable consequences, and I think the Members realize that. Matter of fact, I think I even sponsored a Bill that made it a Class 4 felony on a third offense. That's a serious, serious crime. If someone's breathalyzer test does not read above .08, or does read above .08 and under 1.0, I don't think they should be convicted of the offense and they should be convicted of a lesser offense, which would be this offense. And for that reason I have offered this Amendment."

Speaker Laurino: "Representative Countryman moves for the adoption of Amendment #5, and on that question, Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Laurino: "He indicates he will."

Levin: "Alright. Representative, we've just adopted Amendment #1, which there seemed to be a fair amount of support, you know, despite my opposition. Which seems to be a consensus of at least those voting. What is the effect of your Amendment on Amendment #1?"

Countryman: "It shouldn't have any because it deleted any reference to .08 for DUI."

Levin: "Doesn't your Amendment #5 undo Amendment #1?"

Countryman: "I think you may be right. This is very technical and I've asked the staff here. I'd certainly tried to draw Amendment #5 that if other Amendments had gone on the Bill, but I couldn't anticipate every scenario and for that reason, because we're deleting all of 110...501 from it, we would delete the effective Amendment #1. Considering the

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unanimous support for Amendment #1, I'll withdraw Amendment #5."

Speaker Laurino: "The Gentleman withdraws Amendment #5 to House Bill 8. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Representative Levin, there's been a request for a fiscal note because of the adoption of Amendment #1, so the Bill will stay on Second Reading. We'll now proceed to page 25, under the Order of Government Administration, House Bill 113, Representative Keane. Representative Keane, are you...is he in the chamber? Is the Gentleman in the chambers? Out of the record. House Bill 515, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 515, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Laurino: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. House Bill 515 is a similar plan that happened...that we put in last year, that passed this House overwhelmingly on two occasions. And it's a plain... a plan for minimum funding for the schools. What it does is it takes 26.7 percent of the general revenue funds and applies them to the school. I'd be happy to answer any questions on this Bill."

Speaker Laurino: "The Gentleman has moved for the passage of House Bill 515, and on that question is there any discussion? Representative Ropp."

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

Speaker Laurino: "He indicates he will."

Ropp: "Let me ask you a question. Does your Bill allow for the current lottery money to be segregated or is it considered part of the general revenue fund?"

McNamara: "My...my Bill includes the lottery money as part of the general revenue fund so that when those lottery funds are

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increased, the general revenue fund increases and the amount to schools increases."

Ropp: "Well, how does that apply to the somewhat window shade Bill that we passed a couple of years ago that put all of the quote, lottery money in the common school fund?"

McNamara: "It has nothing to do with that."

Ropp: "Why wouldn't it?"

McNamara: "Well, very simply that I am, as you know, a proponent for putting all the lottery money into the common school fund. It will all still be in the common school fund. What has happened in the State of Illinois is we have increased the amount of dollars for education because we always said we have a dollar increase, but we've never increased it as a percentage of the General Revenue Fund. So when that happens, what happens is that the schools are actually experiencing shrinkage every year. So what...by this Bill, what we are trying to do is to guarantee a minimum funding level so that school districts will always be funded first out of the General Revenue Funds from all sources of revenue and take into consideration of those. The window shade Bill that you're talking about a few years ago, put lottery funds in name into the common school fund, but in reality did nothing in order to increase the funding for education."

Speaker Laurino: "Representative Black..."

Ropp: "Wait, I'm not through yet, Mr. Speaker..."

Speaker Laurino: "...Oh, I'm sorry."

Ropp: "One more...another question or two. To your knowledge is the general revenue fund a pretty stable sort of fund or is there any one or two areas within that general revenue fund that is more stable than others?"

McNamara: "I am not isolating any area of the General Revenue Fund because I believe that all revenues that go into the

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General Revenue Fund have been increasing over the past several years. And as long as those revenues increase, I believe that it is a stability of that General Revenue Fund and I believe that schools should be funded first and it's a commitment that we will make to the people of Illinois that were going to fund these schools first."

Speaker Laurino: "Representative Giglio in the Chair."

Ropp: "Well, will this, in your opinion, generate more dollars for education totally?"

McNamara: "Yes..."

Ropp: "With...with the...with the tax package that went out a couple of weeks ago or last week or whenever?"

McNamara: "Okay. The tax package that went out, if it happens to pass is funding above and beyond this. This is called a minimum funding Bill. What this does is this adds forty-one million dollars in addition to what the Governor proposed for schools as a minimum funding level because it maintains a percentage and allows schools to stay up with the rate of inflation."

Ropp: "Well, why didn't we increase the percentage to include what was passed last week, wouldn't... wouldn't education get more?"

McNamara: "That's correct. Education would get more. Forty-one...approximately forty-one million."

Ropp: "Well, let me ask you one final question, I guess. Some time ago, it's our understanding that the income tax is the most stable growth kind of revenue for the State of Illinois and there was a certain proposal that did establish a sixty-three percent of that income tax to be guaranteed for education, which was a good solid base and was probably more solid than, than the proposal that you're even recommending and I'm...I'm wondering why it would not be better to guarantee, if you please, a certain percentage



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of a solid growth form of revenue like the income tax versus the General Revenue Fund, which is not as positive in terms of growth and not as regular as the income tax fund?"

McNamara: "Okay. To answer your question on it, I'm aware of the program that was copied off this House Bill 515, which only limited just to the income tax. The reason I did not change...take that avenue in the beginning is very simply, that in back in 1980-81, if you will recall correctly, our revenue from the income tax actually decreased at that time. What I am taking advantage of are all revenues. Any revenue generated by the State of Illinois to go into the General Revenue Funds and to make sure that those schools are funded from all of those sources. As you will recall, the lottery funds were to go for schools. Most of us agreed that that's where they would go. Now, it makes a realistic impact on it because as they impact the general revenue funds they will increase, the same as the income tax. As that increases, so will our percentage increase. So what this does is take in all revenues."

Ropp: "I guess I wasn't as confident about the growth of the lottery, even though I think it's doing quite well. I don't see that as a continual growth sort of revenue, but more of a stabilizing level...leveling revenue, whereas the income tax would have given us a more positive growth over the next few years."

McNamara: "I agree with you. That's the reason I combined all revenues in the General Revenue Fund, because we can't count on any one source of revenue in order to continue to have the funding."

Speaker Giglio: "The Gentleman from DuPage, Representative Hoffman."

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

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House. I appreciate what the Gentleman is attempting to do with House Bill 515. As you know, Representative Cowlshaw and myself chaired a committee to look at this very question, and we concluded that it made more sense to tie any kind of a guarantee to the revenue side, as opposed to the previous expenditure side, by that I mean the expenditure side in the preceding fiscal year. And so what we did rather than looking at past appropriations, we took a look at what was in the current common school fund, which included the lottery, a quarter of the sales tax, a porportion...a portion of the cigarette tax and said, how can we make certain that the lottery, for example, is not used to supplant the general revenue but is to be used to supplement so that in fact, we don't first look at seeing how much lottery money we have and then back into the General Revenue Fund. We looked at the funds available and said, if we take sixty-three percent of the income tax, which over a long term has a historic growth of five to seven percent, and tie that in we then could guarantee that those funds that are currently in them would not be supplanting, but in fact would be supplementing the funds. We also pointed out that that under the present revenue structure was sixty-three percent, we could move that... that figure of the Governor's without any increase in the state income tax, of approximately one hundred and seventy-one million dollars in addition to the Governor's proposal. With the legislation that passed out of here last week, that number would even be larger, but that is not a fact, yet therefore, we will use what we know to be the case. I think philosophically, that if you tie yourself to the expenditure side that's where you're going to be tied to the previous year's expenditure. We suggest that in the long haul by tying it to the revenue side, that

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education will be better off. Also, we've included a higher education program and kept that break at the two to one basis and for that reason, that this is tied to the expenditure side, I would suggest to you that it is probably not any better than it was last year, with all due respect to the Sponsor and his interest in it. But I would suggest to the Body that you do not want to tie yourself to an expenditure side on a percentage basis into the next fiscal year. And for that reason and that reason alone, I stand in opposition to the Gentleman's legislation."

Speaker Giglio: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am in accord with the statements made by the speaker who immediately preceded me, so far as the drawbacks to the proposal now known as House Bill 515. I believe this identical proposal was made during the 1988 Session. It was added to House Bill 3392 and House Bill 3392 was defeated on Third Reading in the House. I think we showed wisdom in defeating this Bill at that time and I would suggest that we would show wisdom by repeating our action and defeating it this time. However, I have very great respect for the Sponsor and I know that his aims for education and mine are identical and I believe that it is important for him to have had the opportunity to have his idea and his concept about how we ought to go about assuring that we adequately fund education in Illinois, heard on this House floor. It was always my understanding before I actually came and served here that everyone who had an idea or a concept, particularly about anything as important as the funding of education, simply by serving in this chamber had a right to be heard. But I was wrong. The House Republicans have a plan too and we think it has

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at least as much merit as House Bill 515, but we can't get it heard. That is wrong, Mr. Speaker. It is un-American."

Speaker Giglio: "The Gentleman from Cook, Representative McNamara to close."

McNamara: "Thank you, Mr. Speaker. I do not wish to appear as un-American by proposing that this state do something that it should do. That is provide the minimum funding for education right off the top of the budget. Something that the Governor, the Representatives have gone home continuously and told to their people, yes, this minimum funding will be passed. The argument that I am taking it out of an expenditure side seems to be fallacious, because the General Revenue Fund happened to be composed...of revenue, that's where the dollars come from. No matter which way you paint it, people are going to realize that this funding mechanism is so important, that if we really believe in education, we fund education first, leave our other projects second and increase that education so that the educators know how much they have to spend, so that they know how much it will be. And this will add forty-one million dollars above the Governor's package regardless as to whether an income tax increases or not. I urge your 'aye' vote on this very important measure. Thank you."

Speaker Giglio: "Question...question is, 'Shall House Bill 515 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Lady...Gentleman from Saline, Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, I rise to explain my vote. I think this Bill is...and I commend the Sponsor for it and I wanted to be Cosponsor and he was kind enough to put me on. This is one way that we can actually show our commitment to true

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dollars in a way that we can depend on each year. And hopefully, if we do make the right investment with the consistency each year that the right dollars, that we can see a difference in not only the crime rate, unemployment, dropout, the way we treat alcoholism and drug abuse, that that could make more money for us. Would appreciate your favorable and support."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are...I mean...on this question, there are 88 voting 'yes', 22 voting 'no', 4 voting 'present', and House Bill 515 having received the required Constitutional Majority is hereby declared passed. Representative Giorgi, in the Chair.

Speaker Giorgi: "Special Order of Call, Environmental and Natural Resources. Second Reading of the Bill. Mr. Clerk, read House Bill 914. House Bill 914. House Bill 914. Page 4 on the Calendar."

Clerk O'Brien: "House Bill 914, a Bill for An Act to amend the Fish Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giorgi: "Any Motions?"

Clerk O'Brien: "No Motions. Floor Amendment #1, offered by Representative Cullerton."

Speaker Giorgi: "Representative Cullerton, on Amendment #1."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment is the same as House Bill 500. What the Bill...House Bill 500 was intended to do and what this Amendment does, is to ban gill nets from Lake Michigan. A brief explanation: We have commercial fishermen in Lake Michigan who are allowed to use gill nets. These nets are used so that they can catch perch, which they're legally allowed to catch. Unfortunately the

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gill nets inadvertently catch lake trout and coho salmon and trap them by their gills and kill the fish. And this has had a very bad effect, of course, on the sport fishing in Lake Michigan, an industry which brings a lot of money to our state. So what this Amendment does, is to follow the lead of Indiana which banned gill nets last year and Michigan which also has banned the gill nets, and it would require then that the commercial fishermen not go out of business as they have claimed, but rather use trap nets which is what is being done in Indiana. I'd be happy to answer any questions and I would appreciate a favorable vote."

Speaker Giorgi: "Representative Wennlund, on House Bill 914."

Wennlund: "Sponsor yield? Will the Sponsor yield?"

Speaker Giorgi: "He indicates he will."

Wennlund: "Representative Cullerton, isn't the real value of this Bill saving about a four hundred million dollar a year tourist industry in Illinois?"

Cullerton: "It'll certainly have that effect. Yes, it will."

Wennlund: "In comparison to a relatively inconvenience and little or no loss to the four remaining gill net fishermen. Is that correct?"

Cullerton: "I agree with you."

Wennlund: "Thank you. To the Bill. I strongly encourage all House Members to join Representative Cullerton and myself in voting in favor of this Bill. This Bill will protect the sport fishing industry in Illinois that brings in over four hundred million dollars a year, and it will also save and preserve the sport fishing industry for people like Representative Cullerton and myself who go out on Lake Michigan every year and participate in coho fishing. So I urge your favorable vote on this issue."

Speaker Giorgi: "Representative Kulas, on House Bill 914."

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Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment to House Bill 914 was heard in my Committee, in the Energy Environment Committee. It got, I think, five or six votes and the Sponsor put the Bill on the Interim Study Calendar. This Bill has been in front of this Assembly for about four years, I think. I take umbrage. Yes, I take umbrage with some of the proponents of this legislation who couldn't get the Bill passed. They went to the editorial boards of the Sun Times and they said that, 'The Chairman, Kulas, did not give them a fair shake.' Now, I ask you, my fellow colleagues, anyone who has appeared before my Committee knows that I give everyone a fair shake. First of all, the Bill was voted on. It's a lie that there was no vote on the Bill. Second of all, the proponents had time to present their arguments and the opponents had time to present their arguments. I did not cut anyone off. I gave them a vote and the Bill failed. Don't pay attention to what the Sponsors or someone might tell you that this Bill addresses a problem between sports fishermen and commercial fishermen, this is a battle between the commercial fishermen who are only four, four commercial fishermen in the State of Illinois. This is a battle between them and the captains of the charter boats, not the sportsmen, the captains of the charter boats, because when they go out and they can't bring enough fish back, then they tell the poor sportsmen, 'Well, it's those commercial fishermen's fault, because their gill nets have been killing the trout.' Well, I attended hearings. We had a number of hearings on this issue. The Department testified at these...at these hearings, the sportsmen testified, the commercial fishermen testified, biologists testified, there was not one scintilla of evidence to prove that these gill nets are killing the sports fish, such as

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trout or salmon. There are other things involved. There's the feeding problem. There's the environmental pollution problem...a number of...the water is getting warmer. You could...I could give you any number of excuses why there are less fish in the lake, but it's not because of the commercial fishermen. Now, those of you who were not present at the Committee hearing might want to see one of these killer gill nets. Take a look. Take a good look at this net. This is a killer gill net. Can you imagine this? If this is a killer gill net, then I'm Kareem Abdul-Jabbar. This net is two and one-half to three feet wide. It runs on the bottom of the lake and it does not kill, it traps fish. It traps perch and chubs and these perch and chubs are sold to the veteran's organizations, they're sold to the small 'Mom and Pop' tavern, they're sold to people like you and I who go out on a Friday night, would like to get a nice perch dinner. So, don't let anyone tell you that these nets are going to save the sports fish or the sportsmen, because they're not. I can't really...I don't even want to go into it anymore, because the proponents of this Bill have falsified so much information that I didn't want to even refute it right here. But I ask you, please, vote against this Amendment, put it back where it belongs on the Interim Study Calendar."

Speaker Giorgi: "Representative Matijevec, on House Bill 914."

Matijevec: "Mr. Speaker and Ladies and Gentlemen of the House, you should vote against...you know when we had the Discharge Motions, I supported every Committee Chairman with regards to the Discharge Motions. This Amendment is no different than having a Discharge Motion and you really shouldn't be voting on the issue, you should be voting on the fact, 'Should this Amendment be put on the Bill?' The



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Amendment is House Bill 500 which failed in Committee and had a fair hearing. If you believe in the Committee process, then you should vote against this Amendment, because it is nothing other than a Motion to Discharge Representative Kulas's Committee. Now I've got to say that I am from the Waukegan area. I never have lunch. During the summer and most of the year I take a walk to the lake and I go back to my district office, so I think I know a little bit about what is happening on Lake Michigan. And what is happening is; that when they introduced the coho in Lake Michigan there were not many charter boats on the lake, there weren't many charter boat captains and so, those charter boats were making a hell of a living. They were going out there and they were bringing a lot of catches and they were happy. They were really earning a big buck. And then what happened, there were more and more who saw that they were earning a buck, so there's more charter boats and more charter boat captains. So, they're not doing as well. There are, I think, about 165 charter boat captains now. So, they're not doing as well and who are they blaming it on? They're blaming it on those who they've always blamed it on, the commercial fishermen. We only have four commercial fishermen in lake...in the Lake Michigan, in Illinois. Do you know that in Wisconsin they have about 165? Now, let's say...you know, Representative Cullerton said that Indiana has eliminated the gill net. Now, the fish don't know territories. You know the fish don't know here's Illinois and here's Indiana. The fact of the matter is, that if Indiana has eliminated the gill net, then there should have been more fish out there. Right? Doesn't common sense and logic tell you that, because the fish don't know Indiana from Illinois. They don't have a road map that says 'Hey! You're in Indiana, boom!, You

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know. Or 'you're in Illinois, boom, you know. So the fact of the matter is, that in Indiana they've eliminated it and now they're saying there's less fish out there. If it worked there ought to be more fish. Right? Doesn't logic tell you that? This is a bunch of garbage. Representative Kulas is right, this is a fight between charter boat captains and the commercial fishermen. That's all it is, simple as that and they're trying to make it look like it's a fight between sports fishermen. It's not that at all. In fact, through all of this, I met some good...Mr. Kirkpatrick, of the sports fishermen. I was at a meeting and he said, 'John, you made sense at that meeting.' Because what I said is, that Lake Michigan is a resource, it's a resource for both commercial fishermen and for sports fishermen and we ought to look at that resource, because there are some problems in that lake. And the fact of the matter is, that they should not blame the commercial fishermen. You know years ago they blamed the commercial fishermen and the fact was that the lamprey eel was causing the problem. When they opened up the St. Lawrence Waterway, that brought in the lamprey eel and the lamprey eel was killing the fish. It sucks the blood out of the fish. So we spent a lot of money, federal money, to solve that problem. What happened? The fish came back. The fish came back, so it wasn't the commercial fishermen, it was the problem of diseased fish. Now we have reduced federal funding for the lamprey eel problem and problems are coming back. And what are they doing again? Blaming the commercial fishermen. Now I want to say that all of the states, Illinois, Michigan, Wisconsin, Indiana, they're all meeting and they're doing this in a common sense way. They're saying, 'Hey, we've got some problems out there. There's a problem of forage. There's a problem of diseased

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fish and we don't know what's doing it.' The biologists have said, 'Frankly we don't know the answers,' we...and all of them have said that from a biological standpoint, there's no evidence that the commercial fishermen are the problem. So, I think what we ought to do, we ought to leave it in the hands of those experts in all of those states. They met just a few weeks ago. They are going to meet again. This is not a matter that should be handled legislatively. Representative Cullerton and I talked about this together and he and I admit that we don't know the answer. We don't know the answer. I happen to have one of those commercial fishermen in my area and he happens to be a charter boat captain too, but he falls on the side of the commercial fishermen, because he thinks that this resource should be used for both. And I'm telling you that he, Burt Atkinson, knows more about what's going on in Lake Michigan than anybody I've talked to, anybody. And he has said we had better look at those diseased fish, because if we don't look at that, the sports fishermen aren't going to have a natural resource, the commercial fishermen aren't going to have a natural resource. Ladies and Gentlemen of the House, take this issue as one...as an Amendment that really is a Bill that he's trying to put on that lost in Committee. You can vote 'no' with confidence that you killed a Bill that was rightfully killed in Committee. And not only that, we do not know the answers. Let the experts solve this matter. If you know the answer, then you can vote 'yes', but I don't think you do, I surely don't. I would urge you to vote 'no' on this Amendment."

Speaker Giorgi: "Representative Giglio, on House Bill 914."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the two previous speakers brought up some very good points, I just want to add a few more. I'm sure

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most of you have seen the commentary from one of the large newspapers in the City of Chicago and you did some...you got some other things at your desk, but it's only told one side of the story. The other side of the story is about the four commercial fishermen that are left. These people and their families have been fishing in Lake Michigan for over a hundred years. All their assets, all their resources, all their money is tied up in that equipment. Today after listening to four hours of testimony, and that's why Kulas and Matijevich and myself are up here talking against this, we were the ones that said at the hearing at the State of Illinois Building to listen not only to the commercial fishermen, to the sports fishermen and also to the Department...from the people of the Department of Conservation. Ladies and Gentlemen Lake Michigan is forty miles across and at one point over fifty...fifty miles up and down. There is no data that could really substantiate of what some of these articles are saying. If you want to stop by the desk, I'll show you some articles that never got printed. Here's one that says, 'The virus' are killing millions of trout.' Here's another one quoting biologists from Michigan, Indiana and Wisconsin, telling about the diseased fish. Years ago there was no trout, there was no salmon in Lake Michigan, there was only perch. And the reason for the salmon and the trout is when we had the alewife and if you remember when you had the alewife, if you knew people that had property in Michigan and Wisconsin and Illinois and Indiana, there was so much alewife on the beach, that they had to use bulldozers to come take them out. Some biologists got together and says, 'Maybe if we bring a different kind of fish in there to eat up the alewife, we'll get rid of them.' That's how we got coho and trout

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in Lake Michigan. Today when you catch a trout or you catch a salmon, there is no alewife in their belly anymore, the food supply is gone. If you talk to the biologists from the different states, they'll tell you there's a disease out there that they don't know where it comes from. If you take into consideration the spills; when Hammond, Indiana dumped their raw sewage in Lake Michigan; those of you from the City of Chicago, if you remember when they had to close the beaches when they had the chemical spills from the paint factory in Michigan that polluted the lake; the PVC's that come out of the Waukegan Harbor from that outboard marine company that has poisoned the lake. Put it altogether, Ladies and Gentlemen of this Assembly, and it's a wonder there's no food for the fish that's out there. These people fishing for a hundred years with that commercial and that gill net earning their living, nobody has talked about the price of fish. Nobody has said, 'Where are you going to get the perch if this net is eliminated?' Already we get...we get fish from Canada. We get fish from England. You get fish from Australia. You get grouper and swordfish from Florida. You get the shrimp from New Orleans. Lake Michigan is a natural hatchery. It's a God given reservoir for perch and chubs. They don't have to come from the fisheries, they reproduce themselves by themselves. Ladies and Gentlemen of the Assembly, this Bill does not belong here, this Bill belongs not only in Interim Study, but marked fresh from the Department of Conservation in a letter dated March 21st of this year, he says, 'I will not actively campaign against House Bill 550 (sic - 515), however, as I have stated in passed years, the Department of Conservation will remain neutral on this issue until there is biological proof to support the belief that the use of gill nets is affecting the reduction of

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certain fish species in Lake Michigan. What else do you want from the Department of Conservation? Right now, there's a Resolution being drafted in the Reference Bureau and I ask for a two year extension of banning the gill net in Lake Michigan. Ladies and Gentlemen, put this Bill away and I'll guarantee you when the Department of Conservation comes back with their report, if the gill net is the killer of the perch and the salmon or the coho and the trout, I'll be the first one to support a Bill along with Cullerton, whomever, to ban the gill net on Lake Michigan fishing, forever. But, give it a chance, this is not the right way to go. The people who have pushed the other side of the issue have spent a lot of money. They've got the resources and the other story has not been told. I hope the three of us have changed your mind. The proper vote, Ladies and Gentlemen, would be a 'no' vote, or better yet a 'present' vote until Conservation comes up with their study. Thank you, very much."

Speaker Giorgi: "Last speaker. Representative Morrow, on House Bill 914."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I had not planned to rise to say anything on Floor Amendment #1 to House Bill 914. But the reason why I do rise is because I feel that the integrity of not only myself, but of a former colleague in this august Body, has been misused. From day one I opposed the banning of gill nets, but to my dismay, when I went back to my office for a minute, I had a letter thanking me for changing my vote to vote 'yes' on this Amendment. A former colleague of ours name was used in persuading me to change my vote. I contacted that former colleague, he informed me that 'Charles, you've never changed your position and I respect that.' When are we as a Body going to stand up to the

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unethical lobbying by some of the Members that sit on that rail on the outside? Your word is your bond in this Body and for someone to misrepresent my word is an insult and I won't stand for it. Vote 'no', not only on the fact that it's a bad Bill, vote 'no' to send a message to the lobbyists that you will not misuse our powers, that you will not misuse our word, cause our word is our bond. Send a message that your lobbying efforts have to be changed or you will never get a vote out of any of us down here, because we represent the people of our district and not a special interest group. Thank you."

Speaker Giorgi: "Representative Saltsman, on House Bill 914."

Saltsman: "Yes, Mr. Speaker, just briefly. I wasn't going to speak till the previous speaker had his comments, but somehow or another when this was a Bill my name was put on there as a Cosponsor and I never gave anybody any permission to use my name as a Cosponsor of this Amendment when it was a Bill. Now I don't know who told someone to put my name down, I'd automatically go along with it. I agree with Representative Morrow, somebody put my name down as a Sponsor and after it was defeated in Committee, I left it go, I didn't think this terrible Bill would ever get this far. That's why I didn't say anything till now, but I am not a Cosponsor of this legislation and I definitely intend to vote against it."

Speaker Giorgi: "Representative Cullerton, to mercifully close."

Cullerton: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, let me say...make it very clear, the Chairman of the Committee, Representative Kulas, gave me a very fair hearing, let me come in with my witnesses and there was a vote and I don't in anyway wish to suggest that he was not fair...a hundred percent fair in that Committee. The problem was, we didn't have enough

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votes. And the reason why we didn't have enough votes was because a couple of guys had laryngitis that day and they couldn't talk in that Committee. And I think if they didn't have laryngitis, they would have said that they were for the Bill. Now, the other point is that...another speaker said, That there's only four little fishermen, four little commercial fishermen, but the fact is, they have 48 miles of gill net that they're using. Now the other suggestion; that the fish don't know when they're in Indiana is patently absurd. Everybody knows when they're in Indiana. I don't care if you're a fish, the steel mills...the smell is unbelievable, so I know those fish know where they are. Frank Giglio knows when he's in Indiana cause...on his way to Michigan, so I don't think that's a very good point. And let me also say, these commercial fishermen, I've met with them, they are very respectful people and I truly feel that this Bill is not going to put them out of business. I know that the trap nets are being used in Indiana. These are nets which are used to catch the perch legally without killing the coho salmon and the lake trout and that's what the gill nets do and that's why I would appreciate an 'aye' vote on my Amendment."

Speaker Giorgi: "The question is, 'Shall Amendment #1 be adopted to House Bill 914?' Everybody...all those in favor signify by voting 'aye' and those opposed by voting 'nay'. Representative Kulas, to explain his vote for one minute."

Kulas: "No, Mr. Speaker. If this Amendment prevails, I'd ask for a verification."

Speaker Giorgi: "Has everybody voted who wish. Has everyone voted who wish? Take the record, Mr. Clerk. On this there are 62 'ayes', 36 'nays'. The Amendment's adopted. Any further Amendments?"



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

Speaker Giorgi: "Representative Matijevich, on Amendment #2 to House Bill 914."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I have Amendment #2. I'll tell you what it does and why I offered the Amendment. I don't like to put anybody out of business. I don't care if they're four families or if there are 150 charter boat fishermen. I don't like to deny anybody a livelihood and I don't think the charter boat people ought to be denying and infringing the livelihood of the commercial fishermen. The fact of the matter is, the commercial fishermen were probably there before the...they were surely there before the charter boat fishermen and maybe they came about at the same time as the sports fishermen, but surely before the charter boat fishermen. My Amendment would limit the charter boat licenses or permits to 100. Now, I'm going to withdraw that Amendment, but I want to tell you that in Michigan they are considering a limitation on charter boats' licenses. And when I offered this Amendment, I did receive a call from a charter boat captain and that captain said, 'You know, could you compromise?' And here's what that charter boat captain wanted; he said, 'Limit them what they are today, but then as each goes out of business then go downward.' And what that charter boat captain was telling to me...telling me was, 'I don't want any competition, I like it the way it is. I like my livelihood.' And I said to that charter boat captain, 'You know, what you're saying is what we want for the commercial fishermen.' In other words were not saying that there should be more commercial fishermen in Illinois, but don't take away their livelihood, the ones that are there. Compare for example

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the four in Illinois to the 150 in Wisconsin. So, I'm going to withdraw my Amendment and not deny any of the charter boat captains nor those charter boats their business and their livelihood. But I hope when the Bill comes up on Third Reading that all of you would join me and not deny those four families, one of which family has had that business over...within their family for over a hundred years. I don't think we should deny them either. At this moment, Mr. Speaker, I will withdraw Amendment #2."

Speaker Giorgi: "Does the Gentleman have leave? Hearing no objection, leave is granted. I would like to note for the Members of the Assembly we have a colleague at the back of the hall in a red dress, Jill Zwick. Jill Zwick. Mr. Cullerton...Oh, our former colleague, Paul Stone, who's also been a trustee of the University of Illinois, in the back of the room. Representative McCracken, for what reason do you rise?"

McCracken: "And we have Representative...or former Representative, now Judge Kent Slater with us. Kent."

Speaker Giorgi: "Representative...Judge Slater. Great Judge. Great Judge. The...Mr. Cullerton, there has been a request for a fiscal note, so the Bill will remain on Second Reading. Is that alright? Representative Bowman, for what reason do you rise?"

Bowman: "I was just going to announce that Representative Bill Redmond was with us just a short time ago. I think he may still be on the floor."

Speaker Giorgi: "Well, we ought to note him, because he put me in the Leadership ten years ago. In the same Order of Call... Same Order of Call, House Bill 2372, which is on Third Reading and the Sponsor would like to bring it back to Second Reading for the purpose of an Amendment. Representative Hicks. Does he have leave? Leave is

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granted. Representative Hicks. Mr. Clerk, are there any Amendments filed?"

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

Speaker Giorgi: "Representative Hicks, on Amendment #1 to House Bill 2372."

Hicks: "Leave to withdraw Amendment #1."

Speaker Giorgi: "Leave...The Gentleman asks leave. Is there any objection? Leave is granted. It's withdrawn. Any further Amendments?"

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

Speaker Giorgi: "Hicks, on Amendment #2."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 becomes the Bill on House Bill 2372. 2372 actually is a Bill that is going to take the place of the underground storage tanks...the fee that we have currently imposed by the State Fire Marshal's Office. It's been a Bill we've worked on for some time, it's been worked on by the Illinois Department of Revenue, the Illinois EPA, the State Fire Marshal's Office, to really meet the criteria that is set forth by the United States EPA that we have to do before October 26th of '89. This Bill would take effect on January 1st, 1990, would actually levy a three-tenths per gallon fee...storage fee at the depot to be collected on all gasoline sold to the State of Illinois. I'd be happy to try to answer any questions."

Speaker Giorgi: "Any questions? No more questions? All those in favor of the Amendment...the Gentleman's Amendment signify by saying 'aye', those opposed 'nay'. The 'ayes' have it, the Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giorgi: "Third Reading. Giglio in the Chair."

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Speaker Giglio: "Ladies and Gentlemen, we're going to go back to the Order of Government Administration. That's the first page on the Special Order of Business and appears House Bill 901, Representative John Dunn. 901, Sir. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 901, a Bill for An Act to amend certain Acts in relation to education of persons with certain diseases. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Decatur, Representative Macon (sic - Dunn)."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. House Bill 901 is a Bill which I solicit your favorable vote. It, if my recollection is correct, passed unanimously out of Committee. It is legislation which would set state policy with regard to those children who are unfortunate enough to have contracted an infectious disease and want to attend a public school. This is...this is in many regards a follow-up to a situation over in Indiana, the Ryan White case, which attracted national attention. When that case subsided, it looked to me like that would be the end of things, but unfortunately we've had an incident here in Illinois and we should set policy that we won't tolerate harassment of little children who have unfortunately contracted a terminal illness. So what this Bill does, is ask each school district to establish a policy, it doesn't mandate, it asks that they...it does say they shall establish a policy, but they will be free to choose their own policy within guidelines set by the State Board of Education. And then it outlines parameters and says that it will be a criminal offense to harass a youngster in his or her efforts to attend an elementary or secondary school in the State of Illinois. And I ask for your favorable vote and I know of no opposition to this

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Bill."

Speaker Giglio: "Any discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Stephens: "Representative, your Bill deals with infectious diseases?"

Dunn: "That is correct. That is..."

Stephens: "Of all sorts?"

Dunn: "That is as opposed to what you and I would call contagious diseases."

Stephens: "Well, help me out. Is tuberculosis an infectious disease?"

Dunn: "I'm not a medical doctor. I would have to rely upon medical terminology as to what is and is not an infectious disease. This Bill was generated, of course, by a youngster who unfortunately contracted AIDS through a blood transfusion. I believe the young person suffered from hemophilia and in connection with one of the blood transfusions, contracted AIDS, and encountered great difficulty attending a public school in our state. And in fact moved to a different community."

Stephens: "I'm familiar with the case, Representative, and I share your concerns about barring students from schools. However, I have some serious concerns about whether we're asking to set public policy at a level where you're going to force children to be subject to infectious diseases in the school environment. And I understand this certainly goes beyond the HIV infection, we're talking about all infections and that includes infections like cytomegalovirus which is a disease that...that I believe is an infectious disease. It's on the...on the rise and it's

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a disease that adults are very...are very resistant to, but small children find themselves quite capable of spreading this disease when they have it. And one of the side effects is that the...a pregnant mother, the child in the womb become...is susceptible to that disease and this pregnant mother if she were to be delivering her child to a school where the public policy was that the child who had cytomegalovirus had to be allowed to attend even though it would be a danger to the other young children and to mothers of...or pregnant women or...who visited or pregnant women who worked there and so I have some serious concern about it. I understand when you're just talking about the AIDS virus, I understand where you're coming from, but when you're talking about all infectious diseases, I've got some questions. And so I...I guess what I need an answer to, is it all infectious diseases?"

Dunn: "The terminology used is...in answer to your question, the terminology used as infectious disease I have been told during discussion for example, that tuberculosis is not considered to be an infectious disease. The distinction for the purpose of our discussion is that between contagious disease, we talk about catching a cold, you don't catch hepatitis, you don't catch AIDS, there has to be a contact. We know about that. And furthermore, the legislation is dovetailed with regulations promulgated by the Department of Public Health and the State Board of Education and those regulations provide for safety rules to protect everyone, to protect the unfortunate victim of the disease and to protect others so that they don't contract the disease. The purpose of this legislation is not to change or alter the public health rules or the medical technology of the State of Illinois. The purpose of this legislation is, is simply..."

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Stephens: "Well, thank you, Representative..."

Dunn: "...and straightforwardly to set policy..."

Stephens: "I understand your response. I appreciate that..."

Dunn: "...So...so that we won't harass these children."

Stephens: "If I may continue, Representative. Mr. Speaker, if I  
may address the Bill."

Speaker Giglio: "Proceed."

Stephens: "This Bill had little trouble in debate...in Committee  
and I'm afraid that some questions weren't...weren't asked  
and I'm simply trying to make sure that as a matter of  
public policy in Illinois, we don't leave ourselves in a  
situation where we're going to be asking school districts  
to develop a policy wherein they will be encouraging  
children with infectious diseases, and as a matter of fact,  
we're encouraging them to mandate that that child be put in  
an environment where they can spread the disease. And what  
we're talking about and the Gentleman referred to a...the  
guidelines that he referred to talked about the AIDS virus,  
but that's...that's one. He also talked about...it also  
refers to congenital rubella syndrome, cytomegalovirus  
which I spoke of, hepátitis B, herpes simplex and others  
and I'm concerned about that, Representative. I think that  
if we don't want public policy in Illinois to be that we're  
encouraging children with infectious disease, and  
infectious means that you're capable of giving that disease  
to another child. That's not the public policy in  
Illinois. We've got public policy on the books that is  
just the opposite of that. We want to discourage not  
encourage the commingling of those with infectious diseases  
to those in the population that are not, but are  
susceptible. So I have some serious questions. I suggest  
that the proper vote on this, with all due respect, is  
either a 'present' or a 'no' vote."

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Speaker Giorgi: "Representative Dunn to close."

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

In closing, it should be emphasized that we did have one unfortunate incident in the State of Illinois which probably had in at least some significant aspect at its root and source, a lack of information and scared people on both sides. So this Bill is a two part Bill. One part is to set policy by each school district around the state in advance of the problem, so that guidelines and rules for...can be laid out, so that people will be educated, so they will know how to react. And when we know what the circumstances are and how to react we generally are good people and respond in a positive manner. That's part A of this Bill. Part B of the Bill is the...is the Bill which says to outsiders who are not in fact employees of the school system, 'Don't harass these children and if you do, you may be subject to criminal penalties.' And I'm not especially interested in how severe the criminal penalties are, but more or less...more importantly to set policy in this state that we just won't tolerate harassment of these young children. We have statutes on our book about ethnic intimidation. We have statutes on our book about special penalties, severe penalties for harassment or attacks upon senior citizens. We have unfortunate...unfortunately one child and there may be more in this state, who suffer from these consequences and we should do everything we can to make the day to day existence for them as painless as possible. So I would respectfully urge the 'aye' vote of everyone in this chamber, to say to everyone around the State of Illinois, school children, parents, PTA's, friends and neighbors alike, that we want to do the best thing we can for all the children of this state, including those who unfortunately suffer from a terminal illness."



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Speaker Giglio: "The question is, 'Shall House Bill 901 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 35 voting 'no', 6 voting 'present'. House Bill 901, having received the required Constitutional Majority...Mr. Clerk, record Representative Williamson as voting 'no'. There are now 71 voting 'yes', 36 voting 'no', 6 voting 'present'. House Bill 901, having received the required Constitutional Majority is hereby declared passed. Representative Kulas. Representative Kulas, on House Bill 1027, Sir? Tax renovation of certificate. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1027, a Bill for An Act to amend the Retailer's Occupation Tax Act. Third Reading of the Bill."

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

Kulas: "Thank you, Mr. Speaker. I believe there's some Amendments filed to this Bill."

Speaker Giglio: "Does the Gentleman have leave to return this Bill back to the Order of Second Reading? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "Floor Amendment...No, this Bill has been read a second time previously. Floor Amendment #1, offered by Representative Kulas."

Speaker Giglio: "Representative Kulas."

Kulas: "How many Amendments have been filed, can I ask the Clerk?"

Clerk O'Brien: "Two Amendments."

Kulas: "I'd like to table Amendment #1. Or withdraw."

Speaker Giglio: "Gentleman moves to withdraw Amendment #1. Are there further Amendments?"

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

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Kulas."

Speaker Giglio: "Representative Kulas, on Amendment #2."

Kulas: "Thank you, Mr. Speaker. Floor Amendment #2 is an Amendment from the Department of Revenue and I would move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman now asks leave by the Attendance Roll Call to hear House Bill 1027 at this time. Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1027, a Bill for An Act to amend the Retailer's Occupation Tax Act. Third Reading of the Bill."

Speaker Giglio: "Representative Kulas."

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

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. House Bill 1027 is a Bill similar that we passed in this General Assembly two years ago. It would require that the Department of Revenue revoke a certificate of registration when someone has not paid their...or is delinquent by ninety days. I worked out the language. The Department had a problem with the mandatory provision. We worked that out and we kept in the ninety day period. And I would move for the adoption of...or the passage of House Bill 1027."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1027 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all

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voted who wish? Gentleman from Macon, Representative Dunn, are you seeking recognition, Sir? Are you seeking recognition? On this question...Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present', and House Bill 1027 having received the required Constitutional Majority is hereby declared passed. House Bill 1191, Representative Keane. Out of the record. House Bill 1192. Out of the record. Representative Steczo, 1476. Mr. Clerk, out of the record. Representative Harris, 1497. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1497, a Bill for An Act in relation to compensation. Third Reading of the Bill."

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

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an extremely simple Bill and it can be described in one sentence. This Bill increases our district office allowance. Let me repeat that so we all know. This Bill increases our district office allowance. Now, by way of explanation, let me tell you that I think it's a moderate increase, it is an increase which is in line with what has happened in terms of general costs in our economy since the last district office allowance. What it does, it increases our district office allowance by four thousand dollars per year and it increases the district office allowance for State Senators by five thousand dollars per year. I'm happy to answer any questions. I think it's reasonable, I think it's fair. Answer any questions and I would certainly ask for a favorable Roll Call."

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

Cullerton: "I'm sorry, I couldn't hear. How much was the

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increase for the office allowance?"

Harris: "The House allowance increase was four thousand dollars and the Senate was five thousand dollars."

Cullerton: "Okay. Just out of curiosity, are we giving the Senate an extra thousand dollars because they represent twice as many people and they work twice as hard as we do?"

Harris: "Hardly. That's not at all the reason. As you know..."

Cullerton: "Are you doing that so that you can pass the Bill in the Senate?"

Harris: "It might pass in the Senate, but I'm not sure it would pass here with that disparity."

Cullerton: "I mean why are you giving the Senators an extra thousand dollars?"

Harris: "I gave the Senators...or proposed an extra thousand dollars for the Senators, because there's a disparity right now built in...or difference built in, because they have forty-five thousand and we have thirty-five thousand in terms of increases in postage, telephone costs, the other types of things which would justify some sort of an increase. They would have in essence on many of those double the types of costs that we would have, because they have double the size of districts."

Cullerton: "Okay. Thank you."

Speaker Giglio: "Further discussion? Representative Harris to close."

Harris: "I think it's straight forward and I would ask for a favorable vote."

Speaker Giglio: "Question is, 'Shall House Bill 1497 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Santiago, 'aye'. Have all voted? Mr. Clerk, take the record. On this question there's 65 voting 'yes', 39 voting 'no' and 9

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voting 'present'. House Bill 1497, having received the required Constitutional Majority, is hereby declared passed. Representative Cullerton, on 1541. Are you ready, Sir? 1541. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1541, a Bill for An Act to amend an Act in relation to higher education. Third Reading of the Bill."

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

Cullerton: "Yes. The Bill's been read a second time. I'd like to just...or been read a third time. I haven't got my signals on this one yet. Take it out of the record."

Speaker Giglio: "Out of the record, Mr. Clerk. Representative Martinez, are you seeking recognition? For what purpose do you rise, Sir?"

Martinez: "Mr. Speaker, on the last Bill...on the last Bill, previous Bill, I'd like to change my vote from 'present' to 'aye'."

Speaker Giglio: "Mr. Clerk, let the record so indicate. Representative Cullerton, on 1621. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1621, a Bill for An Act in relation to compensation of Members of the General Assembly. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill increases the number of Assistant Majority Leaders in the House from four to eight and eliminating two Majority Whips. It increases the Assistant Minority Leaders from four to eight and eliminating two Minority Whips. Be happy to answer any questions. Appreciate an 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1621 pass?' All those in its favor vote

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'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 72 voting 'yes', 36 voting 'no', 7 voting 'present'. House Bill 1621, having received the required Constitutional Majority is hereby declared passed. Representative McPike, 2160. Out of the record. Representative Giorgi, 2417. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2417, a Bill for An Act to amend the Motor Fuel Tax Law. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, I would like leave of the House to move this Bill back to the Order of Second Reading for the purpose of an Amendment."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, the Bill's on the Order of Second Reading."

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

Speaker Giglio: "Representative Leverenz, on Amendment #2. Representative Leverenz, is this your Amendment?"

Leverenz: "Yep."

Speaker Giglio: "Representative Giorgi."

Leverenz: "Here we are. And thank you, Mr. Speaker. Amendment 2 would provide that gasoline dealers would not have to be open more than sixteen hours in a day. Answer any questions and appreciate your support to adopt the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Giorgi. Representative Parke, the Gentleman from Cook."

Parke: "Thank you, Mr. Speaker. I just want to...you're saying that this Amendment simply says that a gas station of some sort cannot be open more than sixteen hours. Where's

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the...where's the Gentleman?"

Speaker Giglio: "Representative Leverenz. The Gentleman is asking a question. Do you care to respond, Sir."

Leverenz: "Yes, I'll respond to that question."

Parke: "Okay, thank you, Representative Leverenz. Then I'm gonna rise against this Amendment because I think the free market place deserves the right to be able to dictate when they want to be open. If they wish to be open 24 hours that's their prerogative. Why should we by legislation say who can be open and who can't be open? Just not logical, doesn't make sense and I think we should oppose this legislation."

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

Stern: "Mr. Speaker and Members of the House. If this is really true that this would curtail the hours a gas station can be open, it is reminiscent of the Bill passed before my time that would not permit automobile dealers to be open on Sunday. Which is my favorite cause celebre. That was an absolutely outlandish piece of legislation and I think this is equally outlandish and I hope we will vote it down. I cannot imagine a greater imposition on business than this."

Speaker Giorgi: "Further discussion. The Gentleman from Champaign, Representative Johnson."

Johnson: "I didn't...until I heard Representative Stern, I frankly wasn't paying that much attention. What does this Amendment do Representative Leverenz?"

Leverenz: "It would provide that no granter of a dealership for the retail sale of motor vehicle fuel may require...may require the dealer to remain...to maintain business hours of longer than 16 hours a day. But if there is an agreement this would not be in effect. It's permissive if they have it in the agreement that it would be a 24 hour

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station, then that's fine. If they negotiate a new agreement and they agree to 24 hours, fine. But this is where the big guy can tell a small businessman, this is what you must do without making it a...an agreement from both sides. That's what the Amendment does."

Johnson: "Why do we need this?"

Leverenz: "Because there are people being told that if you don't open for 24 hours a day, you lose your dealership. And you can be in a business for 20, 30, 40 years and then all of a sudden someone comes up and says, 'If you don't do this one thing you're out.' And what we are doing is trying to give them a little bit of protection, that they don't lose the family owned business just because the franchise owner wants to dictate policy to them. If it's agreed that's fine."

Johnson: "Well, what do you mean? I'm not sure I understand if it's agreed. You mean if there's a dealership agreement executed that covers the subject period of time?"

Leverenz: "That is correct."

Johnson: "Do you think this would have any impact on the sale of petroleum products in this state?"

Leverenz: "I don't think so. I have a dealer, and I'll tell you why I was asked to do it. At Harlem and Division, six blocks to the North and six blocks to South they have 24 hour stations. He is in the middle of those two and he has been informed when his agreement is up that he will be forced to go to 24 hours a day. That in effect will put him in a loss factor rather than making a profit and we're trying to give him a little relief."

Johnson: "Thank you."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, to expedite the movement of the House, I'll accept the Amendment although I disagree with it, because I



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have an Amendment that I want to put on that will strip this. And the reason I'm really for it is because if our gas stations close that early we'll help the tourism trade in Illinois. People won't be able to travel out of Illinois at night and they'll stay in Illinois and feed the hotels and the motels and the cabarets and all that. It might work out."

Speaker Giglio: "Further discussion on the Amendment? Representative Ewing, the Gentleman from Livingston."

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

Speaker Giglio: "Representative Leverenz, indicates he will."

Ewing: "Representative, what would keep a major oil company from not contracting with you if you didn't want to be open the hours that they saw fit?"

Leverenz: "Not a thing."

Ewing: "Well, then I would repeat the question that Representative Johnson asked. Why do we need the Bill then?"

Leverenz: "To protect those that are already in the business from being told you will do this. If there is agreement then we're alright, but no one should be dictated to that in the new agreement if you don't go along with 24 hours, you're out of business and we will take our dealership or our name brand away from you. And after 20 or 30 years if you're in the business you're just out on the street. That's wrong. If it is profitable and if the concessions are made from the franchiser or the the major, the petroleum manufacturer, then they will give concessions and make it agreeable on both sides but not just from a dictating standpoint."

Ewing: "So, we're gonna come in on one side of this issue then and give some extra weight so that the oil companies can't set their own policies. I think that's also a major

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interference. You know, if I have...Mr. Speaker, Ladies and Gentlemen to the Bill. If I represent someone in my business or if I sell a certain product, I think I have to please to keep that. In my law business, if I don't give the service that my client wants I don't have their business and I think that...that same thing applies to other small businesses. Now, while it may be somewhat of an inconvenience, I really think this Bill does very little and it certainly is a continued interference of the state in the rights of business people to make their own agreements. And I would suggest that we have lived a long time without this Bill, it would be well...we'd be well to have a vote 'no' on this Amendment and I'd ask for a Roll Call, Mr. Speaker."

Speaker Giglio: "The Gentleman from Mc...how do you say that...McDonough, Representative Edley."

Edley: "Mr. Speaker to the Bill. I'm in the wholesale auto parts business and I do business with a lot of small rural service stations. And many times oil companies make policy decisions that may be good for service stations that service the four lane highways and the metropolitan areas and they try to apply it to our rural areas. Now there...in rural America staying open 24 hours for a small service station is a money losing operation and it is very difficult for them to deal with the major oil companies to get an exception for that. I think this is a good Amendment. I think it allows a reasonable time period to be open and I am going to be supporting it."

Speaker Giglio: "The Gentleman from DuPage, Representative Hensel."

Hensel: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Hensel: "If this Bill...Amendment goes on, does that take away

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the possibility that if they want to be open 24 hours a day that they cannot be open 24 hours a day?"

Leverenz: "No, it does not. They can be open 24 hours if they want. They cannot be forced into being open 24 hours a day. The third shift can be profitable as Representative Edley pointed out, if you're along an interstate or in a market share where 24 hours is warranted. But in the case where the Amendment or the issue was brought to me in a ten or twelve block area on Harlem Avenue there are stations at both ends open 24 hours and the one in the middle is gonna be forced to open 24 hours. That would put him in a loss and unless it is negotiated that they be open 24 hours they should have...at least be able to be limited to 16 hours a day."

Hensel: "If this...what about the one's that have been mandated to remain open 24 hours a day and this would go into effect. Would they then not have to be open 24 hours a day?"

Leverenz: "It has nothing to do with prior agreements prior to the enactment date of the Bill. Those that are 24 now would stay 24."

Hensel: "Well, what I'm saying is; I have a situation in my district where the station owner was open say 16 hours and the company came up and said you have to be open 24 hours a day. So, now, he has to be open 24 hours a day. He's losing money everyday that he's open. So I mean how long can they stay in business? What I'm saying is, he really didn't want to agree to it, he was mandated to do it. Now will he still be forced to be open 24 hours a day?"

Leverenz: "I believe so, because the former agreement would exist. The contract exists that he agreed to. Though he was forced. And unfortunately yours is the perfect example for which we should adopt this Amendment and make it part

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of our law."

Hensel: "Thank you."

Speaker Giglio: "The Gentleman from Logan, Representative Robert Olson."

Olson, R. "Will the Representative yield?"

Leverenz: "To you, yes."

Olson, R. "Does this Amendment deal with operators that own their station or operators that lease their station from the oil company?"

Leverenz: "It would cover both. The big majors say it doesn't touch a person that owns their property, and that may be true, but in either case no one would have to be open more than 16 hours a day unless they wanted to and it was by agreement with the distributor of the product."

Olson, R. "In other words...in other words, your saying the oil company can and does dictate policy to the fellow who...or the person who owns their own station?"

Leverenz: "Correct. Representative Hensel just pointed out that a major oil company in effect put that dealership in a loss mode rather than the opportunity to make a profit, and will force that person to either lose money or go out of business, and that's exactly what the intent of the Amendment is."

Hensel: "Thank you. To the Bill, I can see good and bad in this. I think it might be proper if the oil company owned the station and the operator was a leaser (sic - lessee) of that property, I could agree with it. I don't believe the oil company should have that right to dictate policy to an individual who owns...the owns...the own service station. So I'll...I'm gonna vote 'no' on this Bill."

Speaker Giglio: "Representative Hartke."

Hartke: "I move the previous question."

Speaker Giglio: "The Gentleman moves the prev...previous

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question. All those in favor say 'aye' opposed 'no'. The previous question has been moved. Representative Leverenz to close."

Leverenz: "I thank you. For the points that Representative Hensel and Representative Edley pointed out, I would ask that you would agree that we would adopt this Amendment. Thank you."

Speaker Giglio: "All those in favor of the Amendment say 'aye' opposed 'no.' Roll Call. All those in favor of the Amendment vote 'aye', those opposed vote 'no.' The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are...take the record. On this question there are 26 voting 'yes', 83 voting 'no', 4 voting 'present' and the Amendment fails. Further Amendments."

Clerk O'Brien: "Floor Amendment #3, offered by Representative Leverenz. This is a duplicate printing of Amendment #2."

Speaker Giglio: "The Gentleman moves to withdraw Amendment #3. Further Amendments?"

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

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move for the adoption of Amendment #4, but...in looking at the Amendment it seems to be flawed, so I'd like to pull the Bill out of the record and leave the Amendment in place. Just leave the Amendment where it's at and pull the Bill out of the record."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Alright. On this Order of Business we're going to return back to House Bill 1191 on page...Representative McCracken?"

McCracken: "We've been waiting patiently for Republican Bills since about one o'clock. Representative Parcells has a

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Constitutional Amendment on this Order. I'd like to get to it. It won't be controversial. We'll just run it up and send it over to the Senate."

Speaker Giglio: "Representative McCracken, since it's the Lady from Cook, Representative Parcels, we'd be happy to go back to that Order of Business. Representative Parcels. Mr. Clerk, Constitutional Amendment. Representative Parcels. House Joint Resolution 2, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #2. This Constitutional Amendment has been read in full a third time previously."

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

Parcels: "Thank you, Mr. Speaker, I really appreciate this. Ladies and Gentlemen of the Assembly this is the same Amendment we passed out of this House last June and unfortunately it got caught up in the Senate and was never called. But it is even more timely now than it was then, because we've had this recent debacle in Washington over their salary increases and I don't have to go into details about that with you, you're all aware of what went on there. I wrote our Illinois delegation and heard from more than half of them. And everyone of them said they could support this Amendment because they don't like the confusion and the bad publicity that they get when they are trying to have...or having to vote on pay increases while they're in office. Now you understand that this is an old Constitutional Amendment, it needs the ratification of thirty-eight states, and it merely says that the...no there can be...it prohibits...its a law to prohibit varying the compensation of U.S. Senators and Representatives from taking effect until an election of U.S. Representatives has intervened. In other words, it's the same rules that we live by here, and as I say, our delegation was from here

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that have written to me are all very much in favor of this, Republicans and Democrats alike. There are a total of twenty-eight states who have passed this Bill now, and as a matter of fact, because of the debacle this winter, there was a flurry this spring. Since April we've had Iowa, Idaho, Oregon and Nevada. On April 26th, they all passed unanimously and we have it passed in the House in both Michigan and Minnesota. I'd like Illinois to be the 29th state to ratify this Amendment. As I said before, we need 38 states and I would hope that Illinois would be among those that would cause the ratification of this very fine Amendment. And I ask for your 'aye' vote on House Joint Resolution Constitutional Amendment #2."

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

Levin: "Would the Lady yield?"

Speaker Giglio: "She indicates she will."

Levin: "Representative, how would this apply to a United States Senator? Would that Senator be precluded from receiving any salary increase during his or her entire six year term or just until the next congressional election?"

Parcells: "Well, the wording says, 'At the next Representative election.' It provides for the ratification of the proposed Amendment to the U.S. Constitution, which prohibits a law varying the compensation of U.S. Senators and Representatives from taking effect until an election of U.S. Representatives. So it'd be just every two years."

Levin: "So, the Senator would not be precluded in January of the next congressional term..."

Parcells: "No, he would not."

Levin: "...from receiving a pay raise. They'd be treated the same way as the U.S. Congressmen would be treated. They wouldn't have to wait six years?"

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Parcells: "That is correct."

Speaker Giglio: "Representative Bowman."

Bowman: "Thank you. Ladies and Gentlemen of the House, I think a 'present' vote is the appropriate vote on this Motion. Not that I object to the substance, however, I do think that voting on a petition for a constitutional change over a hundred years after it was submitted to the states, in fact I think this was one of the original ones submitted, so we're talking about a proposal that's been floating around for two hundred years, Ladies and Gentlemen. Now, I think while there was no such thing at that time as a statute of limitations on Constitutional Amendments, I certainly think that we ought to consider any proposal dead after it's been floating around for approximately two hundred years. I think if the people who are interested in this change want to effect it, that they should initiate the process all over again, that the Congress should resubmit the issue to the states and then we can vote on its merits. But, I for one am not a constitutional scholar and I don't know all of the proposed Amendments that have been submitted to the states for ratification that are just waiting in the wings. And if we approve this and if this becomes a part of the Constitution almost two hundred years after it was originally submitted to the states, we may find ourselves confronted with a number of proposals, some of which may be off the wall by modern standards and I think we should just adopt a self-imposed statute of limitations that if any proposal has been floating around for more than a century, we ought to vote 'present', even if we like it."

Speaker Giglio: "Further discussion? The Lady from Cook,...excuse me. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. You know there was a raging



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debate over the propriety of extending the time in which to ratify the Equal Rights Amendment and I'm sure many people in this chamber fought for that extension and were glad when they had the opportunity to extend it. This issue is a timeless issue. This is one of the true fundamental issues which confronts us in the modern day. This is not a question of constitutional interpretation. This is not a question of a flexible constitution necessary to address current problems. This is a problem the founding fathers and mothers had just as we have today. In January of 1989 we had the Congress attempt the biggest power grab..."

Speaker Giglio: "Ladies and Gentlemen, would you kindly give the Gentleman your attention. It's getting awful noisy up here."

McCracken: "Thank you, Mr. Speaker. I get the feeling no one's listening and it hurts my feelings. In January of 1989, my friends, the Democratic Congress sought to do to us what it could not do if this Amendment had been passed. Speaker Wright caved into the pressure and they didn't get their raise, but it was only because of public outrage. If this Amendment had been adopted they would not have had the opportunity to even try it. This is a timeless issue. It is as relevant today as it was two hundred years ago when the founding fathers and mothers first discussed it. So let's not make any bones about it, there's no magic to the time period in which this has been considered. This is a fundamental matter of political philosophy. Do the public officials serve the public or do they serve themselves? And that's what this Amendment is all about."

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

Parcels: "Thank you, Mr. Speaker. This is an Amendment; yes, it's old, but it's an Amendment whose time has come. And

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as I said, our own Illinois delegation agrees with that. They don't like what went on in Washington either. If you represent your constituents you will do this. They can't get through to Washington, but they can get through to you. They like the guy that's close and you are close to them and you can do them this favor by making sure that this same travesty that went on in Washington, D.C. this winter, doesn't go on again. It's only two years. They can get their raises. It's just that they do it in an orderly, timely fashion and don't do what they did several years ago where they voted themselves three raises in one year's time and had your constituents very upset. As I said previously, Iowa, Idaho, Oregon and Nevada, and the Michigan House and Minnesota House, have all passed that since April. So obviously if other states think this is the time that this Amendment should be voted on, I would ask all of those of you who supported it last year, to support it again and those of you who didn't, I ask you to rethink it and please support House Joint Resolution Constitutional Amendment #2 for your constituents."

Speaker Giglio: "Question is, 'Shall House Joint Resolution Constitutional Amendment #2 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 106 voting 'yes', 3 voting 'no' and 6 voting 'present'. House Joint Resolution Constitutional Amendment, having received the Constitutional Majority is hereby declared passed. The Chair would like to remind the Body that if we're going to get out of here at six o'clock as planned, we have a few Bills on this Order of Business we'd like to finish and then we'll take the Adjournment Resolution under

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consideration. Representative Keane, House Bill 1191. Mr. Clerk, read the Bill."

Clerk Leone: "On page 27 of the Calendar, House Bill 1191, a Bill for an Act to amend an Act concerning the University of Illinois. Third Reading of the Bill."

Speaker Giglio: "Representative Keane."

Keane: "Thank you, Mr. Speaker. House Bill 1191 and the next Bill 1192 are vehicle Bills that deal with the University of Illinois, Cook County Hospital, transfer both of the physical plant which is...will be 1191, will deal with the physical plant and 1192 will deal with the personnel. At the present time, negotiations are still going on between Cook County Hospital and the University of Illinois to determine all of the detail that has to be determined prior to a transfer of the physical property, both real property and the machinery, the medical equipment and office equipment. This House Bill 1191, is intended to be the vehicle which will carry the results of those negotiations. It is my...I'm anticipating that the Bill will be sent to the Senate, will be worked on in the Senate, not so much that we'll do some work on it, but that the county and the University will continue to negotiate the lease of the hospital building and the equipment in the hospital. The Bill will come back here and probably go into a conference at which time in order to provide the University and the hospital adequate time to come to the conclusion of their negotiations. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Giglio: "The Gentleman from Winnebago, Representative Hallock."

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

Speaker Giglio: "He indicates he will."

Hallock: "Does this Bill now have any provisions in it with

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regard to the whole issue?"

Keane: "With regard to what?"

Hallock: "Does this Bill now have any provisions in it with regard to this issue or is it strictly a shell Bill?"

Keane: "No, there are some provisions, but they are not...these are...they're early on and I could not tell you that they have any relation to what's going to come out at the end. We don't know, because the Cook County Hospital and the University are sitting down and they're going over many, many things."

Hallock: "Are...at this point in time are all the factions in support of this concept or are they still kind of up in the air?"

Keane: "Yes, I think the factors that support the transfer of the hospital are not up in the air. The Audit Commission over the past few years noticed that the University was running a heavy deficit and after the Auditor General went in, we found that the University was taking money from the Champaign campus and from the undergraduate campus at Circle, in order to fund a deficit that they were running at the hospital. We were running about 25 million, depending on how you count it, maybe as high as 40 million in a given year of a deficit. We told the University, either come in and get the money out of the General Assembly to operate that hospital on the deficit basis, or if you don't, look for ways as many other university hospitals are doing throughout the country, look for ways to get rid of the hospital and just run a medical school. The General Assembly pretty much told the University over the last few years, you cannot...we don't want you, or we will not fund you, to operate that hospital as a deficit. And the reason the hospital was hitting such a big deficit was that they were treating a lot of indigent patients."

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And there was no reimbursement."

Hallock: "Well, I'm pleased to rise in support of the Bill and I hope it passes and everybody should vote for it."

Speaker Giglio: "Representative Young, the Gentleman from Cook."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I reluctantly rise in opposition to this Bill. I understand that it's certainly not in its final form. The issue is not going to go away. But, I think this Body would be acting prematurely by passing any legislation that would purport to support these two affiliation agreements when there is so much work to be done on the agreements, when there are so many outstanding questions, when the agreements are not in their final form, and when none of the other parties to these agreements have even agreed on what the agreements can be. I would ask this Body to send a message to the U of I Hospital, to the U of I Administration, and to the other parties that before we move legislation that has such a drastic effect on state government and state finances that we be provided some information. If I can just go through the agreements, slightly, as they are proposed, the issue that immediately jumps in my face is how these agreements will affect state finances. I think it's interesting that the whole proposition was made necessary, according to the University, because of financial considerations. I think it's important to note that the study done by the Illinois Department of Health and Doctor Turnock stated emphatically, that of the three institutions involved, our own hospital was in fact the one that is the most stable. I think it's also important to note that when you talk about the deficit, it came about because the General Assembly was not appropriating the money. But what's amazing is that during the same period of time when

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appropriations grew by only four percent for a hospital over a five year period, the administration expenses grew ten times the amount as the expenses or the appropriation for the hospital, and I suggest that if the school administration had put the same effort into securing finances for the hospital, this question wouldn't be here. To the possible factors on the state, the first thing we'd have to do is pick up salaries from staff currently employed by Michael Reese. That's estimated to be 25 million. We give away 44 million in equipment. We give away a building that just eight years ago we paid to have built. This whole process is made necessary on an internal study whose assumptions have just been made...who have not been made public. So we don't know what assumptions they based this dire future on. They were in the black for FY '88. They will be in the black for FY '89. They're dealing with two institutions who have a great deal of financial trouble. Part of the agreement has us not only giving away a facility to Cook County, it has us paying the construction costs through a long term lease agreement to a private institution, Michael Reese. Those construction costs are not determined. Ladies and Gentlemen, can I repeat that for your attention? The cost of the new facility that we will pay for with a long term lease are not determined. They're estimated to be 40 million, but if they're 140 million we will still have to pay them. I think it's interesting that Michael Reese, a private institution, is the largest beneficiary of this deal, whereas the University is giving away our building and paying for their building. The Sun Times yesterday said this agreement will cost the Cook County 147 million. To the health care issue, what we will be doing...we will be taking much needed resources from public institutions, both

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in the terms of medical staff and medical equipment will be transferred to a private institution, Michael Reese, who has already said they won't take one more Medicaid, Medicare day. They won't take...treat one more indigent patient. I'm not suggesting that these agreements couldn't be made palatable to all concerned at some point in time, but there has been no input from the community. They are not finalized at the county level, they are not finalized at the Michael Reese level, and my fear is that five or six years from now, we'll be paying more to subsidize Michael Reese physicians, paying more to pay for a building at Michael Reese, than we're paying right now for our own hospital that was built at the University's request, just eight years ago. They've changed their mind in eight years and I suggest maybe their assumptions are wrong. So for the reasons of the cost to the state, for the cost to Cook County, for the decrease in health care to the poor and the indigent, and for the uncertainty surrounding this entire issue, I think it's too soon for this General Assembly to give their seal of approval, which we will do if we pass this Bill, at this particular time. It was described as a vehicle. Well, we know there's plenty of vehicles around here and when the deal looks a little better, then we'll find a vehicle and support some legislation. But at this time, it's a loss for the citizens of this state and a gain for a private institution and we should not okay it. Vote 'no'."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think, as Representative Young has indicated, this is probably the...not the last time we will see this issue before the end of the Session, and a lot of things

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may change. But some things will not change and I think we ought to keep those things in perspective. The first thing we should keep in perspective is, if the agreement stays as it is, that is, if the U of I is going to give their indigent patients to Cook County Hospital, which is part of the agreement now, we're going to increase, increase the patient days of Cook County Hospital by about 50 percent. Now, we're going to be giving Cook County Hospital 50 percent more patients under this agreement. A hospital, I might point out, that through...that the Health Care Finance Administration recently cited for being dirty, having nursing shortages, having patients left alone, obviously not a well run hospital. But yet, what we're going to do is we're going to reward them with 50 percent more patients and we're going to put them in a situation of having to accommodate those particular patients. They are...those patients I might add, as Representative Young has indicated, are among...are Illinois' poorest citizens. They are the people who need health care the most, and so, we're going to take them out of a fairly good hospital setting and put them into Cook County Hospital. That to me doesn't make a lot of sense, especially when we're taking the profit making part of a hospital and giving it to a private institution, Michael Reese. Now, in the past, that profit making part had balanced off with the indigent patient. We're no longer doing that. To me, that doesn't make a lot of sense. Now, if you're from the City of Chicago, or from the suburbs and you don't even care about medical care, you don't care about whether the...the medically indigent are served or whether this is going to have that much of an impact. What you ought to care about is what cost this particular deal will put on Cook County taxpayers. This is a sweet deal for the State of Illinois.



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It's a great deal for the State of Illinois. What we're going to do is take the patient days, the 50 thousand in-patient days and the 200 thousand out-patient days and give them to Cook County. Cook County taxpayers are going to pick up the burden of that. So if you're from Cook County, or its suburbs...Chicago or the suburbs, you're going to be picking up the full freight. It's a great deal for the State. It's a terrific deal for the State. But I submit to you that for those...of us who are from Cook County or from the city, we're going to pay full freight for those patients. So let's keep that in mind and I might point out, we're not going to have a referendum to vote on this issue, folks. This thing is going to be slapped on your...property tax bill next year. Now, as Representative Young pointed out, there's a lot of questions that haven't been answered. I've got about four different memorandums which state that this deal will cost anywhere from 30 million, to 70 million, to 101 million, to 147 million. We can't even agree on the numbers right now. But the bottom line is, what will not change my friends, is that the Cook County taxpayers will be stuck with the bill on this particular agreement. So, I realize this is not the end of the line and I realize there's probably a lot of support for this Bill to get out of the House as a vehicle. But, I point out to you who are from Chicago and from Cook County, you better watch this agreement very, very carefully, because...your property taxpayers are going to be socked with the bill. In my judgment this Bill is a bad...is bad medicine for the indigent patients on the west side and what it does is stick Cook County taxpayers with the bill. I would urge a 'no' vote."

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

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Martinez: "Thank you, Mr. Speaker and Members of the General Assembly. Again, I have to tell you that I'm taking medication, my voice cracks up, so I ask you to bear with me. I, too, rise in opposition to House Bills 1191 and 1192. It is common knowledge that this plan was conceived in secrecy by the president of the University of Illinois and the personnel from Michael Reese. The hospital itself is in my district and I...previous to March, I believe, I had not received any notification that the plans were being worked on. Later on I learned that it was being planned December of '88. If it hadn't been for the mail that I got from staff and personnel and if it wasn't that I had been to a rally at which I spoke against this proposal...I never would have found out about it until now. After that rally the U of I hospital, Springfield liaison expressed regret at not notifying me. It was then that I informed them that I could not support this plan. To me, there's been too inconsistent contradictions on top of contradictions between the president of U of I Hospital and Doctor Henicoff from Rush Presbyterian. Doctor Henicoff consistently stands that he had offered the plan to Doctor...to the president of the United Illinois...University of Illinois, and contrary to that the president of the University of Illinois keeps saying that, 'no he did not...they were opposed to the plan'. From that point on to this, it has given me a sense of suspicion to know why it is this plan is being pushed so fast, without us having any input. They allege that the Veterans' Hospital as well as Rush Presbyterian had refused to merge. Thereby, keeping the facilities as they were and the students and the staff as they were. But, the president of the University of Illinois seems to be obsessed by this...by these plans and that's why we're at this place

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right now. At a Senate hearing on this matter, president of the University of Illinois stated, clearly, that he didn't think that he had to come to the Legislature for permission or anything and naturally some of the Legislators were incensed and they pushed that idea and finally he recognized that apparently he had to come to the Legislature. Needless to say...he has progressed with his plan. Recent articles in...Chicago periodicals keep saying...keep disagreeing with him, but he persists on doing it, so...he has not...he hasn't given any consideration to the students that will now have to travel at least ten miles to the Reese Complex and that a lot of the personnel and staff and doctors and so forth that they had lobbied to bring to the University of Illinois now are leaving in droves. He certainly does not take into consideration the distance that the students have to go. A recent study indicates that at least 900 staff would have to be laid off in order to stay within the projected budget of the merger. No thought was given to the poor and the indigent or what...where these individuals are going to be cared for. Last but not least, no thought was given to the work and politically sensitive approach taken by the...then State Representative 'Vito Marzulu', when he willingly sacrificed all the land required for the medical center at a loss of countless voters that he was displaced. To make..."

Speaker Giglio: "Representative Martinez, would you kindly bring your remarks to a close?"

Martinez: "Yes, I simply urge everybody to vote 'no', or at least to have more hearings on the matter, that everything can be aired. That there's no suspicion as there is right now. I urge a 'no' vote for 1191 and 1192. Thank you."

Speaker Giglio: "The Gentleman from Champaign, Representative

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Johnson."

Johnson: "I move the previous question."

Speaker Giglio: "The Gentleman has moved the previous question.

All those in favor say 'aye', opposed 'no'. The previous question's been moved. Representative Keane to close."

Keane: "Thank you, Mr. Speaker. Let me just say one thing and I hope everybody hears it. This is a vehicle Bill. The vehicle deals, if you read the Bill, you'll only see provisions dealing with Cook County Hospital and the University of Illinois. There's nothing in it, as one Gentleman indicated, dealing with Michael Reese. There's absolutely nothing to do with that affiliation. The other thing is, another Gentleman indicated that part of the agreement was very, very bad. I don't know what he's talking about. There is no agreement. Nothing has...nothing has been determined to the extent that we can come in here and say, 'here is where they are now'. What we have to do is, we have to await Cook County action and continue negotiations. This...some of the conversation that went on just now, should happen and should occur when we have the Bill before us. We don't have the Bill before us. One Gentleman indicated that the Cook County taxpayers were going to be paying more. I don't know where he gets his information. It's not on the basis of the Bill. One thing that I would urge the people who have constituents who use Cook County Hospital, I would urge them to consider their vote. If you vote 'no' and the General Assembly continues to hold its position that we are not going to fund the deficit of the University of Illinois, we may end up closing the U of I Hospital. That would deny 511 beds to the people in the area and to the people who have been serviced by Cook County. Presently, many of those rooms in Cook County are very, very obsolete. I was told by one

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individual that's familiar with Cook County and certain hospital rooms at Cook County, if you were on a respirator and they have to plug in another electrical utensil, they have to unplug the respirator. This does not make for good health. We are now in a position where we can provide a decent, new, modern facility for those people, and I would hope that you would not take away the potential and the possibility that that hospital would serve them. Again, this is nothing but a vehicle. I would be happy to answer any questions and to discuss the merits of the Bill when we have a substance within the Bill and I'd ask for your favorable Roll Call."

Speaker Giglio: "The question is, 'Shall House Bill 1191 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. The Gentleman from Cook, Representative Turner, one minute to explain your vote."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I urge the Membership to slow down on this particular vehicle and I question why we need this vehicle at this time. It's still early. This is the last of May. We've got an entire month yet, if the agreements...if the negotiations are still taking place then I think we ought to wait until we have the full negotiations before us and vote. But in the meantime I also think we ought to keep in mind and the question that has not been answered is that there's over 995 employees who will lose their jobs at Cook County as a result of this merger. This is part of the study that has been presented as this plan has been discussed and I think that that question should also be answered at this time or at the time that this vehicle becomes a loaded bus. It appears that the requisite number of votes are there, but I still suggest that we ought to take a very careful look at this merger and I know that

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this vehicle will be back and put the questions of, the labor issue should be addressed."

Speaker Giglio: "Representative Trotter, one minute to explain your vote."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. The article that a lot of our Membership has been referring to...was in yesterday's Sun Times is actually a misrepresentation of the facts. What that was, was a scenario, the worst case scenario that can happen. Just as we prepare for nuclear attack, we don't necessarily mean we're going to be attacked. Those facts that we saw yesterday in the paper are not necessarily the facts that we're now dealing with here today or that the county board will be dealing with when they take their vote. I urge all to vote 'yes' for this vehicle Bill, so those negotiations can continue. Thank you very much."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 85 voting 'yes', 15 voting 'no', 16 voting 'present'. House Bill 1191 having received the required Constitutional Majority is hereby declared passed. Representative Keane on 1192."

Keane: "Thank you, Mr. Speaker. 1192 is the vehicle which will...Mr...thank you, Mr. Speaker. 1192 is the vehicle which will include the personnel who will go from being State employees to being Cook County Hospital employees. Again, all kinds of items, such as pension carryovers...vacation time, categories, this, that and the other thing, are still being worked out. There's nothing in the Bill. They haven't concluded their negotiations on personnel matters. I'd be happy to answer any questions and again, this is only a vehicle. You will have a chance to vote on it when it comes back. Ask for a favorable Roll

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Call."

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

Clerk Leone: "House Bill 1192, a Bill for an Act in relationship to the founding and operation of the University of Illinois Hospital. Third Reading of the Bill."

Speaker Giglio: "On that question, the Lady from Cook, Representative Flowers."

Flowers: "Mr. Speaker, will the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

Flowers: "Representative Keane, what is the pay difference between the U of I and Cook County?"

Keane: "I don't know."

Flowers: "Do you know if the Cook County workers make more than the U of I workers?"

Keane: "I'll know that when the Bill comes back and we have...I have no reason to know it now and I'm not familiar with any of the personnel...the variations in the Personnel Code between Cook County and U of I."

Flowers: "Did you not just say in your opening statement, that we are merging the U of I people with Cook County to be on their payroll?"

Keane: "That's correct."

Flowers: "Their vacation time..."

Keane: "That's right." Flowers: "...and their sick time. So, what if I was still an employee at the U of I, would I lose any time? Will my pay be cut?"

Keane: "I don't know until we see the negotiations between the University and the Cook County Hospital. I don't know what the details of that are going to be. As I indicated in my statement, this is a vehicle Bill. We don't have the guts for the vehicle. Though this will come back to you and you will have a chance to look that information over and to be as critical or as complimentary as you wish."

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Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, again I think we're moving too fast on this, but so be it. Thank you very much."

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

Lang: "Mr...thank you, Mr. Speaker. With all due respect, we debated House Bill 1191, we'll get the same debate. I call for the previous question."

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

Turner: "Thank you, Mr. Speaker. I just rise to ask that the Sponsor of this Bill and I hope that the...as the labor agreements are discussed that all parties, especially those that represent the various unions. As you know there are many temporary employees that are employed at Cook County Hospital, I ask the Sponsor to make certain that those people are represented and that their wishes are at least considered as House Bill 1192 is put together. Thank you."

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

LeFlore: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Giglio: "He indicates he will."

LeFlore: "Yes, Representative Keane, my question is on the same line as Representative Turner's. But I want to be more in detail. Will the unions have an opportunity to sit down at the bargain table and be in the negotiations on the transaction?"

Keane: "Right now, it's a...I've been told by the University two things. One, that Commissioner...president of the County Board, George Dunn has indicated there will be a job in Cook County Hospital for anyone from the University of Illinois Hospital. Contrary to what we've heard on the floor, the county is very anxious to keep many of the personnel that are presently in the hospital, because as



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you know, or you may know, there's a tremendous hospital shortage, you can't get radiological therapists. There's all kinds of shortages in health care. The unions, it's my understanding, that the unions will be involved and I will pass that on to both the county and to the University that for the good of their Bill on Third Reading...or when we come back and have it on a Conference Committee, that it would help them a lot if they did involve the unions and the peoples representatives in the negotiations on this Bill."

LeFlore: "My concern about this, Representative, and you know I have a lot of respect for you as the Sponsor. I understand there will be 900 people according to the study that would perhaps lose their jobs, and many of these people are union members."

Keane: "I'm sorry, Representative, can you start that again."

LeFlore: "I said, from the study, I understand there are 900 people whose jobs would be in jeopardy, and many of...these people are union members."

Keane: "Is this the Davis study?"

LeFlore: "Yes."

Keane: "That study has been criticized and discredited by both the University and Cook County Hospital. I talked to Mr. Hanson today and he had some very derogatory words about that study. He said he didn't know where the gentleman got his facts or figures, but that he had absolutely...he was absolutely off the mark. The University also told me the same thing."

LeFlore: "Okay. To the Bill, Mr. Speaker. My concern about the number of people who are involved in the employment and the people who will probably lose their job, that will have a great effect on the people on the west side, because many of the people who live on the west side are employed at

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Cook County Hospital and U of I, and if these people lose their job, that means they're going to end up on welfare. So I feel that, you know, this move is being made too fast."

Speaker Giglio: "The Gentleman from Cook, Representative Martinez. Representative Jones. Shirley Jones."

Jones: "Mr. Speaker, I stay right across the street from Cook County and also U of I. I am in the community myself. I know. I have doctors, nurses, that stays in the building with me. They are afraid that they are going to lose their jobs. Also, there was an article in the paper, from the Tribune that's saying that the Board of Health about to close Cook County Hospital. Why are we going to vote on this Bill for the people in the community to go where some hospital is going to be closed down anyway by the Board of Health? And I urge a 'no' vote on this shell Bill. Thank you."

Speaker Giglio: "Representative Martinez."

Martinez: "Thank you, Mr. Speaker. I...simply want to say that I urge the Members on both sides of the aisles to vote on House Bill 1192 like...we should...we should allow time for more...to more properly air the pros and the cons; that we don't hastily vote on these Bills now and several years down the road live to regret our actions. Now, I urge you to vote 'no' on these Bills. Thank you."

Speaker Giglio: "Representative Keane to close."

Keane: "Thank you, Mr. Speaker. Just a comment, so everybody knows where we are. The Board of Trustees of the University of Illinois has authorized the administration at the University to go ahead and negotiate. Until Mr. Hanson, who is the director of the hospital, has a similar action from the Cook County Board, all he can do is talk in generalities. He anticipates a authority from the Cook

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County Board to enter negotiations shortly. I think that at that time, before that time, I will indicate the feelings of the people that have been expressed here; that the unions be involved and that unrepresented employees be involved, and that he keep us current, and I'd be happy to keep everyone up with what's going on on that. Again, this is a shell Bill. It will be coming back to us. You will have a chance to criticize it and there's a chance I may be criticizing it with you. But for the present I would ask for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 1192 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 voting 'yes', 16 voting 'no', 14 voting 'present' and House Bill 1192 having received the required Constitutional Majority is hereby declared passed. No, not now. You weren't...the Body wasn't listening when I made the announcement forty-five minutes ago. I said we had about five Bills on this Order and when we would finish that in all probability we would adjourn. Now we have two more, or three more. If everybody listens and we'll take a fast vote, we'll pass these Bills and we'll adjourn. Representative McPike on House Bill 2160. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2160. A Bill for an Act to amend an Act in relationship to Chicago Park District. Third Reading of the Bill."

Speaker Giglio: "Representative McPike."

McPike: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is a technical change to a Chicago Park District Bill. I move for the adoption of it."

Speaker Giglio: "Any discussion? The Gentleman from Winnebago,

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Representative Hallock."

Hallock: "We're not...I just wondered what Order we're on. I mean, how'd we go from that Bill to this Bill?"

Speaker Giglio: "It's the same Order, Representative Hallock. Government Administration. We went back, Representative McPike wasn't here, Representative Keane wasn't here. We're still on this Order. We skipped half a dozen. We went to Representative Parcells to help her. Now we're going back to help the Gentleman, and here we go. Representative McPike moves that the House pass House Bill 2160. All those in favor vote 'aye', those opposed 'nay', the voting is open. Have all voted who wish? Have all voted who wish? Representative...have all voted who wish? Have all voted who wish? The Gentleman from Macon, Representative Tate."

Tate: "Yes, Mr. Speaker. If the...if this should receive the requisite number of votes, we'll verify it."

Speaker McPike: "The Gentleman from Cook, Representative Turner."

Turner: "Thank you, Mr. Speaker. As the Sponsor said, this Bill just simply establishes...allows the Chicago Park District to sell bonds for the handicapped and to do some things to improve our parks in the Chicago area. So we urge many more green votes so that we can get out of here."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 61 voting 'yes', 48 voting 'no', 3 voting 'present'. House Bill having received the Constitutional Majority is hereby declared passed. House Bill 267...you rolled your hand. It was...you said that before. Your light's not on, Representative Tate. Representative Tate, your light was not on. You made the Motion to roll with your hand like we do when somebody's here. House Bill 2674. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 2674. A Bill for an Act in relationship to the creation, maintenance and operation of improved Chicago Park Districts. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Madison, Representative McPike on House Bill 2674."

McPike: "Thank you, Mr. Speaker. Mr. Speaker..."

Speaker Giglio: "Representative McPike, hold on. Representative Tate, for what purpose do you rise, Sir?"

Tate: "Come on, Mr. Speaker. Let's have a little fairness in this process. I explicitly said I would like to have a verification."

Speaker Giglio: "The Chair, in all honesty, Representative Tate..."

Tate: "I'm sitting back here at my desk telling you I wanted a verification. How...Read the dadgummed tapes. The tapes say I want a verification. Every Member...Read the rule book. On a point of Order, I want... I demand a verification. You can't just trample over our rights."

Speaker Giglio: "Mr. Clerk, take 2674 out of the record. House Bill 2674, Mr. Clerk, take it out of the record. House Bill 2160...we're going to dump that Roll Call, Representative McPike."

McPike. Well, thank you. I presume that since the Roll Call is no longer on the board it would be very difficult to verify, so if your decision is to dump the Roll Call, then fine, go ahead."

Speaker Giglio: "We'll dump the Roll Call. Call the Bill, Mr. Clerk. 2160, Mr. Clerk."

Clerk Leone: "House Bill 2160. A Bill for an Act to amend an Act in relationship to Chicago Park District. Third Reading of the Bill."

Speaker Giglio: "Representative McPike."

McPike: "Having voted on the prevailing side, I move to

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reconsider the vote by which House Bill 2160 passed."

Speaker Giglio: "The Gentleman moves...Any discussion? Hearing none to reconsider the vote by which it was taken. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Bill is reconsidered."

McPike: "It's a Roll Call. Roll Call. Roll Call. It's a Roll Call vote."

Speaker Giglio: "We'll take it by the Attendance Roll Call. The Gentleman asks leave now to take the Bill out of the record. Is Representative Ronan in the chamber? We haven't heard from him all day. Representative Ronan. House Bill 1511. One more Bill. New Regulations. Representative Ronan. Mr. Clerk, the Bill's on the Order of Second Reading. Read the Bill."

Clerk Leone: "On page 14 of the Calendar. House Bill 1511. A Bill for an Act to amend the Professional Service Corporation Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. This Bill was...this Amendment simply clarifies some...that some persons who incorporate under the provisions of this Bill may not perform functions or practices currently prohibited or not otherwise specifically allowed by law and I move the adoption of the Amendment."

Speaker Giglio: "All in favor of the Gentleman's Motion signify by saying 'aye'. Representative Ronan."

Ronan: "Yes, Mr. Speaker. I rise to oppose the Amendment. I think it strips the Bill. So I oppose this Amendment."

Speaker Giglio: "All those in favor of the Amendment say 'aye',

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opposed vote 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Alright. The Chair is prepared to adjourn, before we do allowing perfunctory time for the Clerk to read all the Bills on Second Reading on the Special Orders a second time and have them held on Second Reading so we could conduct the business on these Bills tomorrow and Friday and allowing the Clerk to read Senate Bills, First Reading. Representative McPike now moves the House stand adjourned until 9:00 a.m. Thursday, tomorrow morning. All those in favor say 'aye', opposed 'nay'. The House now stands adjourned. Nine o'clock. 9:00 a.m. tomorrow morning."

Clerk Leone: "Senate Bills, First Reading. Senate Bill 541, McPike, a Bill for an Act to amend the Illinois Educational Labor Relations Act. First Reading of the Bill. Senate Bill 555, offered by Representative Hoffman, a Bill for an Act to amend the Motor Fuel Tax Law. First Reading of the Bill. Senate Bill 571, offered by Representative McPike, a Bill for an Act in relationship to collective bargaining. First Reading of the Bill. Senate Bill 606, offered by Representative Giorgi, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 612, offered by Representative Davis, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 614, offered by Representative Davis, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 632, offered by Representative Curran, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 637, offered by Representative White, a Bill for an Act to amend the School Code. First Reading of the

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Bill. Senate Bill 649, offered by Representative White, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 665, offered by Representative Petka, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 670, offered by Representative Petka, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 680, offered by Representative Hannig, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 709, offered by Representative Currie, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 719, offered by Representative Satterthwaite and Harris, a Bill for an Act to amend an Act in relationship to State Occupation Use Taxes. First Reading of the Bill. Senate Bill 729, offered by Representative Saltsman. a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 749, offered By Representative Kubik, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 760, offered By Representative Regan, a Bill for an Act to create the Matteson Metropolitan Civic Center Authority. First Reading of the Bill. Senate Bill 789, offered by Representatives Giorgi and Hallock, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 791, offered by Representative Jones, a Bill for an Act to amend the Property Fire Loss Act. First Reading of the Bill. Senate Bill 843, offered by Representative Barger, a Bill for an Act to amend an Act concerning fees of clerks of the court, First Reading of the Bill. Second Reading of House Bills. House Bill 38, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Second Reading of the Bill. House Bill 165, a Bill for an Act to amend an Act in



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relationship to certain control share acquisitions. Second Reading of the Bill. House Bill 591, a Bill for an Act to provide for the ordinary and contingent expenses of and grant-in-aid of the State Board of Education. Second Reading of the Bill. House Bill 1200, a Bill for an Act to amend the Motor Fuel Tax Law. Second Reading of the Bill. House Bill 1257, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2326, a Bill for an Act to amend an Act concerning use of recyclable paper. Second Reading of the Bill. Senate (sic House) Bill 2369, a Bill for an Act to amend an Act concerning various expenses of State employment. Second Reading of the Bill. Senate (sic House) Bill 2600, a Bill for an Act to amend the Use Tax Act. Second Reading of the Bill. Senate Bill 2772...correction, that's House Bill 2772, a Bill for an Act in relationship to employees of Illinois Comprehensive Health Insurance Board. Second Reading of the Bill. Continuing with Second Readings on the Order of State and Local Government. Senate Bill 215...correction, that's House Bill 215, a Bill for an Act to establish a system to provide information assistance. Second Reading of the Bill. House Bill 225, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 526, a Bill for an Act to amend an Act in relationship to compensation and emoluments of Members of the General Assembly. Second Reading of the Bill. House Bill 648, a Bill for an Act concerning bidding. Second Reading of the Bill. House Bill 712, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 719, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 744, a Bill for an Act to amend certain Acts in relationship to testing of certain persons. Second

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Reading of the Bill. House Bill 1470, a Bill for an Act to create the Local Government Risk Pool Act. Second Reading of the Bill. House Bill 1594, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1672, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1926, a Bill for an Act in relationship to increases in property tax levies. Second Reading of the Bill. House Bill 2106, a Bill for an Act to amend the Home Equity Assurance Act. Second Reading of the Bill. House Bill 2213, a Bill for an Act to amend an Act relating to circuit courts. Second Reading of the Bill. House Bill 2283, a Bill for an Act to amend the Motor Fuel Standards Act. Second Reading of the Bill. House Bill 2371, a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. House Bill 2529, a Bill for an Act to amend the State Employees Group Insurance Act. Second Reading of the Bill. House Bill 2581, a Bill for an Act to amend an Act in relationship to records of State Comptrollers. Second Reading of the Bill. House Bill 2730, a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. On the Order of Second Reading, Special Order of Civic Law. House Bill 359, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 656, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. House Bill 1450, a Bill for an Act to amend an Act in relationship to criminal identification. Second Reading of the Bill. House Bill 1483, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 1689, a Bill for an Act in relationship to fraudulent transfers. Second Reading of the Bill. House Bill 1833, a Bill for an Act to amend the

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Illinois Human Rights Act. Second Reading of the Bill.  
House Bill 2262, a Bill for an Act to amend the Juvenile  
Court Act. Second Reading of the Bill. House Bill 2270, a  
Bill for an Act in relationship to certain contracts  
concerning alcoholic liquor. Second Reading of the Bill.  
House Bill 2316, a Bill for an Act to amend an Act in  
relationship to child support. Second Reading of the Bill.  
House Bill 2516, A Bill for an Act amending an Act  
concerning condominiums. Second Reading of the Bill.  
House Bill 2630, a Bill for an Act to amend the Illinois  
Vehicle Code. Second Reading of the Bill. On Special  
Order of Business, Education. House Bill 2151, a Bill for  
an Act to create Education For Employment Board. Second  
Reading of the Bill. House Bill 2341, a Bill for an Act to  
amend the School Code. Second Reading of the Bill. On  
Special Order of Business, Banking. House Bill 2196, a  
Bill for an Act to amend the Illinois Insurance Code.  
Second Reading of the Bill. House Bill 2769, a Bill for an  
Act to amend certain Acts in relationship to computation of  
finance charges. Second Reading of the Bill. On Special  
Order of Business, Public Utilities. House Bill 191, a  
Bill for an Act to amend an Act concerning...amending an  
Act to provide for election of members of the Illinois  
Commerce Commission. Second Reading of the Bill. House  
Bill 542, a Bill for an Act to amend the Public Utility  
Act. Second Reading of the Bill. House Bill 1007, a Bill  
for an Act to amend the Public Utility Act. Second Reading  
of the Bill. House Bill 1469, a Bill for an Act to amend  
the Public Utility Act. Second Reading of the Bill. House  
Bill 1720, a Bill for an Act to amend the Public Utilities  
Act. Second Reading of the Bill. House Bill 1851, a Bill  
for an Act to amend the Public Utilities Act. Second  
Reading of the Bill. House Bill 2739, a Bill for an Act in

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relationship to prevention of negligent or unsafe excavation. Second Reading of the Bill. On the Order of Government Programs. House Bill 34, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. House Bill 227, a Bill for an Act to amend an Act in relationship to the compensation of county officials. Second Reading of the Bill. House Bill 757, a Bill for an Act to amend an Act in relationship to the Illinois Statutory Law. Second Reading of the Bill. House Bill 774, a Bill for an Act to amend an Act to create sanitary districts. Second Reading of the Bill. House Bill 910, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1435, a Bill for an Act in relationship to the State Fire Marshal. Second Reading of the Bill. House Bill 1559, a Bill for an Act in relationship to financially distressed municipalities. Second Reading of the Bill. House Bill 1655, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. House Bill 1784, a Bill for an Act in relationship to business financing. Second Reading of the Bill. House Bill 2386, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. House Bill 2397, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 2652, a Bill for an Act to amend an Act in relationship to economic and social development. Second Reading of the Bill. House Bill 2714, a Bill for an Act to amend the Build Illinois Act. Second Reading of the Bill. House Bill 2721. A Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. On the Order of Chicago School Reform. House Bill 1131. A Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 2731. A Bill for an Act to amend the

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Revenue Act. Second Reading of the Bill. House Bill 2756. A Bill for an Act to amend the School Code. Second Reading of the Bill. On the Order of Real Estate Rewrite. House Bill 57. A Bill for an Act to amend the Illinois Real Estate License Act. Second Reading of the Bill. House Bill 788. A Bill for an Act to amend an Act in relationship to real property. Second Reading of the Bill. On the Order of Criminal Law. House Bill #8. A Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 779. A Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 935. A Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1010. A Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 1056. A Bill for an act to amend the Video Movie Sales and Rental Act. Second Reading of the Bill. House Bill 1180. A Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1202. A Bill for an Act to amend the Narcotics Forfeiture Act. Second Reading of the Bill. House Bill 1324, a Bill for an Act to amend the Bill of Rights for Victims. Second Reading of the Bill. House Bill 1433, a Bill for an Act to amend an Act to prevent and punish the desecration, mutilation or improper use of the flag. Second Reading of the Bill. House Bill 1453, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1871, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2260, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2264, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 2266, a A Bill for an Act in relationship to domestic battery. Second Reading of the

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Bill. House Bill 2401, a A Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2506 has been read secondly previously, moved to Third. House Bill 2577, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2615, Special Order of Business has already been moved to Third Reading. On Special Order of Business, Economic Development. House Bill 217. A Bill for an Act to amend an Act in relationship to transportation. Second Reading of the Bill. House Bill 791, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill. House Bill 1135. House Bill 1135 is already on the Order of Third Reading. House Bill 1591, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 1724, a Bill for an Act to create the Upper Illinois River Valley Development Authority. Second Reading of the Bill. House Bill 2060, a Bill for an Act to amend an Act in relationship to the treatment of tuberculosis. Second Reading of the Bill. House Bill 2604, a Bill for an Act to amend an Act concerning the development of advanced industry technology. Second Reading of the Bill. On the Special Order of Environment and Natural Resources, House Bill 914. It's been read a second time previously. House Bill 1185, a Bill for an Act to amend the Municipal Code. Second Reading of the Bill. House Bill 1223, a Bill for an Act designating the State Prairie Grass. Second Reading of the Bill. House Bill 1557, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 1663, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 1854, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 2306, a Bill for an Act to amend the Urban

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Forestry Assistance Act. Second Reading of the Bill. House Bill 2712, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. On the Special Order of Higher Education. House Bill 1499, a Bill for an Act to amend an Act to provide tuition waivers. Second Reading of the Bill. On Special Order of Insurance. House Bill 130, a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. House Bill 573, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 913, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 1362, a Bill for an Act to amend the Insurance Code. Second Reading of the Bill. House Bill 2146. That's a correction...House Bill 2142, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 2144, a Bill for an Act to amend an Act in relationship to insurance rates. Second Reading of the Bill. House Bill 2148, a Bill for an Act to amend an Act in relationship to the regulation of the insurance industry. Second Reading of the Bill. House Bill 2191, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 2205, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 2578, a Bill for an Act to amend certain Acts in relationship to AIDS reporting. Second Reading of the Bill. Special Order of Business, New Regulation. House Bill 1511...it's been read a Second time previously and moved to Third. House Bill 1705, a Bill for an Act in relationship to Birth Centers. Second Reading of the Bill. House Bill 2174, a Bill for an Act to regulate Nursing Pools. Second Reading of the Bill. House Bill 2339, a Bill for an Act in relationship to fireworks. Second Reading of the Bill. House Bill 2444, a

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Bill for an Act to amend an Act in relationship to wagering. Second Reading of the Bill. Special Order of Medical Practice. House Bill 131, a Bill for an act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 2684, a Bill for an ACT to amend the Medical Practice Act. Second Reading of the Bill. House Bill 2046, correction...that's on Special Order of Housing. House Bill 2047, a Bill for an Act to amend Township Law. Second Reading of the Bill. House Bill 2194, a Bill for an Act to amend the Housing Authority Act. Second Reading of the Bill. House Bill 2491...It's already been moved to Third Reading. On Special Order of Business, Revenue. House Bill 7, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act. Second Reading of the Bill. House Bill 35, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 112, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 340, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. That's House Bill 340, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. House Bill 1907, a Bill for an Act to amend the Professional Boxing and Wrestling Act. Second Reading of the Bill. House Bill 2084...that's a correction, House Bill 2048, a Bill for an Act in relationship to the disposition of certain State taxes and fees. Second Reading of the Bill. House Bill 2440, a Bill for an Act in relationship to dram shops. Second Reading of the Bill. House Bill 2669, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Second Reading of the Bill. On Special Order of Business, State Budget. House Bill 834, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of



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Employment Security. Second Reading of the Bill. House Bill 850, a Bill for an Act making appropriations and reappropriations to various agencies. Second Reading of the Bill. House Bill 869, a Bill for an Act making appropriations to the State Board of Education. Second Reading of the Bill. House Bill 1315, on Special Order of Business of Consumer Protection, House Bill 1315, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1317, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. On Special Order of Business, Election Law. House Bill 2369, that's correction, House Bill 2379, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 2380, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 2702, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 2703, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 2704, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 2705, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 2706, a Bill for an Act to amend the Election Code. Second Reading of the Bill. On the Special Order of Business of Labor. House Bill 39...it's already been passed to Third. House Bill 83 has already moved to Third. House Bill 85 has already been moved to Third. House Bill 692...it's been read a second time previously and held. House Bill 1078. It's already been moved to Third. And House Bill 1343...has already been moved to Third Reading. On the Special Order of Business, Government Administration, Second Reading. House Bill 121, a Bill for an Act to amend an Act concerning fees and salaries. Second Reading of the Bill. House Bill 2215, a

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Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. And on Special Order of Business, Criminal Law. House Bill 1125, a Bill for an Act to amend an Act in relationship to nursing home care. Second Reading of the Bill. House Bill 27... 2417, a Bill for an Act to amend the Motor Fuel Tax Law. Second Reading of the Bill. Being no further business, the House will now stand adjourned till tomorrow at the hour of...the hour of 9:00 a.m."

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