

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

136th Legislative Day

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Speaker McPike: "House will come to order. The Chaplain for today is Reverend Robert Einhouse of the First United Methodist Church in Assumption. Reverend Einhouse is the guest of Representative Noland. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Robert Einhouse: "Let us pray. Gracious and eternal God, we lift our hearts to you in prayer praying that Your special blessings be upon each of us and upon this Assembly. Give us a new vision. Help us to see each other in Your creation as You see us and that truly with these new eyes, we can see beyond our service distinctions and differences so that all we hold in common may become clear. Fill our hearts with Your love and compassion that truly we may love and care for You and for one another. And so that all of our decisions reflect Your special grace. We pray that Your wisdom be our guide so that all of these deliberations may reflect Your divine will. Give us Your courage and strength that they may be our sustinance and endurance. Help us to draw near to one another. To resolve our differences and to build bridges across that which separates and divides us. We pray for our leaders and for a world at peace. May Your blessings be upon these deliberations, the State of Illinois and the United States. May Your Spirit be strong and remain in this place and touch every heart. This we pray in the Name of our Lord. Amen."

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

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

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Speaker McPike: "Roll Call for Attendance. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I rise for an announcement. A point of personal privilege. We have several dozen nut rolls in the back baked fresh this morning. Courtesy of Arnold Bakery Company back in my district who are celebrating their sixtieth anniversary of a small business. Hope you'll...they're very appreciative of the Resolution you all passed acknowledging their 60th year in business. Hope you'll go back and get a delicious nut roll from Arnold Bakery. Also Mr. Speaker on a point of personal privilege, I'd like to introduce the Gentleman who is responsible for my being here. A former Member of Vermilion County Board, my father, Willard Black."

Speaker McPike: "Mr. Kubik, do you have any excused absences?"

Kubik: "No excused absences today Mr. Speaker."

Speaker McPike: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, let the record reflect the excused absence of Representative LeFlore."

Speaker McPike: "Take the record, Mr. Clerk. Is there some reason why Representative Kulas was taken off the Roll Call? Representative Kubik?"

Kubik: "Thank you Mr. Speaker. Point of personal privilege. We have..."

Speaker McPike: "Mr. Black had a point of personal privilege about nutrolls, so I presume, I presume anything qualifies after that."

Kubik: "I guess, I guess, well this is a little bit more important than nutrolls."

Speaker McPike: "Could I take the record first?"

Kubik: "Oh, I'm sorry."

Speaker McPike: "It's alright. Have you taken the record? Alright. 117 Members answering the Roll Call. A quorum is present. Mr. Kubik on a point of personal privilege."

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Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the gallery today with us visiting the House is a group of young people. There are some young people from Poland and from Italy. Six young people from Poland and 9 from Italy. They are a part of the Samantha Smith Memorial Exchange Program and they are visiting Illinois to learn how we in Illinois help young people solve their problems with drugs and with alcohol, etc. So on behalf of the Members of the House would we give them a warm welcome to the House of Representatives? Thank you for coming."

Speaker McPike: "Representative Weaver in the Chair."

Weaver: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to make a presentation to you this morning. We have with us visiting today the KZ Westfield Lady Warriors who are the 1990 Class A IHSA State Softball Champions. Please help me welcome them this morning. They have a 34 to 2 record this year and although they did extremely well this year it was not an overnight success. The past 13 seasons they've had 317 wins and only 29 losses. They currently hold three state titles. Three runners up titles and we'd like to have you welcome them to the Illinois House today along with the Assistant Coaches Dan Stazer, Kathy Meyers and the Head Coach Denny Throneberg. Denny."

Throneberg, Denny: "Thank you. It's our pleasure to be here today. We would like to thank Mr. Weaver for allowing us to come. We've looked forward to this day and we certainly appreciate the opportunity to be here. Thank you very much for allowing us to come and spend a day with you in Springfield. At this time I'd like to introduce the Members of the team that are with us here today. We have 18 members of the squad. Starting with our seniors, we have three seniors. If you'll step forward Ladies. Laurie

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Beasley. Angie Goodwin and Tosha Patrick. Our juniors we have four: Christy Burris, Crstyal Coleman, Mindi Mitchell and Machelles Stensin. Our sophomores we have six. If you sophomores would go ahead and step forward so I can see who's down there I'll know to introduce you. Thank you. Shawna Carver, Jamie Coss, Tara Richardson, Gina Ritchey, Machelles Robinson, Amy Tipswart. And we have five freshmen. Amanda Brown, Angie Garver, Amanda Simpson, Sandra Stice, and Leanne Veetch. My Assistant Coach Dan Stacer, and I also have an Assistant Coach, Kathy Meyers. Thank you very much for allowing us to be here. We've enjoyed the day and we plan to spend a little bit more time here with you and touring your facilities. Thank you very much."

Weaver: "Thank you, Coach. And they will probably be back next year. They've been the 1988 and 1990 champions, State Champions and we very much look forward to them coming back next year. Thank you."

Speaker McPike: "Committee Report."

Clerk O'Brien: "The Committee on Rules has met and pursuant to Rule 29(c)3 the following Bills have been ruled exempt on June 26th, 1990. House Bills #1699 and 2543, signed John Matijeovich, Chairman."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker. Yesterday my switch was inadvertently activated on Concurrence Motions on House Bills 3824, 950, 318, 953, 1504, 3562. I was not in fact on the House floor during those Concurrence Motions and I would like the record to reflect I should have been recorded as not voting. Thank you."

Speaker McPike: "Representative Currie, the record will shall so reflect. Alright. If there is anyone that has nonconcurrences would you please notify the Chair? We'll

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get a list of nonconcurrences and call those. No, we'll keep the list right up here until, until enough people have paid attention. Any nonconcurrences? On concurrence, House Bill 1190, Representative Steczo. Mr. Steczo. If we leave Wednesday night this may be the last chance you'll have to call these Bills. Representative Currie. House Bill 1268. House Bill 1632, Representative Satterthwaite. Mr. Clerk."

Clerk O'Brien: "House Bill 1632, a Bill for an Act to amend the School Code together with Senate Amendment #1."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. I move to concur in Senate Amendment #1 to House Bill 1632. The Amendment provides for suspension or revocation of insurance licenses or teaching certificates to individuals who fail to establish their repayment schedule for educational loans. This Amendment is at the request of the Illinois Student Assistance Commission to help them complete the process of going about the timely collection of the outstanding loans where people have become delinquent. I know of no opposition to the Amendment and I would move for its acceptance."

Speaker McPike: "And on that, Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative Satterthwaite, you say you know of no opposition. I've heard of a little opposition to the fact that no advance notice need be given to the affected teacher. Has that been worked out or are you aware of that?"

Satterthwaite: "I am not aware of that. I know that in the instance of trying to collect the loans there are usually

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repeated attempts to work out some kind of a repayment schedule that meets with the financial constraints of the person who has that outstanding debt. And so I would assume that this would not be done precipitously but only after those arrangements to try to work out a repayment schedule had been made."

Black: "And there is a right of due process in the Amendment as I read it. Correct?"

Satterthwaite: "Yes. I believe so."

Black: "Thank you very much."

Speaker McPike: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1632?' 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 Motion there are 111 'ayes', no 'nays' and the House does concur in Senate Amendment #1 to House Bill 1632 and this Bill having received the Constitutional Majority is hereby declared passed. Senate...House Bill 1681, Representative Cowlshaw. Mr. Clerk."

Clerk O'Brien: "House Bill 1681, a Bill for an Act to amend the School Code together with Senate Amendments #2 and 3."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The original provisions of this Bill were removed and consequently only what is contained in Senate Amendments 2 and 3 are now the content of this Bill. Both of these Senate Amendments were Cosponsored by Senator Holmberg. The first of the Amendments requires that the school report cards issued annually shall include some indication of how much parents are involved in the schools activities and the progress of their own child or children. The next Amendment #3 authorizes school districts to utilize up to two days now authorized for teachers'

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institute to conduct parental institutes. I am in accord with Senator Holmberg's views of the importance of reporting parental involvement and encouraging it. We all know that that is one of the most essential elements in a child's success in an educational setting and therefore Mr. Speaker, I move that we concur in Senate Amendments #2 and 3 to House Bill 1681."

Speaker McPike: "Representative Dunn. Representative Dunn. Representative John Dunn. We've had some complaints about the T.V. lights in the balcony. We had a request from some Members of the House Floor, John Dunn. If you would just stay in the balcony. Any discussion on the Representative Cowlshaw's Motion? Representative Hultgren."

Hultgren: "Would the Sponsor yield?"

Speaker McPike: "Yes."

Hultgren: "Representative Cowlshaw, Amendment, Senate Amendment #2 which requires the reporting of parental involvement. It's going to require some record keeping, I presume, on the part of the teachers. It talks about personal contacts with the students' teachers that the parents have had during the course of the school year. Are those records that those teachers are now required to keep so it's simply a matter of reporting what the teachers are already...records that the teachers are already keeping, or are we imposing some kind of a new record keeping requirement on the classroom teacher?"

Cowlshaw: "Representative Hultgren, it is my understanding that since this is a report for how often a parent has been in touch with the child's teacher, not with the secretary or the principal or someone else, but the child's teacher and that all teachers keep records of their meetings and telephone conversations with parents. That, in fact, the information is already available and should be very easy

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for each teacher to simply add up those numbers and submit them to the main office and the main office then puts them together into one statement and submits them to the State Board of Education for inclusion in the report card."

Hultgren: "Let me follow up on that if I may. You're saying that the conscientious teachers keep these records as a matter of good practice or that they're currently required by law to keep these records?"

Cowlshaw: "They are not required by law to do this but nearly all teachers, of course, do that."

Hultgren: "Thank you."

Speaker McPike: "Further discussion? The question is, 'Shall the House concur in Senate Amendments #2 and 3 to House Bill 1681?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 110 'ayes', and 1 'no', and the House does concur in Senate Amendments #2 and 3 to House Bill 1681 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 1762, Representative Ryder. Mr. Clerk."

Clerk O'Brien: "House Bill 1762, a Bill for an Act to amend the School Code together with Senate Amendment #1."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move to concur with Senate Amendment #1. This added a provision in which the Bill now includes the original part concerning collective bargaining, but it also adds some provisions concerning teachers being allowed to answer a subpoena in school related matters. I move to concur with Senate Amendment #1."

Speaker McPike: "Is there any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House



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Bill 1762?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 109 'aye' and no 'nays' and the House does concur in Senate Amendment #1 to House Bill 1762. And this Bill having received the Constitutional Majority is hereby declared passed. Representative Steczo, we passed one of your Bills. You want to call all three of these? House Bill 1190. That's out of the record. House Bill 2173, Mr. Clerk, 2173."

Clerk O'Brien: "House Bill 2173, a Bill for an Act in relation to interior design profession together with Senate Amendments #1 and 2."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Senate Amendments #1 and 2 to House Bill 2173 embody the agreement on interior designer professional title, that was agreed to by the interior designers and by the architects. They are both in agreement with this and I move for the adoption of those two Senate Amendments."

Speaker McPike: "Is there any discussion? Any discussion? There being none the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2173?' All in favor vote 'aye', opposed vote 'no'. Mr. Clerk, let's try it again. All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 109 'ayes' and no 'nays' and the House does concur in Senate Amendments #1 and 2 to House Bill 2173 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2367, Mr. Clerk."

Clerk O'Brien: "House Bill 2367, a Bill for an Act to amend the Illinois Municipal Code together with Senate Amendment #1."

Speaker McPike: "Representative Steczo."

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Steczo: "Thank you, Mr. Speaker, Members of the House. Senate Amendment #1 to House Bill 2367 deleted everything after the enacting clause and addressed the situation which has occurred in the village of Park Forest in south suburban Cook County with relation to their Tif district. Their Tif district, was, or Tif agreements were entered into during the year of 1986 when it was presumed that 100 percent state funding would come back to them. As we all know in successive years for successive, or succeeding Tif districts the 80-60-40 formula was adopted. However, in Park Forest case there was presumed that they would be getting 100 percent. So what Amendment #1 does, it defines the Bill to deal with the village of Park Forest only. And for a two year period, for a two year period, would give them first bite at the apple with relation to Tif funding. I would answer any questions that you might have but please be informed that Park Forest is in serious need of this and this Amendment should be adopted."

Speaker McPike: "Any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2367?' 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 Motion there are 102 'ayes', 101 'ayes' and 5 'nos' and the House does concur in Senate Amendment #1 to House Bill 2367 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 2647, Representative Regan Mr. Clerk."

Clerk O'Brien: "House Bill 2647, a Bill for an Act to amend the Child Care Act together with Senate Amendment #1."

Speaker McPike: "Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I move to concur in Amendment #2 to Senate Bill 2647. Amendment #2 includes employees and prospective employees of child care

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agencies so that ones that have absolutely no possible contact with children don't have to expend the money for an investigation and I urge its concurrence."

Speaker McPike: "Any discussion? Mr. Regan are you referring to Amendment #1 or 2?"

Regan: "Excuse me. It's Amendment #3 I believe. Which allows for one more child in a foster home."

Speaker McPike: "Just a minute. Just a minute. Just a minute. Mr. Clerk what is the Amendment. That's Senate Amendment #1 Mr. Regan."

Regan: "I don't have Senate Amendment #1. Oh, here we go. Senate Amendment #1 strictly a technical change. Page 1 changing sections 4 to 4.3, section 4.3 and deleting lines 8 through 28. It removes the provision permitting operator of unlicensed daycare home to provide care for as many as 4 children. I'll accept that. It was my Amendment. I put it on. They took it off. I urge your concurrence. Mr. Speaker, can we take this out of the record just for a second please?"

Speaker McPike: "Absolutely, Mr. Regan. We'll get back to it Thursday. House Bill 2685, Mr. Clerk. Representative Homer. Mr. Clerk what is it?"

Clerk O'Brien: "House Bill 2685, a Bill for an Act to amend the Unified Code of Corrections together with Senate Amendments #1 and 2."

Speaker McPike: "Mr. Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is the boot camp shock incarceration legislation that we passed out of the House in May. It went over to the Senate and had two agreed Amendments that were adopted by the Senate, Senate Amendments 1 and 2 that essentially fine tuned the Bill and make this Bill conform with its companion Senate version that we also passed just last

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week. The Amendments essentially set up a diversion center for technical violaters of parole and work release. It also, the Amendments also establish a provision requiring the Department of Corrections to report back to the General Assembly with regard to both the make up of the inmates and the staff at the boot camp facility and requires the Department of Corrections for purpose of employing staff to comply with Department of Human Resources rules and regulations regarding affirmative action programs. So, I would answer questions but we've already discussed the Bill and I would move then to concur with Senate Amendments 1 and 2."

Speaker McPike: "Mr. McCracken. Mr. Electrician, would you turn on Representative McCracken please?"

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

Speaker McPike: "Yes."

McCracken: "I'm just curious, Representative Homer about the diversion program. Is that limited to a certain type of person, and under what circumstances would it operate?"

Homer: "Right. That program would be limited to those who have committed technical violations. Their work release or parole status, so that if someone is on parole or on work release and commits a technical violation usually having to do with failure to report. That as an option to returning that individual to a correctional center that the department would be authorized to place that person in this diversion center, in an appropriate case. It's all permissive with the Department of Corrections."

McCracken: "Okay. Thank you."

Speaker McPike: "Any further discussion? There being none the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 2685?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who

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wish? The Clerk will take the record. On this Motion there are 113 'ayes' and no 'nays' and the House does concur in Senate Amendments #1 and 2 to House Bill 2685. And this Bill having received the Constitutional Majority is hereby declared passed. Mr. Ropp. Is Representative Ropp here? Representative Hensel. Representative McCracken can you take this for Representative Hensel? It's House Bill 2884. Mr. Clerk."

Clerk O'Brien: "House Bill 2884, a Bill for an Act in relation to township purchasing together with Senate Amendment #1."

Speaker McPike: "Mr. McCracken has leave to handle the Bill. Representative McCracken."

McCracken: "Thank you. The original Bill as it passed the House increased from 5000 to 10,000, the bid limit for townships contracting for services. And...I'm sorry, for no bid contracts. This Senate Amendment amends the Highway Code to raise from \$5 to \$10,000 dollars the no bid contract for highway, for townships for highway bids. And I move the House concur in Senate Amendment #1."

Speaker McPike: "Any discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 2884?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 103 'ayes' and 7 'nos' and The House does concur in Senate Amendment #1 to House Bill 2884 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Stange, Mr. Stange here? Out of the record. House Bill 2899, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 28..."

Speaker McPike: "Yes. Representative McCracken."

McCracken: "Yes, Representative LeFlore is not here to call the Bill."

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Speaker McPike: "That's right. Representative Cullerton is the hyphenated Cosponsor and he tells me he has permission to call the Bill."

McCracken: "He has permission from Representative LeFlore?"

Speaker McPike: "Representative Cullerton, isn't that right? That's correct."

McCracken: "No it's not. No one can reach Representative LeFlore. We've all been looking for him."

Speaker McPike: "Representative Cullerton."

Cullerton: "Well, it's fine with me if Representative McCracken wants to object. Since Representative LeFlore is not here the Bill will never be called and we'll never have an opportunity to vote on this fine Amendment that he's so eagerly waiting to vote on. So, we're going to kill the Bill by not calling it or we're gonna to nonconcur. That's the..."

McCracken: "Representative Shaw says he's going to get a letter from Representative LeFlore to concur in the Amendment."

Speaker McPike: "So Representative Cullerton, did you want to proceed? Mr. Cullerton? John..."

McCracken: "I object. It requires Lee to handle it and I object."

Cullerton: "Mr. Speaker, it's fine with me. Representative LeFlore is not able to call the Bill. It's fine with me if the Bill's never called so we'll just take it out of the record."

Speaker McPike: "Alright. Out of the record. Alright, out of the record. The next one is House Bill 3019, Representative Cullerton. Mr. Clerk."

Clerk O'Brien: "House Bill 3019, a Bill for an Act to amend the Code of Civil Procedure together with Senate Amendment #1."

Speaker McPike: "Mr. Cullerton."

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

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the House. The Senate Amendment which I wish to concur in I think greatly improves the Bill. When we debated this Bill which concerns itself with the statute of limitations for attorney malpractice there were some objections raised by some of the Members concerning a particular situation when someone drafts a will. When an attorney drafts a will and we had in the original Bill a 10 year statute repose, which means that 10 years after that Bill is drafted after the statute would run and there's no way in which you could bring an action against that attorney. And some felt, in the Senate that that was unfair because most people would not discover the practice until a period of time when the person died and so as a result the Senate Amendment I think greatly improves the Bill. It says that there would be, with regard to the situation where there is a will, a two year statute of limitation after the death of the individual. When the malpractice could have been obtained or found out or discovered. However, if the will admitted at probate they have the amount of time in which you have to file claims against the estate. So I think that the Amendment greatly improves the Bill and I think we should adopt the Amendment because if we don't adopt the Amendment the Senate might take it off and pass the Bill to the Governor and I don't think that would be in the form in which we all would agree to be the best. So I move to concur with Senate Amendment #1 to House Bill 3019."

Speaker McPike: "And on that, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. To the extent I have a conflict on this Bill I'll vote my conscience. Thank you."

Speaker McPike: "Further discussion? Further discussion? There being none the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3019?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted

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who wish? The Clerk will take the record. On this Motion there are 96 'ayes', 11 'nos'...Morrow, 'no'. Change Morrow from 'aye' to 'no'. Representative Stern from 'aye' to 'no'. Representative Flowers, Flowers...Representative Tony Young. Tony Young changes from 'aye' to 'present'. Representative Flowers, how do you want to vote? Representative Flowers from 'aye' to 'present'. Representative Kirkland votes 'present'. Representative Hasara votes 'no'. Representative Parke votes 'aye'. Representative Ryder votes 'present'. Representative Zickus...just, how do you want to vote, 'aye' or 'no'. Representative Zickus, 'no'. Representative Goforth, 'no'. Representative Lou Jones 'present'. Representative Balanoff 'no'. Let's dump the Roll Call Mr. Clerk. Dump the Roll Call, we've got too many changes and the Clerk can't keep up with these. Dump the Roll Call. Alright, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3019?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker. I think there was some confusion about the Bill and I'm explaining..."

Speaker McPike: "Representative Stephens. We have already explained our vote. We're simply taking another Roll Call here."

Stephens: "We haven't."

Speaker McPike: "Yes we have. Everyone has."

Stephens: "Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Representative Harris, Representative Harris votes 'aye'. Representative Harris votes 'aye'. Representative Terzich votes 'aye'. On this Motion there are 60 'ayes' and 35 'nos' and the House does



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concur in Senate Amendment #1 to House Bill 3019 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3027, Representative Hartke. Mr. Clerk."

Clerk O'Brien: "House Bill 3027, a Bill for an Act to amend the Illinois Vehicle Code together with Senate Amendment #1."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #1 to House Bill 3027."

Speaker McPike: "Would you explain it Sir?"

Hartke: "Yes. Senate Amendment #1 clarifies that it would authorize only two trucks bearing farm plates of the five registrations may exceed 59,000 pounds of...59,500 pounds and I move for its concurrence."

Speaker McPike: "Any discussion? Any discussion? No. There being none the question is, 'Shall the House concur, Representative Weaver.'"

Weaver: "Thank you, Mr. Speaker. Is this okayed by the Farm Bureau?"

Hartke: "Absolutely. They support it 100 percent. It's probably one of their big votes."

Weaver: "Okay. Thank you."

Speaker McPike: "Further discussion? Further discussion? There being none the question is, 'Shall the House concur in Senate Amendments #1 to House Bill 3027?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 114 'ayes' and no 'nays' and the House does concur in Senate Amendment #1 to House Bill 3027. This Bill having received the Constitutional Majority is hereby declared passed. Representative Breslin in the Chair."

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Speaker Breslin: "On the Order of Concurrences, State and Local Government appears Senate Bill 3042, Representative McGann. Is Mr. McGann in the chamber? Mr. McGann? Out of the record. House Bill 3051, Representative Curran. Mr. Curran? Is the Gentleman in the chamber? Out of the record. House Bill 3058, Representative Cullerton. Mr. Cullerton? Out of the record. House Bill 3074, Representative Giorgi. Mr. Giorgi? Out of the record. Going back, Mr. Ropp is in the chamber so we will go back to House Bill 2842. Representative Ropp is recognized for a Motion. Representative Ropp."

Ropp: "Thank you, Madam Speaker. I move to concur with Senate Amendments 1 and 3. Senate Amendment #1 deals with the next open vacancy in the Board of Regents will be placed by someone who has graduated from the Sangamon State University and Amendment #3 is a Bill that I had that described what half time students were and we passed that Bill with over a hundred votes, that is Amendment #3. I move to concur with Amendments 1 and 3."

Speaker Breslin: "You've heard the Gentleman's Motion. On that question is there any discussion? There being no discussion the question is, 'Shall the House concur in Senate Amendments 1 and 3 to House Bill 2842?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no', and none voting 'present'. The House does concur in Senate Amendments 1 and 3 to House Bill 2842 and this Bill having received the Constitutional Majority is hereby declared passed. Representative Stange are you ready on House Bill 2896? Out of the record. House Bill 3051, Representative Curran. Representative

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Curran is recognized."

Curran: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1 to House Bill 3051. All the Senate Amendment did is include the provisions of House Bill 2185 which passed this House unanimously. Be glad to answer any questions."

Speaker Breslin: "You've heard the Gentleman's Motion. On that question is there any discussion? There being none the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3051?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required. This is final action. Have all voted who wish? Representative Curran, for what reason do you seek recognition?"

Curran: "Madam Speaker, I have just been informed there may be a technical flaw which would have to be corrected. I'd like this Bill at this time to be taken out of the record. I'm sorry for the delay."

Speaker Breslin: "I'm sorry. We can't take a Bill out of the record. However, we can all change our votes to 'present'. The Gentleman has indicated he wishes that you would vote 'present' so that this Motion to concur will not go forward."

Curran: "Madam Speaker, can we hold for a minute while we confer, while the parliamentarian confers with the State Board of Education?"

Speaker Breslin: "Certainly. Mr. Clerk please take the record. On this question there are 14 voting 'aye', 1 voting 'no', and 98 voting 'present'. The Motion to concur fails. Representative Curran now moves to nonconcur in Senate Amendment 1 to House Bill 3051. All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment

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1 to House Bill 3051. House Bill 3099, Representative Klemm is recognized."

Klemm: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1 on House Bill 3099. Senate Bill or Senate Amendment #1 actually becomes the Bill and it was the provisions that we had agreed to working with the municipal league. It provided an impartial jury, if you will, and the designation of certain vital roads that are in townships. This Bill had originally been passed by the House. This Amendment makes it better. It takes all the objections out. All the highways and it adds the County Superintendent of highways to be an impartial arbitrator so I move for it's adoption."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question the Gentleman from Cook, Representative Young."

Young, A.: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Young, A.: "On page two of the Amendment on lines, starting on line 46 the last line refers to in our annexation proceedings. And I'm not sure I understand what that means. Could you explain that to us?"

Klemm: "Could you read that again, Representative?"

Young, A.: "'This paragraph does not apply to roads in home rule units of government nor the roads included in our annexation proceedings by home rule'. I'm wondering if that's an error?"

Klemm: "Well, what the municipal league was concerned about home rule. So therefore this paragraph was added for the home rule units of government so they wouldn't be affected. So, they included both the roads that are presently and roads that may be in future annexation."

Young, A.: "I'm sorry. I didn't hear that last..."

Klemm: "This was an answer to the municipal league's concern

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about home rule. The original Bill exempted home rule, they were opposed to that. This clarifies that home rule would still apply both in the existing roads and annexation proceedings."

Young, A.: "But my question then is who is our? Our, our in that paragraph. Who does that refer to?"

Klemm: "That would be the municipality."

Young, A.: "Any municipality? You see what I mean? It's kinda unclear."

Klemm: "Sure. I can see that. Apparently as drafted is not as clear but that was the intent, that's the legislative intent and I so indicate that for the record."

Speaker Breslin: "Any further discussion? There being none the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3099?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 102 voting 'aye', 3 voting 'no', 10 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3099 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3042, Representative McGann is recognized."

McGann: "Yes, Madam Speaker and Members of the Assembly. I wish to concur with Senate Amendment #1 to House Bill 3042. This Amendment put on in the Senate restores a provision which contained in the original version of the Bill and exempts students attending school less than half time instead of exempting students taking one class. I would ask for a concurrence on Senate Amendment #1 to House Bill 3042. Will answer any questions."

Speaker Breslin: "You've heard the Gentleman's Motion. On the

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question the Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "He will."

Black: "Representative, I think if you would take a look at Senate Amendment #1, I really think this..."

McGann: "I can't...I...I...Madam Speaker, I cannot hear Representative Black's question."

Black: "Thank you very much, Madam Speaker, and the Sponsor has indicated he would yield for a question. I think Representative, if you would look at Senate Amendment #1 that it really has some language that I think goes far beyond what we talked about in Committee. It simply provides that the college may determine the immunization requirements. Now, the Department of Public Health opposes this Amendment. Let me tell you why I think they do. If you allow the exceptions to the immunization requirement to be permissive. We believe that you're raising a question of serious liability on the part of the institution. I don't know if you share my concern about that but I really think Senate Amendment #1 goes far beyond what we talked about in Committee."

McGann: "No, the Amendment just exempts the students that attend class than half time. If you recall we had the debate on this Bill in the House. It was passed out of the House and into the Senate and community colleges are not, are exempted from immunization which are far more, thousands and thousands of students. The Department of Public Health did oppose the original Bill. I'm not so sure whether they are opposing this Amendment or not because all we're saying is less than half time, this half time refers to students less than six hours a semester. So it just clarifies it

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for the immunization program itself."

Black: "Well, thank you very much Representative. Madam Speaker and Ladies and Gentleman of the House, to the Bill. You may want to take a look at this very closely. What Senate Amendment #1 does on this Bill is to make the immunization requirements permissive. Permissive. And you will subject institutions of higher education to extreme liability if they're not careful. I have just taken a look at the position paper from the Department of Public Health who opposes this Amendment. Not the Gentleman's underlying Bill they favored that. What we've already done about 10 minutes ago, on House Bill 2842, was to accept Senate Amendment #3 which made the change from one class to less than half time. Which I think is what the Gentleman wants to do. So we've already done that. In that case I really think you would be well advised to either vote 'present' or against concurrence on this Motion because I think Senate Amendment #1 goes far beyond what we had originally discussed in Committee and it's with the greatest respect to the Sponsor that I urge a 'no' vote on concurrence."

Speaker Breslin: "The Lady from Kane, Representative Doederlein."

Doederlein: "Yes, Madam Speaker, Ladies and Gentleman of the House. What we're doing with all of these little Amendments are eating away at the law. The law was put in there for a special purpose to keep us safe from a measles epidemic. And I think what we should do is to forget about all of these Amendments and let the law be the law. I rise in objection to this Amendment and the other Amendments."

Speaker Breslin: "The Gentleman from Will, Representative Regan."

Regan: "Thank you Madam Speaker and Members of the House. I rise in support of Amendment...GSU University the average age of their students is 31 years old. They're going through all kind of pains and sufferings to find out where their

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immunization was done 20 years ago. This would allow them to exclude those people that old and I urge your support."

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

Didrickson: "Would the Sponsor yield for a question please?"

Speaker Breslin: "He will."

Didrickson: "Representative McGann, this is an issue that we've been working on all session and I see with the Senate Amendment #1 what we're talking about here now, are part time students that we are wishing to exempt from the provisions?"

McGann: "These are half time which is less than six hours a semester."

Didrickson: "So it might be some grandparents or senior citizens that are going back for some enrichment courses it might be some homemakers who are going back to pick up a course here and there, they might be average age 45 or 50, it could be younger as Representative Regan says but is that the intent of the concurrence with this Amendment. That these people..."

McGann: "That is my understanding. That is my understanding. The same as in the community colleges, they're all exempt."

Didrickson: "Well, if that is the intent, I would support your measure."

McGann: "Thank you. It is my understanding that is the intent."

Didrickson: "There is some concern over on this side of the aisle that I think we need to clean up. Is that, is that not correct with regards to this concurrence?"

McGann: "I will be very happy to take it out of the record for the time being and look for more expertise on it but I am almost positive that this is what the intent of it is. And if you recall we had the problems before on the debate of the Bill. The Bill passed out of the House. There are hundreds of thousands in the Chicago had alone, 250



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thousand community college students who don't have to be considered at all. So we are not really in the true meaning of the statute at all."

Speaker Breslin: "Do you wish to take the Bill out of the record Representative McGann?"

McGann: "Is it the desire of the questioner to ask me to take it out? Is she satisfied with my answer?"

Speaker Breslin: "Representative Didrickson?"

Didrickson: "Is Representative McGann taking this out of the record?"

Speaker Breslin: "He will if you request him to do so. If you are satisfied with his answer he will proceed."

Didrickson: "I don't want to jeopardize his Bill. If he wants to proceed, go ahead and I will just..."

McGann: "Thank you, Representative. We'll proceed."

Speaker Breslin: "Okay. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3042?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye', 38 voting 'no', and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 3042 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3134, Representative Hallock. You are recognized. Mr. Hallock."

Hallock: "Thank you Madam Speaker, Members of the House. As you may recall House Bill 3134 when we passed originally provided for a law enforcement medal of honor to be given to a law enforcement official on annual basis who has performed exceptionally in the line of duty and may have been injured or killed in that line of duty. Senate Amendment #1 expands that and also provides this shall

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cover firemen who also are in that line of duty, injured on the job and perform exceptionally in that capacity so as amended it now covers policemen and firemen. I would ask for your support."

Speaker Breslin: "You have heard the Gentleman's Motion. The Gentleman from Effingham, Representative Hartke."

Hartke: "Representative Hallock, does this also apply to volunteer firemen?"

Hallock: "Yes."

Hartke: "Thank you."

Speaker Breslin: "Any further discussion? There being none the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3134?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required. This is final action. Representative Preston, one minute to explain his vote. He indicates he does not wish to speak. Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye'. The House does concur in Senate Amendment #1 to House Bill 3134 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3149, Representative Lang. Out of the record. House Bill 3151, Representative Leitch. Mr. Leitch is recognized. David Leitch."

Leitch: "Thank you, Madam Speaker. I would move to reject this Amendment. Nonconcur."

Speaker Breslin: "Representative Leitch has moved to nonconcur in Senate Amendment #1 to House Bill 3151. Is there any discussion? There being none the question is, 'Shall the House nonconcur in Senate Amendment 1 to House Bill 3151?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment #1 to House Bill 3151."

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Ladies and Gentlemen we are going to the Order of Concurrences on the Special Order of State Budget. It is on the second part of your sheet. There are three Bills that appear the Sponsors are Leverenz - Bowman - Ryder. The first Bill is House Bill 3168. Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. I would move that we would concur in Senate Amendment to 3168 which I believe took out \$178,000 dollars."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? There being none the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3168?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye'. The House does concur in Senate Amendments 1 and 2 to House Bill 3168 and this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3273, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments 1, 2, 3 and 5 to House Bill 3273. This is the State Board of Education's Budget. The bottom line is 4,066,000,000. There are mostly reductions. The Amendment 1 reduces the State Board of Education by \$102 million from the House level and \$33 million from the Governor's level of funding. I can give you a run down in response to questions if you like. The other items are quite small, less than a few hundred thousand dollars being transferred around. So, with that I'll simply be available for questions. I move adoption of this Motion."

Speaker Breslin: "The Gentleman has moved that the House concur

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in Senate Amendments 1, 2, 3 and 5 to House Bill 3273. On that question is there any discussion? The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Question for the Sponsor."

Speaker Breslin: "Proceed Sir."

Mulcahey: "Representative Bowman, these cuts were made in the Senate. What was the State Board of Education's original request for whatever area these cuts may have occurred in?"

Bowman: "Well, the initial request was probably a billion dollars above as it was about \$4.2 billion dollars and so it's, we're a couple hundred million under that."

Mulcahey: "Okay. So it was \$4 billion dollars and then it came to the House at what level? It went through the House at what level?"

Bowman: "Okay. It passed...okay, hang on a second. Okay. Here we go. State Board requests to be precise is \$4 billion 351 million dollars. The House action, now this is as it left the House, \$4 billion 89 million dollars. And the Senate action was...okay. And the Senate action is \$4 billion 67 million dollars."

Mulcahey: "What did they cut off? Where were these cuts made?"

Bowman: "The big cut, quite honestly was \$74 million dollars in retirements that was added in the Floor Amendment by Representative Ropp."

Mulcahey: "So we cut \$74 million off the retirement?"

Bowman: "Regrettably yes."

Mulcahey: "Okay. Thank you."

Speaker Breslin: "Is there any further discussion? The Gentleman from Macon, Representative Dunn."

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

Speaker Breslin: "He will."

Bowman: "Yes."

Dunn: "The \$74 million cut in retirement you talk about is that a

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reduction in the teacher retirement system appropriation?"

Bowman: "That's correct. That keeps it at the FY90 level and as distressing as this is, I will say if this Motion is adopted that at least the teacher's retirement system will be treated as all the other retirement systems that have gone to the Governor so far."

Dunn: "What percent of pay out is that?"

Bowman: "Well, under Senate Bill 95 which we passed last year we don't do pay out anymore. But as I recall, it was about 47 percent of pay out last time."

Dunn: "And that's about what it'll be again. Is that correct? Okay, to the Bill Madam Speaker. With all due respect to the work the Sponsors have put into this legislation it should be called to the attention of the membership, once again, that those who work in the teaching profession who spend their lifetime teaching our youngsters for wages that are no where near as high as they would be if the same talent was applied to a career in private industry, teachers work for less money because they are dedicated to the education of our youngsters. They also knowing that they're going to have less money have traditionally anticipated a secure and adequate retirement and beginning in about 1980 or 81, with the initial action by Governor Thompson this General Assembly and the Governor have raided the teacher retirement system and it should just be pointed out now that that raid continues and we shouldn't vote for this Bill until something different is done on behalf of our teachers."

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

Harris: "Thank you, Madam Speaker. A question of the Sponsor."

Speaker Breslin: "Proceed."

Harris: "Representative, is this appropriation larger, smaller,

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the same as the appropriation for the State Board last year? Do you know?"

Bowman: "It's larger."

Harris: "By roughly how much?"

Bowman: "It's an increase of \$55.3 million dollars."

Harris: "Thank you."

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

Stephens: "Just to add that besides that \$55 million, there is \$52 million dollars additional federal funds and \$26 thousand dollars for a total of \$107,927,000 increase funding of education, and yes we did not fully fund to the requested level for a teacher's retirement system but we did fund at a level of \$232 million dollars. We have to do better than that but, no teacher that is retired today is going without full funding of their pension."

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

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

Speaker Breslin: "He will."

Didrickson: "Representative Bowman, some of us worked on that Education Reform Act of 85 and the funding of that has been a particular point for many of us. Where are we along those lines with this budget?"

Bowman: "I'm sorry. Which program was that?"

Didrickson: "The what we would call the 1985 education reforms."

Bowman: "Oh okay. It was actually several programs. Well, we don't have it packaged that way but let me simply highlight some of the more prominent programs."

Didrickson: "For example early childhood education."

Bowman: "Yea. That's a \$15 million dollar increase. Representative Didrickson. So let me just point out that of the \$55 million total new dollars, \$15 is general

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revenue dollars. \$15 million is going to preschool."

Didrickson: "Pardon me?"

Bowman: "\$1.5 for early, for truant alternatives and drop out prevention."

Didrickson: "And I didn't hear you on the early childhood education, what are we?"

Bowman: "\$15 million new dollars."

Didrickson: "Okay. So a total of?"

Bowman: "Just a minute. \$63 million dollars."

Didrickson: "Okay. Further question. We passed a couple of years ago a statewide mandate with regards to gifted education, with a funding formula that would kick in in fiscal year 92 if the funding was there. Obviously it's not going to be there this year but can you tell me what we appropriated last year for gifted education and what we're appropriating this year please?"

Bowman: "Last year, was \$15 million dollars and this year \$15 million dollars. There's been no change in that line."

Didrickson: "Thank you."

Bowman: "However, I will say that two years ago my recollection is it was around \$9 million. So that, and then a year before that it was \$6 million. So this represents a significant increase in the last few years. So I believe the commitment to the General Assembly will be there in the subsequent years."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments 1, 2, 3 and 5 to House Bill 3273?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 79 voting 'aye', 28 voting 'no'. The House does concur in Senate Amendments 1, 2, 3 and 5 to House Bill 3273 and this

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Bill having received the Constitutional Majority is hereby declared passed. House Bill 3536, Representative Ryder."

Ryder: "Thank you, Madam Speaker. This is the Governor's budget.

I would move to concur with Senate Amendment #2."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #2 to House Bill 3536. On the question is there any discussion? There being none the question is, 'Shall the House concur in Senate Amendment #2 to House Bill 3536?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 108, 107 voting 'aye', 1 voting 'no', and none voting 'present'. The House does concur in Senate Amendment #1 to House, Senate Amendment #2 to House Bill 3536...and this Bill having received the Constitutional Majority is hereby declared passed. Back on the Order of Concurrences, State and Local Government, appears House Bill 3058. Does Representative Cullerton wish to do that Bill? 3058? Out of the record. House Bill 3074, Representative Giorgi. Out of the record. House Bill 3152, Representative Homer. Representative Homer is recognized."

Homer: "Thank you, Madam Speaker. I would move to concur with Senate Amendment #1. The Amendment authorizes the creation of seven additional enterprise zones in 1990. As well as one additional so called wild card enterprise zone outside the regular application cycle. Current law authorizes no more than 81 zones for the eight Calendar years beginning with 1983. So this would be an expansion of eight additional zones for 1990. I would move for the concurrence of the Amendment."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none the question is, 'Shall



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the House concur...excuse me. Representative Mulcahey, on the question."

Mulcahey: "Tom, where are those additional zones at?"

Homer: "Well, I'm going to perhaps yield to Representative Woolard. This Amendment was put on by his Senator, Senator Rea. And I, I'm not sure where those zones are. Representative Woolard. Larry."

Speaker Breslin: "Representative Woolard, you're being asked a question."

Homer: "Representative Woolard, if I would yield to you, Representative Mulcahey has asked me where the seven additional enterprise zones are that are a part of Senate Amendment #1. Do you have that information?"

Woolard: "We would like, very much, for them to all be located in my district. But I don't think that's possible. At the present time there are none of these that are specifically designated. There were six very good applicants that were submitted to DCCA in the last round that were denied because there was not enough applications, slots to go around. So we would hope that those six would be considered very highly and one of those would be in my district in Williamson County but otherwise there is no specific designation."

Breslin: "Any further discussion? The Gentleman from Koles, Williams Weaver."

Weaver: "Thank you, Madam Speaker. If, Representative Woolard, could you identify for us who the other five applicants were so that those of us who may have one in our district would know whether we should vote for this or not."

Woolard: "I'm sure that David Phelps knows where one of them is. And I'm sure that Wayne Goforth knows where one of them are. Honestly I don't know where the others are located."

Weaver: "You know it seems like every session we add five or six

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or seven more. Wouldn't it be simpler just to declare the entire state an enterprise zone and be done with it?"

Woolard: "I'm sure that there are those that would agree with that and I'm sure that there are many who have them now that feel that we're watering down the system. But for those who have applied and been unsuccessful and feel like they deserve the opportunity I'm sure that each and every one of those who have applied would like to see an additional opportunity."

Weaver: "Okay. Thank you."

Speaker Breslin: "Representative Homer."

Homer: "Madam Speaker, we've had a request to take the Bill out of the record. May we do that? And ask leave to come back?"

Speaker Breslin: "Certainly. Out of the record. House Bill 3153, Representative Homer. Do you wish to proceed on this Bill Representative Homer?"

Homer: "Thank you, Madam Speaker. I would move to nonconcur in Senate Amendments #1 and 2 to House Bill 3153."

Speaker Breslin: "You've heard the Gentleman's Motion. On that question is there any discussion? There being none the question is, 'Shall the House nonconcur in Senate Amendments 1 and 2 to House Bill 3153?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House nonconcur in Senate Amendment 1 and 2 to House Bill 3153. House Bill 3154, Representative Wolf. Representative Wolf is recognized."

Wolf: "Thank you, Madam Speaker. I move to concur in Senate Amendment #1 to House Bill 3154. The underlying Bill in this case amends an Act which pertains to only one community college in the state and that's the BAC in Belleville. It addresses the terms of trustees following a decennial reapportionment. Senate Amendment #1 to House

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Bill 3154 simply changes the time period for presenting the reapportionment plan by the State Board of Elections from 90 days to 60 days. That is 60 days preceeding the deadline for filing petitions. I would move to concur in Senate Amendment #1 to House Bill 3154."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question, the Gentleman from Vermilion, Representative Black."

Black: "Yeah, thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He will."

Black: "Representative, as I read this I have a real concern about Senate Amendment #1. Do you or could you enlighten me on, it would seem to me that if you accept Amendment #1 that the Belleville area college trustees would be the only publicly elected officials in the State of Illinois who would have only 60 days to circulate nominating petitions whereas all other publicly elected officials have 90 days."

Wolf: "That's true Representative. But this is an Amendment that was requested by the State Board of Elections. They indicated that due to the small number of signatures they felt that 60 days was more than ample to take care of this process."

Black: "Was there in fact some dollar figures being thrown about by the Board of Elections, Board of Elections to do what they wanted to do. I remember somebody said something about \$50 thousand dollars to do this and they were going to contract it out, etc, etc."

Wolf: "They already have an appropriation of \$50 thousand dollars to take care of this sub districting. However, they also indicate that that's an arbitrary figure. They don't expect that to cost half that much."

Black: "Thank you very much for your indulgence. Madam Speaker

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and Ladies and Gentlemen of the House. The Gentleman has done some remarkable work to do what the Belleville Community College people want him to do. And I have no quarrel with that but I really must rise in reluctant opposition. To say that one elected body will only have 60 days to circulate petitions whereas everyone else will have 90 days. I just don't think that that's good public policy. And I rise in reluctant opposition on the concurrence Motion."

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

Stephens: "Well, Representative Black thank you for being concerned about the people in our area but on behalf of the Belleville area college district and the residents therein, they are quite happy with the 60 day hearing, or time for filing of petitions. I have no problem with it. We're not taking away anybody's right. There are a small number of petition signatures necessary in sixty days. Despite your urging it's plenty of time to get those petitions signed so I would support Representatives Wolf's Motion to concur in the Senate Amendments."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House. I think that this is an indication of the advantage that may accrue to the community college districts that, in fact, do decide to go to a district election, a subdistrict election rather than a district at large. And because of that we will not have to have an extraordinary number of petition signers in order to get on the ballot. And so it seems to me that although this will be a unique situation it is in fact a unique situation all the way through. And as long as the people in that district are happy with it, I see no reason

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why we shouldn't give them the language they want in order to allow them to move forward with their elections. I think the Gentleman has done an extraordinary job in making this a workable system and his Motion deserves your support."

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

Flinn: "Well thank you, Madam Speaker. The people in the area, the Belleville area college do indeed support the whole idea. And Representative Wolf's Bill in general deals with the one man, one vote concept. And I know of no opposition down in the area. I can't really understand why Representative Black would stand up and oppose him when he doesn't even live within a hundred miles of the area that's affected. I suspect that once this is done, other community college districts will see the good it does and representation, proper representation, and will probably want to change theirs. I support Representative Wolf's Motion."

Speaker Breslin; "The Gentleman from DeKalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to support this Amendment. Our analysis indicates that according to the State Board of Elections the change is necessary because they feel the census data would not be available to the state by the federally mandated date of April 1st, 1991. And therefore more time would be necessary to draw the seven trustee districts. That sounds like a logical reason, I don't think the Gentleman's trying to create one exception for 60 days. Maybe later on it can be amended to 90 days to make it more uniform but I think where there's good reason we oughta make an exception and the Gentleman's well within his

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rights to do that and I support him."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3154?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. Sixty votes are required. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', 1 voting 'no', and none voting 'present'. The House does concur in Senate Amendment 1 to House Bill 3154 and this Bill having received the Constitutional Majority is hereby declared passed. Ladies and Gentlemen it is the intention of the Chair to go to the Order of Nonconcurrences, appropriation items only. So if appropriations staff and Members involved in the appropriations process would come to the floor, we will do that quickly for you. Messages from the Senate."

Clerk O'Brien: "A message from the Senate by Miss Hawker, Secretary. Mr. Speaker, I'm directed to inform the House of Representatives the Senate has refused to concur with the House Adoption of Amendments of the following Bills to wit: Senate Bills #1491; 1504; 1638; 1649; 1798; 1960; 1974; 2222; 2231 and 2253. Action taken by the Senate June 26th, 1990. Linda Hawker, Secretary."

Speaker Breslin: "Representative Ryder, are you ready? Okay. On the Order of Nonconcurrences, appropriation items only. Page 10 on your Calendar. The first Bill is Senate Bill 1589, Representative Ryder is recognized."

Ryder: "Reluctantly I stand and ask for a Conference Committee to be appointed, but first I would ask to nonconcur...or excuse me, to refuse to recede from House Amendment #1."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question, if there any discussion? There being none the question is, 'Shall the House refuse to recede from House

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Amendment #1 to Senate Bill 1589?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from House Amendment #1 to Senate Bill 1589 and a Conference Committee will be appointed. On page 11 appears Senate Bill 1803, Representative Ryder."

Ryder: "Thank you, Madam Speaker. I would ask the House to refuse to recede from House Amendments 2, 3 and 4, on Senate Bill 1803."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being none, the question is 'Shal...'. The Gentleman from Cook, Representative Leverenz, on the Motion."

Leverenz: "What happened to 1802? Did I get lost?"

Speaker Breslin: "I skipped it. I'm sorry I just skipped over it."

Leverenz: "That's not nice."

Speaker Breslin: "I'll go back to it."

Leverenz: "Thanks."

Speaker Breslin: "Okay, the question is 'Shall the House Refuse to Recede from House Amendments 2, 3 and 4 to House Bill 1803?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it, the House refuses to recede from the House Amendments to Senate Bill 1803, and a Conference Committee will be appointed. Going back to Page 10, appears Senate Bill 1802, Representative Ryder."

Ryder: "Thank you, Madam Speaker. I would ask the House to refuse to recede from House Amendments 2, 3, and 4 of Senate Bill 1803."

Speaker Breslin: "Representative Ryder, the Calendar says House Amendment 1 through 10 and 12 through 31."

Ryder: "I'm sorry. I apologize. I was reading the board and the

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board changed before my very eyes. If Tony's pencil were a little quicker I'd be able to handle it in a more efficient fashion."

Speaker Breslin: "You have heard the Gentleman's Motion. The Motion is to refuse to recede from the House Amendment to Senate Bill 1802. On the question the Gentleman...on the question is there any discussion? There being none the question is, 'Shall the House refuse to recede from House Amendments 1 through 10 and 12 through 31 on Senate Bill 1802?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from the House Amendments on Senate Bill 1802 and a Conference Committee will be appointed. I'm going back to Page 11 to the appropriations Bills. Senate Bill 1810, Representative Stephens."

Stephens: "Thank you, Madam Speaker. I move to recede from House Amendment #3 to Senate Bill 1810."

Speaker Breslin: "The Gentleman here moves to recede from the House Amendment to Senate Bill 1810. On that question is there any discussion? There being no discussion the question is, 'Shall the House recede from House Amendment 3 to Senate Bill 1810?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Gentleman from Cook, Representative McNamara."

McNamara: "Yes. Just an inquiry. When we move to recede and in effect we're passing the Bill and I would appreciate it if the Sponsor is receding to let the Body know as to what he is receding from. I think that will let us all know as to what is on the Bill then."

Speaker Breslin: "Representative Stephens, could you spend one minute explaining your vote telling us what this particular



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Amendment did that we're receding from."

Stephens: "Well obviously, Madam Speaker, we're receding from a bad Amendment. And I believe it cost the state about \$39,000."

Speaker Breslin: "But what was it for?"

Stephens: "I'll tell you exactly here. Well the Amendment as we understood it when it passed the House restored \$119,000, of which \$112 was GRF to reflect the 1.5 percent productivity cut, from the departments original request and a 3 percent turnover in hiring lag within the department's charge processing, charge processing division. Amendment #2 had restored all of the personal services portions of the dollar amount that I just told you so that the net cut..."

Speaker Breslin: "Proceed Representative Stephens. So that the net what?"

Stephens: "Like I said, Amendment #2 had already restored the personal services portions of that \$112,000 that I had talked about. So, the net cut was \$39,000 which put it right in line with the 1.5 percent productivity cut that the Senate plan had a portion of all the cuts in various agencies."

Speaker Breslin: "On the...the Gentleman from Cook, Representative Leverenz, one minute to explain your vote."

Leverenz: "No, we concur, we split the difference in the Conference Committee and the agency has accepted this. Thank you."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 109 voting 'aye', none voting 'no', and 2 voting 'present'. The House does concur or rather does recede from House Amendment #3 to Senate Bill 1810 and this Bill having received the Constitutional Majority is hereby

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declared passed. Senate Bill 1827, Representative Stephens."

Stephens: "Thank you, Madam Speaker. I move that the House refuse to recede from House Amendment #3 to Senate Bill 1827 and ask for a Conference Committee Report."

Speaker Breslin: "The Gentleman moves to refuse to recede from House Amendment 3 to Senate Bill 1827. On that question is there any discussion? There being none the question is, 'Shall the House refuse to recede with House Amendment 3 to Senate Bill 1827?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Senate Bill 1829, Representative Stephens."

Stephens: "Thank you, Madam Speaker. I move that the House refuse to recede from House Amendment 3, House Amendment 2 to Senate Bill 1829 and ask for a Conference Committee report."

Speaker Breslin: "You've heard the Gentleman's Motion. On the question is there any discussion? There being none the question is, 'Shall the House refuse to recede from House Amendment 2 to Senate Bill 1829?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from House Amendment 2 to Senate Bill 1829 and a Conference Committee will be appointed. Senate Bill 1929, Representative Bowman."

Bowman: "Let's take this one out of the record for just a minute."

Speaker Breslin: "Out of the record. Excuse me, Representative Bowman."

Bowman: "I'm sorry. I just wanted to touch base. I refused to recede and move that we refuse to recede to House Amendment

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#1 to Senate Bill 1929."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question is there any discussion? There being none the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1929?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Senate Bill 1933, Representative Leverenz."

Leverenz: "Refuse to recede and ask that a Conference Committee be established."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question is there any discussion? There being none the question is, 'Shall the House refuse to recede from House Amendment #1 to Senate Bill 1933?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The House refuses to recede from House Amendment #1 to Senate Bill 1933 and a Conference Committee will be appointed. Okay, Ladies and Gentlemen, now we are going to go back to the Special Order of Call on the Order of Concurrences. We'll go back where we left off. The next Bill is Senate Bill 3167, Representative Harris. Representative Harris is recognized."

Harris: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendments #1 and 2 to House Bill 3167. The underlying Bill provides an additional 25 percent crediting good conduct...good conduct credit to prisoners who are engaged in an approved educational activity and complete an approved educational activity. What the Senate Amendments do Senate Amendment #1 specified that felons who are convicted of first degree murder, second degree murder or Class X felons would not be eligible for this. Senate Amendment 2 specified that you

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can only have one shot at this. A repeat offender would not be eligible for the provisions of this Bill. And again I move concurrence in these Amendments."

Speaker Breslin: "The Gentleman has moved to concur in the Senate Amendment to House Bill 3167. On that question is there any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "The Sponsor yield?"

Speaker Breslin: "He indicates he will."

Cullerton: "What percentage of the prison population would be eligible for the benefits of this Bill with the Senate Amendment being concurred in?"

Harris: "With the Senate."

Cullerton: "In other words, who's left? That this Bill is designed to benefit after we've adopted the Senate Amendment."

Harris: "Well, we have lots of people who are not..."

Cullerton: "What percentage of the prison population?"

Harris: "Right...right now there are approximately 10,000 people participating in the programs. Whether or not they are first degree, second degree or Class X felons, I'm not sure. But at least 50 percent are participating in participating in programs right now."

Cullerton: "Okay, so when it's all said and done with. The Bill goes to the Governor, who would be eligible for the good conduct credit?"

Harris: "Any prisoner who's engaged in an approved educational, academic or vocational training and has met an achievement that's specified by the director of the Department of Corrections..."

Cullerton: "Except for..."

Harris: "Except for first degree, second degree or Class X felons."

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Cullerton: "Or..."

Harris: "If the Bill becomes law, repeat offenders. In other words they only get one shot."

Cullerton: "Okay, so Class IV felons, Class III felons, Class II felons and Class I felons would all be eligible? Not Class IV?"

Harris: "Yes, I don't...I'll turn to some of my attorney friends and find out if first degree or second degree murder is considered a...what class of felony that is considered."

Cullerton: "No, that's a separate class."

Harris: "Separate class. So all those classes of felons then would be eligible."

Cullerton: "Okay, thank you."

Speaker Breslin: "Representative Ropp."

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

Speaker Breslin: "Yes."

Ropp: "Representative, I think you've got a good idea here. I just have two questions. One will it be difficult to administer this 1.25 credit that is now allowed, verses like was considered earlier, just one day per week."

Harris: "The department...the department does not have a problem administering it. It would simply be...it would take their applicable good conduct credit and multiply by a factor of 1.25 which would give them a 25 percent...in essence a 25 percent kicker."

Ropp: "Okay, does this also include the 90 days good time that is also allowed plus maybe the additional 90 that we passed out of the House some time ago? I mean would you multiply the 1.25 times maybe 180?"

Harris: "No, this is strictly, no, that is a separate Bill. This does not have any bearing on that...that good conduct credit at all."

Ropp: "Is not meritorious good time, is not considered good time

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in this same sense of the word?"

Harris: "Well, this...this applies only to day per day good time. The other 90 day good time which is given at the discretion of the director is not part of this Bill."

Ropp: "Okay. Thank you. I urge the adoption of the Senate Amendment. This is a good idea. It attempts to deal with getting prisoners back well trained, well schooled in some degree so that they can go back to work. Thank you."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 3154...excuse me, 3167?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye', 1 voting 'no', and 3 voting 'present'. The House does concur in Senate Amendment #2 to House Bill 3167. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3183, Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move that the House concur to Senate Amendment #1 to House Bill 3183. The underlying Bill was the Task Force Bill on the newspaper recycling and the Senate Amendment #1 was similar to a Bill that we passed out of this House which asked the Department of Energy and Natural Resource to conduct a feasibility study on used motor oil. I would for concurrence."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3183.' All those in favor vote 'aye', opposed vote 'no'. Voting is open. Sixty votes are required. This is final action. Have all voted who wish? Have all voted who

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wish? The Clerk will take the record. On the question, there are 113 voting 'aye', 1 voting 'no' and none voting 'present'. The House does concur on Senate Amendment #1 to House Bill 3183. And this Bill having received the Constitutional Majority is declared passed. House Bill 3202, Representative Matijevich. The Gentleman is recognized."

Matijevich: "Yes, Madam Speaker and Ladies and Gentlemen of the House. I would move to concur with Senate Amendments #1, 2 and 3 to House Bill 3202. The Amendments would one, restrict the Bill to...sanitary districts which have a population of not more than 30,000 in a county whose population is more than 400,000 and less than 600,000. And also that provide that where there is a petition for dissolution of the district it must include a showing that any capital improvement plan approved by the district either has been completed or been...shall be so completed by any successor, municipality, county, or waste water treatment authority. The underlying Bill therefore, would allow such a sanitary district to voluntarily dissolve. I move, again, to concur with those Amendments, Madam Speaker."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question, is there any discussion? Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 3202?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye', and none voting 'no', none voting 'present'. The House does concur in Senate Amendments 1, 2, and 3 to House Bill 3202. And this Bill having received

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the Constitutional Majority is declared passed. House Bill 3220, Representative Cullerton. Mr. Cullerton is recognized."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 3220. This Bill deals with notice that's given to judgement debtors in wage deduction proceedings. It's in response to United States District Court Case, Kirby verses Scrolls which held that the Illinois statute governing wage deductions or garnishments is unconstitutional and a violation of the due process clause of the 14th Amendment. The court found that the rights of the plaintiff in that case where property rights that were being deprived, because she did not receive the appropriate procedural notice. And the court said that the current Wage Garnishment Laws applied to her, fails to provide the judgement debtor with notice of the garnishment proceedings, notice of their exemption rights under Illinois and federal law and notice of the means to exercise those rights and a prompt hearing to assert those rights. Now we passed this law...this Bill out of the House and we had a procedure whereby this notice was to be given and the Senate, Senator Rock being the Sponsor, adopted an Amendment which basically changed that procedure. Now under the procedure that we passed upon the following of an affidavit by a judgement creditor, that a person is indebted to the judgement debtor and the written out interrogatories which are to answered by the employer. Under the Bill we passed, the creditor was to include an envelope containing the name of the judgement debtor and last address of the debtor known to the affiante with the postage prepaid for first class mail delivery. And then the interrogatories were to illicit all the necessary



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information to determine the proper amount of none exempt wages. And the employer was required to certify that a copy of the completed interrogatories had been mailed or hand delivered to the judgement debtor. Now, we've changed that in the Senate and I move to accept this language. This would require the judgement creditor or his or her attorney before filing an affidavit for a wage deduction to certify that a wage deduction notice has been mailed to the judgement debtor by first class mail at the judgement debtor's last known address. Therefore, this language requiring the summons to include a space to indicate that the copy of the wage deduction notice has been sent to the judgement debtor is not necessary. Furthermore the person completing the service of the deduction notice is no longer required to send the notice to the judgement debtor because of the new language. And also there's only needs to one copy of the wage reduction notice rather than two. So, I think it's a very significant Bill. It's going to be a Bill which actually is supported by judgement debtors, judgement creditors. The Legal Assistance Foundation is in favor of this Bill because it is giving more protections to judgement debtors and it's making our garnishment statute Constitutional. Be happy to answer any questions. And I would appreciate a favorable vote in concurrence with the Senate Amendment."

Speaker Breslin: "You have heard the Gentleman's Motion. On that Motion, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3220?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye'. The House does concur in Senate

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Amendment #1 to House Bill 3220. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3249, Representative Wennlund. Mr. Wennlund is recognized. Mr. Wennlund. Wennlund."

Wennlund: "Thank you, Madam Speaker. I move that the House concur in Senate Amendment #1 to House Bill 3249. Which basically is the very simple clean up language that was suggested by the Department of State Police. And what it does is that it amends the Illinois Alcoholism and other Drug Dependency Act that to require the proper reporting of a defendant's election and in subsequent placement by the court in a drug treatment program as a condition of probation. And the basic...the basic Bill itself amends the Counties Code and the Code of Criminal Procedure, so that the one time probation under Section 1...1410 of the Code of Civil Procedure will be reported to the State Police so that a defendant would not be entitled to it more than once. Which is what the statute intended."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? Representative Weaver."

Weaver: "Thank you very much, Madam Speaker. Will the Sponsor yield? This probationer's fee is this to be applied prospectively?"

Wennlund: "No, under...under Section 1410 of the Code of Civil Procedure for a first time offender, you can get what's called 1410 probation and would not have a criminal record as a result of the first time possession of cannabis for instance. And would not have a criminal record though the rest of his life. But you're only entitled to that once. The only way you can track it is if is reported by the circuit clerk's office to the state police so that in the event a defendant is arrested a second or subsequent time, he would not be in...he would not be able to sneak by and

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get 1410 probation again. Because the intention was that it was a one time deal."

Weaver: "Only on the first offense."

Wennlund: "Correct."

Weaver: "Okay, thank you."

Speaker Breslin: "Any further discussion? Any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3249?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Representative Mautino votes 'aye'. Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye'. The House does concur in Senate Amendment #1 to House Bill 3249. And this Bill having received the Constitutional Majority is hereby declared passed. On the Order of Concurrences, appears Senate...Representative Stern's Bill, House Bill 3826. Representative Stern is recognized."

Stern: "Madam Speaker, I'd like to take this out of the record for a little while, if I may."

Speaker Breslin: "Out of the record. Ladies and Gentlemen, we're now going to the Order of Nonconcurrences. These are Bills that we need action on if you're going to have Conference Committees on them. It begins on page 10 on the Calendar. The first Bill is Senate Bill 1518, Representative Homer. Mr. Homer. This is a Motion to non...this is on the Order of Nonconcurrence."

Homer: "Thank you, Madam Speaker. I would move that we refuse to recede from House Amendment #1 and ask for a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #1

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to Senate Bill 1518?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on this Bill. And a Conference Committee will be appointed. Senate Bill 1523, Representative Turner. Art Turner. Out of the record. Senate Bill 1532, Representative Steczo. Terry Steczo. Out of the record. Senate Bill 1556, Representative Hoffman. You're recognized for your Motion, Sir."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move that the House refuse to recede to House Amendment #1 and call for a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1556?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment to this Bill and a Conference Committee will be appointed. Senate Bill 1569, Representative Hasara. 1569."

Hasara: "Thank...thank you, Madam Speaker."

Speaker Breslin: "Do you want to accept the House Amendment or reject it?"

Hasara: "I will...reject...refuse to recede."

Speaker Breslin: "Okay. So you wish to keep the House Amendment if you wish to recede from it."

Hasara: "Right. I'm sorry. I'm sorry."

Speaker Breslin: "You're going to give up the House Amendment?"

Hasara: "Yes."

Speaker Breslin: "Okay. The Lady's Motion is to recede from House Amendment #1 to Senate Bill 1569. If that happens, this will be final action on this Bill. So, tell us what the Bill will do without the Amendment."

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Hasara: "Okay, the orig...thank you, Madam Speaker. The original Bill raises the amount of life insurance for retired state employees from \$2,000 to 5,000. With the Amendment, the Bill is technically flawed because of a companion Bill that did get out of the Senate."

Speaker Breslin: "Is there...you've heard the Lady's Motion. Is there any discussion? There being none, the question is, 'Shall the House recede from House Amendment #1 to Senate Bill 1569?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question, there 114 voting 'aye'. The House does recede from House Amendment #1 to Senate Bill 1569. And this Bill having received the Constitutional Majority is declared passed. Senate Bill 1700, Representative Phelps. Representative Phelps is recognized."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to refuse to recede from House Amendment 1 to Senate Bill 1700...or 1, 2, 4 and 5."

Speaker Breslin: "The Gentleman refuses to recede from House Amendments 1, 2, 4 and 5 to Senate Bill 1700. On that question is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1, 2, 4 and 5 to Senate Bill 1700?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The House refuses to recede from the House Amendments to this Bill and a Conference Committee will be appointed. Senate Bill 1702, Representative Goforth. Mr. Goforth. Out of the record. Senate Bill 1767, Representative John Dunn. Representative John Dunn."

Dunn: "Let's...Madam Speaker, let's take this out of the record

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momentarily."

Speaker Breslin: "Out of the record. On page 11 on the Calendar appears Senate Bill 1838, Representative Brunsvold. You're recognized on your Motion, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I would refuse to recede from House Amendments 2, 3 and 5 and request a Conference Committee be report..."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any discussion? There being no discussion, the question is, 'Shall the House refuse to recede from House Amendments 2, 3 and 5 to Senate Bill 1838?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendments on this Bill and a Conference Committee will be appointed. Senate Bill 1842, Representative Curran. Mr. Curran. You're recognized for a Motion."

Curran: "Madam Speaker, I refu...I move to refuse to recede from House Amendments 1 and 2 on Senate Bill 1842. And ask for a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 2 to Senate Bill 1842?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendments on this Bill and a Conference Committee will be appointed. Ladies and Gentlemen, we are on the Order of Nonconcurrences on page 11 and 12. The Sponsors yet to be called are: Giorgi, Cullerton, Wolf, Representative McGann, Ewing, Currie, Keane, Kubik, White, Mautino, Phelps and Young. So be...please be prepared to make your decision as to what your Motion is going to be

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when we get to your Bill. The next Bill is Senate Bill 1884, Representative Giorgi. Mr. Giorgi. Out of the record. The next Bill is Senate Bill 1949, Representative Cullerton. Representative Cullerton is recognized."

Cullerton: "Yes, Madam Speaker and Ladies and Gentlemen of the House. I move to refuse to recede from House Amendment #2 to Senate Bill 1949. Apparently when the Bill was drafted in the Senate, there was a provision put in there at the at the request of Senator Donahue. Apparently she now wishes to have that removed. So we...the intention is to go to a Conference Committee and have it removed and then basically pass the Bill with that exception. So I would move to refuse to recede from House Amendment #2."

Speaker Breslin: "You heard the Gentleman's Motion. Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 2 to Senate Bill 1949?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Senate Bill 1951, Representative Wolf. You're recognized for your Motion, Representative Wolf."

Wolf: "Thank you, Madam Speaker. I would move to refuse to recede from House Amendment #1 to Senate Bill 1951. And request that a Conference Committee be appointed."

Speaker Breslin: "You've heard the Gentleman's Motion. On the Motion, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 1951?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Senate Bill 2075, Representative

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McGann. Mr. McGann is recognized."

McGann: "Yes...Madam...Madam Speaker and Members of the Assembly. I wish to refuse to recede to House Amendment #1 and 2 to Senate Bill 2075. And I'd ask that a Conference Committee take place."

Speaker Breslin: "You have heard the Gentleman's Motion. On the Motion, the Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Madam Speaker. Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Black: "Representative, I thought we had this Bill in pretty good shape. You...you want to refuse to recede because the Senate did not accept what we had been talking about?"

McGann: "Yes. That's...working with Senator Mahar on this, we stated, that we would put it in a Conference Committee and work from there."

Black: "It's not your intent that things that we didn't discuss in committee be added to the Bill at the last moment?"

McGann: "There would be nothing controversial, rest assured of that, that we would have discussed in a Mental Health Committee that will take place in a Conference Committee Report."

Black: "Thank you very much, Representative."

McGann: "If there's any change in that in any way, you certainly will be contacted as a Minority Spokesperson for the Mental Health Committee."

Black: "That's most fair. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House refuse to recede from House Amendments 1 and 2 to Senate Bill 2075?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House refuses to recede from House



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Amendments 1 and 2 to Senate Bill 2075. And a Conference Committee will be appointed. Senate Bill 2084, Representative Ewing. Mr. Ewing. Out of the record. Senate Bill 2127, Representative Currie."

Currie: "I move the House refuse to recede from House Amendment 1 to Senate Bill 2127."

Speaker Breslin: "You have heard the Lady's Motion. On that question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 2127?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment #1 to Senate Bill 2127 and a Conference Committee will be appointed. Senate Bill 2171, Representative Keane. Jim Keane. Out of the record. Senate Bill 2190, Representative Kubik. You're recognized for your Motion, Sir."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would move to refuse to recede from House Amendment..."

Speaker Breslin: "One and two is what the Calendar says."

Kubik: "One and two and request a Conference Committee to be appointed."

Speaker Breslin: "Very good. You've heard the Gentleman's Motion. On the Motion, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1 and 2 to Senate Bill 2190?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House refuses to recede from the House Amendments on this Bill. And a Conference Committee will be appointed. Page 10 on the Calendar appears Senate Bill 1702. Representative Goforth is recognized."

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Goforth: "Thank you, Madam Speaker. I refuse to recede to House Amendment #3."

Speaker Breslin: "You have heard the Gentleman's Motion. On the Motion, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment #3 to Senate Bill 1702?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Going back to page 11, on the Order of Nonconcurrences where we left off, appears Senate Bill 2217, Representative White. Representative Jesse White. Out of the record. Senate Bill 2239, Representative Mautino. Mr. Mautino. Out of the record. On page 12 under the Order of Nonconcurrences appears Senate Bill 2267. Representative Cullerton is recognized."

Cullerton: "Yes, Madam Speaker. We can refuse to recede from Amendment #1 and have the Bill go to a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion? Is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate bill 2267?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Senate Bill 2277, Representative Phelps. You are recognized, Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to refuse to recede to House Amendments 1, 3 and 4 to Senate Bill 2277. And request a Conference Committee, please."

Speaker Breslin: "You have heard the Gentleman's Motion. On that

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Motion, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 1, 3 and 4 from Senate Bill 2277?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendments to this Bill and a Conference Committee will be appointed. Senate Bill 2306, Representative Cullerton."

Cullerton: "Yes, we passed an Amendment...in the House that changed the amount of days required in giving a certain notice from 120 to 180 which was consistent with another Bill which we had passed and for some reason the Senate didn't agree with it. So I think we should refuse to recede from this Amendment and go to a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion. On that Motion, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 2306?' All those in those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from House Amendment 1 to Senate Bill 2306 and a Conference Committee will be appointed. Senate Bill 2309, Representative Anthony Young. Representative Anthony Young. Out of the record. Representative Mautino has returned to the chamber. We will go back to his Bill. On page 11 on the Calendar, under the Order of Nonconcurrency appears Senate Bill 2239. Representative Mautino is recognized. Out of the record. On the same page appears Senate Bill 2217, Representative White is recognized for a Motion. Mr. White is recognized."

White: "Madam Speaker and Ladies and Gentlemen of the House. I would like to refuse to recede on Senate Amendment 2217(sic

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- House Amendment to Senate Bill 2217) and I ask for a Conference to be..."

Speaker Breslin: "You've heard the Gentleman's Motion. On that Motion, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1 to Senate Bill 2217?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendment on this Bill and a Conference Committee will be appointed. Representative Keane. Has Representative Keane returned to the chamber? Representative Giorgi, are you prepared to go forward on House Bill 1884? Out of the record. Representative John Dunn. Are you ready to go forward on your Bill before we leave this Order of Business? No. Representative Steczo. Is still not in the chamber. Representative Turner is not in the chamber. Ladies and Gentlemen, we will go back to the Order of Concurrences, Special Order, State and Local Government where we left off. The next Bill is Senate...is House Bill 3290, Representative Phelps. Proceed, Sir."

Phelps: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I concur with Senate Bill...Senate Amendment #1 to House Bill 3290. This Bill now does two things...has two provisions. The first adds language to the School Code clarifying that school districts and their employees may reach agreements regarding dental benefit coverage. The second provision is the Senate Amendment offered by Senator Jacobs which adds language of the Bill of the Senate last year passed with a bipartisan support but was not heard in the House. It addressed the issue of a notice to those non-teaching school employees in the instances of dismissal. Presently a secretary or custodian can be dismissed at any time and with the provision now with this

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Amendment House Bill 3290 simply requires that such employees before they're dismissed are given a reason for that dismissal. The Bill only applies to non-Chicago school employees. The language, I believe, needs to be in a statute because districts that now hold the power to dismiss and will not bargain the issue with the units that are in place which are very small in number, this can address that problem. And cause very little problems in the collective bargaining situation. I think it's a fair approach to some problems we have throughout the school districts downstate and would appreciate your support."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question, the Gentleman from Cook, Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Breslin: "He indicates he will."

Levin: "Okay. I do want to make a little legislative history here in terms of what your intent was as one of the Sponsors with respect to Chicago. You indicated in your remarks, that is not your intent to include the Chicago schools under the provisions of this Amendment. Is that correct?"

Phelps: "Representative, that is correct. And according to the Senator Richard Kelly, Senator Jacobs, that was not their intent either."

Speaker Breslin: "The Lady from Du Page, Representative Cowlshaw. Excuse me, Representative Cowlshaw. Representative Levin are you not finished? Okay, Representative Levin."

Levin: "And I am apprised by the state board that this Article of the School Code does not apply to Chicago?"

Phelps: "Yes, that's correct."

Levin: "Alright, the reason I want to make some history on this is if you look at the Amendment, the language...the

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existing language right before the Amendment which deals with language that was added in 19...I guess '85. I expressly waives Chicago's coverage under that. So there...if you read the Amendment on that there is some confusion as to whether Chicago is in this Bill or is not in the Bill. And you're saying it is your intent that they not be in this Bill and that in fact this Article of the School Code doesn't apply to Chicago at all."

Phelps: "Yes, Representative, that's exactly what I'm saying it's not the intent and I am following the lead of the Senate Sponsor of the Amendment and that put that on record in the Senate also."

Levin: "Thank you."

Speaker Breslin: "The Lady from Du Page, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Perhaps our staff people and I have read this Amendment differently than the Sponsor of the original House Bill. But it is our understanding from looking at this very, very carefully. That all of the provisions of this Amendment apply to the City of Chicago schools. I think that is probably one of the reasons why this pamphlet that was distributed that urges us to nonconcur in this Senate Amendment, lists among those who are strongly opposed to this Amendment, the Chicago Board of Education. If this did not apply to Chicago, I can see no reason why the Chicago Board of Education would have felt it necessary to take a position on it. Although, I can find no merit in any of the provisions of this Amendment, there is one in particular that I would like to call to your attention. It provides a 30 day period, 30 days only of probation for a person who is a support personnel in a public school. In other words, a 30 day period is all that is provided for a

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school district to determine whether that support person is competent and capable of doing the job to which he or she has been assigned. Seems to me that a 30 day period of probation is a grossly insufficient amount of time in which to make a reasonable decision on the merit of an employee's quality of work. Competent support staff members are critical to the operation of a school district. And I think the question of how long a probation period ought to be as well as all the other items that are somehow lumped into this play dough that is Senate Amendment 1 to House Bill 3290, are simply all those things that ought to be decided at the local level. This Amendment represents still another intrusion into local decision making and I emphasize to you once again, despite how the Sponsor of this Bill may read this, the Chicago Board of Education, and I, believe that this applies to the Chicago schools. And so I would ask those people who represent Chicago to be particularly alert to what this Senate Amendment does and I urge that we vote 'no' on this Motion."

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

Currie: "Thank you, Madam Speaker and Members of the House. I'm not going to talk about the merits of this proposal, 30 days may be an adequately probationary period, maybe for some employees 45 days make more sense, maybe 15 for certain others. The real point here is not the specific merit. I'm sure there are school districts across the state that apply precisely the proposal that you see before you in this Amendment to their bargaining contract with their non-teaching support personnel. But the real issue here to me is the issue of collective bargaining. I voted for the State Collective Bargaining Law. I thought that public school teachers and public school support personnel across the state had the right to bargain locally for the

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provisions that would apply to their individual contract. I think all of us who did vote for that law, thought that was the right place for these decisions to be made, not here on the Floor of the Illinois General Assembly. This particular Amendment is one that didn't come through committee. We haven't had any hearings to find out whether there is some bar to the ordinary workings of the ordinary collective bargaining process in respect to these employees or in respect to the issues that are raised by this proposal. I think this is a...an inappropriate use of the legislative power, of our power, without adequate background to make us see that there may be some special problem, some special obstacle at play. On that ground, because I did support collective bargaining and I still support collective bargaining for local school districts and their employees, I would say that the right vote on this concurrence Motion is a 'no' vote."

Speaker Breslin: "The Gentleman from Du Page, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I too, rise in opposition to this concurrence. On the same premise that the prior Speaker has taken her position. And that is that we passed collective bargaining so that collective bargaining and issues related to salary and employment could be decided at the local level on the basis of their own circumstances and their own situation. Here is an excellent example of an attempt to use the General Assembly in place of collective bargaining. And that is exactly one of the things that we wanted to get away from when we passed collective bargaining. If you look closely at this, it requires a progressive disciplinary procedure. It deals with just cause and those of you who understand just cause, recognizes that that has



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to be identified and then there is an opportunity to through a process which, in effect, after 30 days in reality creates a...it...at the very least, a quasi, a form of tenure. And I too, believe this applies to Chicago. But the key issue that we are standing in the way of collective bargaining in the local level and this is something we should not do. And I rise in opposition to this concurrence Motion."

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

Homer: "Thank you, Madam Speaker. I rise to support the Motion for concurrence. I believe the correct vote is a 'yes' vote. After all, already in our statutes we've decided to include these basic protections for teachers, for administrators, for principals. Already have built into the statutes variations or greater protections than what we're here asking be afforded to non-certified support personnel. I don't think this does any harm to the collective bargaining process. It simply establishes a framework within which we say, that there are certain fundamental rights of due process afforded to all school employees that in fact nonsupport or rather that support personnel, non-certified personnel are not second rate citizens. That they are worthy, also, of some basic due process protections. And all of this dispute about this 30 day probationary period, seems to me to miss the mark because all that it says is that in order to be disciplined without...after 30 days, that there must be just cause for that discipline. Well, I would hope that there would be just cause for discipline during any time period. Whether it be within the 30 days or beyond the 30 days. But it certainly seems to me fundamental fairness that if someone is to be disciplined whether they be certified or

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non-certified that there be some just cause for that. And the fact that, apparently some collective bargaining agreements don't have that protection, serves as the very basis for the argument to require by statute that in fact there be just cause for disciplinary proceedings. And so, I think these are very bare minimal kinds of fundamental due process provisions that we've already provided to certified personnel, to teachers, administrators, to principals. I don't think non-certified support personnel should be second rate citizens. I think we should provide them with these basic protections. The correct vote is a 'yes' vote on the Motion to concur."

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

Didrickson: "Thank you, Madam Speaker, Members of the House. This clearly is end run. It's an end run around the legislative process. We haven't heard this Bill in committee this year. It's an end run around the Agreed Bill process that we have used with regards to fine tuning the Collective Bargaining Act that we passed in 1983. I'm not going to belabor the point, but I just want everybody on this Floor to understand. This never heard...got a hearing, it never went through the legislative process, and for a very fine reason. I think that this is definitely an Amendment...these Amendments are ones that we are not going to concur in."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House. I too, rise in opposition to accepting this Amendment that was placed on the Bill in the Senate. It seems to me that the issues involved here are clearly things that ought to be obtained through the collective bargaining process. That we ought not to be providing, that after 30 days of trial

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on a job that the non-certified people within our school districts are then only able to get any kind of disciplinary action through a whole series of hurdles. Thirty days is a very short period of time in which to know how that employee is going to function within the system and in fact if that is what a local school district wants to provide, they can already provide that by the collective bargaining process. I think that we would be in error in saddling our school districts with these provisions. It is not something that has been thoroughly discussed so that we understand what its full impact would be. And I would urge the Members to reject this Motion to concur in Senate Amendment #1."

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

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

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the main question is put. Representative Phelps to close."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I respect each and every Speaker that has given input to this debate and I know it's not a light matter to consider but it is not the intent to try to alienate any school district in the collective bargaining system in trying to go around that. The language of this Bill means that non-teaching school employees are treated fairly and in a manner similar to other school employees. I presently have two brothers that are administrators in local school districts down south and I...I feel that school employees that are non-teachers should have the same rights as the administrators and the teachers do now. And a secretary

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and custodian who is brought on the carpet and fired without given a reason, is just not right. I appreciate your support for the concurrence."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3290?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker. It's...this is true as one of the previous Speakers mentioned. It certainly doesn't do any harm for the collective bargaining process, it just replaces it. That was not the intent when that legislation was passed a few years ago. I urge the defeat of this recommendation."

Speaker Breslin: "Representative Leverenz, one minute to explain your vote."

Leverenz: "I would just concur. The thing is failing so, I would hope it would not get any more red...give it a red vote."

Speaker Breslin: "Representative Phelps, do you wish to explain your vote? Representative Phelps is recognized."

Phelps: "Thank you, Madam Speaker. The term of just cause and progressive discipline I think has caused some concern, but progressive means telling the employee that they are doing wrong and giving them a chance to improve. Just cause means giving the employee the reason for dismissal in the event they are fired. Now that hasn't been defined any where other than a few cases possibly in court that have gone one way or the other. So I think in this proposal, it's a fair way to at least ask the local school boards to set up their own structure in saying this is how we're going to dismiss a non-teacher employee by giving them the reason and clarifying why they're being dismissed. I think it's a fair process."

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Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 50 voting 'aye', 55 voting 'no' and 6 voting 'present'. Representative Phelps asks for postponed consideration. Excuse me, Representative Phelps, was that your request?"

Phelps: "Madam Speaker, could I move to nonconcur now and go into a Conference Committee?"

Speaker Breslin: "Surely."

Phelps: "I request that."

Speaker Breslin: "Surely. The Gentleman moves to nonconcur in Senate Amendment #1 to House Bill 3290. All those in fav...Representative Phelps...excuse me, Representative McCracken for what reason do you seek recognition?"

McCracken: "Yes, is it your intention to put a Conference Committee, that the substance of Amendment 1 on the Conference Committee?"

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

McCracken: "Is it your intention to put the substance of Amendment #1 into the Conference Committee Report?"

Phelps: "Well, quite obviously, I doubt if it will be successful looking at the vote. I can not guarantee that would not happen. But that's not the reason I'm asking for it."

Speaker Breslin: "Representative Phelps has moved now to nonconcur in Senate Amendment #1 to House Bill 3290. Any further discussion? Any further discussion? The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 3290?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in the Senate Amendment to this Bill. House...Ladies and Gentlemen we have two Bill on the Order of Nonconurrence where the Sponsors have asked that I go back to those Bills. With your leave, I will do that now. The first Bill is Senate Bill 2239, Representative

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Mautino."

Mautino: "Thank you very much, Madam Speaker. I...I would like to move that...I refuse to recede from Amendments 1, 3, 4 and 5 to Senate Bill 2239. And seek a Conference Committee."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendment 1, 3, 4 and 5 to House (sic - Senate) Bill 2239?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendments on this Bill and a Conference Committee will be appointed. On page 12 appears the Senate Bill 2309, Representative Anthony Young. You're recognized for a Motion, Sir. Mr. Young."

Young, A.: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move that the House refuse to recede from House Amendments 5, 6, 7 and 8."

Speaker Breslin: "You have heard the Gentleman's Motion. On the question, is there any discussion? There being none, the question is, 'Shall the House refuse to recede from House Amendments 5, 6, 7 and 8 to House (sic - Senate) Bill 2309?' All those in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House refuses to recede from the House Amendments on this Bill and a Conference Committee will be appointed. On the Order of Concurrences, the next Bill on the Special Order of State and Local Government appears 33...House Bill 3324, Representative Mautino. Mr. Mautino. You're recognized for a Motion, Sir."

Mautino: "Thank you very much, Madam Speaker. I move to concur in Senate Amendment #1 which added the immediate effective date to the Legislation."

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Speaker Breslin: "Restate your Motion, Representative Mautino."

Mautino: "I move to concur in the Senate Amendments which added the immediate effective date."

Speaker Breslin: "Okay, in that...in that case, tell us what the original Bill did because this is final passage."

Mautino: "If I remember correctly, it's the Rural Bond Bank provisions that increased the bonding authorization from 50 million to 100 million dollars and I believe that is the summation legislation with an immediate effective date, Senate Amendment #1."

Speaker Breslin: "You have heard the Gentleman's Motion. On the Motion, is there any discussion? There being none, the question is, 'Shall the House concur on Senate Amendment #1 to House Bill 3324?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Sixty votes are required. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 115 voting 'aye' and the House does concur on Senate Amendment #1 to House Bill 3324. And this Bill having received the Constitutional Majority is declared passed. House Bill 3325, Representative Bill Peterson. You're recognized for a Motion. Bill Peterson."

Peterson, W.: "Thank you, Madam Speaker. I move to concur with Senate Amendment #1, 2 and 3 to House Bill 3325. Amendment 1 sets temporary fees payable by the owners of nuclear power reactors into the Low Level Radioactive Waste Facility Development Fund. Amendment 2 incorporates identical provisions of Amendment 1. But also adds some clean up...technical clean up language. And Amendment 3 provides that ambiguities in the definition of underground storage tanks. Places heating oil tanks under...with a capacity of more than 1,000 gallons under the definition of underground storage tanks. I...request

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approval...concurrence with those three Amendments."

Speaker Breslin: "You have heard the Gentleman's Motion. On the Motion, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, are you concurring with Senate Amendment #1? Representative? I'm asking a question of the...mover of the..."

Speaker Breslin: "Representative Peterson couldn't hear you, so just a moment, Representative Cullerton. Representative Cullerton is recognized to ask a question of Representative Peterson."

Cullerton: "Yes, are you moving to concur with Senate Amendment #1?"

Peterson, W.: "Correct."

Cullerton: "And could you tell us what Senate Amendment #1 does?"

Peterson, W.: "Senate #1 sets the temporary fees payable by the owners of nuclear power reactors into the Low Level Radio Waste Facility Development Operation Fund. Under the current law, 90,000 per reactor per year payment fee is assessed. No changes being suggested for this fee, but in addition a fee totalling 408,000 per reactor per year was assessed from '88 to '90."

Cullerton: "So, there'll be an additional 14 almost 15 million dollars?"

Peterson, W.: "This has been worked out between the department and the utility company."

Cullerton: "Okay, I just want to get the amount right. Almost \$15 million in this fiscal year. And an additional five million in 1992?"

Peterson, W.: "Correct."

Cullerton: "And this money would go into which fund?"

Peterson, W.: "The Waste Facility Development and Operation Fund."

Cullerton: "Thank you."



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Speaker Breslin: "Any further discussion? There being none, the question...the Gentleman from Coles, Representative Weaver."

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

Speaker Breslin: "He will."

Weaver: "Representative, as I understand Senate Amendment #2, which you're moving to concur with, it reestablishes a three member Low Level Radio Active Waste Facility Siting Commission, is that correct?"

Peterson, W.: "That's correct."

Weaver: "Why do we need that? Was that not accomplished by Senate Bill 1761?"

Peterson, W.: "It's clean up changes to Senate Bill 1761 which has already passed."

Weaver: "Changes in what way?"

Peterson, W.: "It's technical changes suggested by the Department of Nuclear Safety."

Weaver: "And this still requires the...gubernatorial appointment and confirmation by the Senate of those three members?"

Peterson, W.: "Yes, it does. Correct."

Weaver: "Okay, thank you."

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

Levin: "Would the Gentleman yield?"

Speaker Breslin: "He will."

Levin: "Is this the Bill that had the fee increase in it?"

Speaker Breslin: "Is this Bill that has the fee increase? The answer is 'yes'."

Levin: "And so this increases the amount that the utilities and therefore the customers pay for a low level waste dump that's scandal ridden and the people don't seem to want. How much money does it increase the cost to the consumer for a fine?"

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Peterson, W.: "There is no way to directly link that together, Representative."

Levin: "I'm hearing figure..."

Peterson, W.: "We don't know what they're going to pass on and what they're not going to pass on."

Levin: "I'm hearing a figure of \$15 million. One of the things that we...this is in effect a rate increase for customers of the utilities of \$15 million, Correct?"

Peterson, W.: "Correct."

Levin: "You said yes. One of things we heard, Representative, is that some of this money in the past, this fee, has been used for purposes of advertising directed at school children to convince them that nuclear siting is a good idea. This sounds pretty obnoxious to me. And I'm wondering if any of this money in the future with or without this fee increase is going to be used for that purpose? I mean it seems to me absolutely improper."

Peterson, W.: "No, it's never been put forth. It was something that was talked about, but has never been put into effect."

Levin: "So, it's your intention that no part of this money be used for...that kind of advertising. Is...and that is a commitment that the department has made as well?"

Peterson, W.: "That's correct, Representative. Yes, I believe the department has already discussed this with you and you have their reply."

Levin: "Okay, so my recollection is that \$100,000 was spent under the administration of the previous director that when the new director came in and reviewed it and cut off any additional funding for that purpose."

Peterson, W.: "That's right."

Levin: "Thank you."

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

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Leverenz: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Leverenz: "This has a fee increase in the Bill?"

Peterson, W.: "That's right, Representative."

Leverenz: "Raises how much money?"

Peterson, W.: "Fifteen million in '91 and \$55,400,000 in fiscal year '92."

Leverenz: "Ultimately..."

Peterson, W.: "Necessary for the low level facility construction that we're under obligation to provide by 1993."

Leverenz: "And how many people would end up employed as a result of this?"

Peterson, W.: "Have any i...I don't have any idea, Representative."

Leverenz: "Well, there's expenses and compensation, \$300 per diem for commissioners if they work ten days a month, they'll get \$3,000 a month. And the chairman is \$500...'

Peterson, W.: "Which...which commissioner are you referring to there, Representative?"

Leverenz: "...per diem. And the Management Disposal Facility Siting Commission in Amendment #2. Any idea how many days they would meet?"

Peterson, W.: "That's right. That's right. That's correct. I don't have any idea, Representative. How many days they will meet."

Leverenz: "Is there a cap on how much they can receive?"

Peterson, W.: "There's no limit to the per diem."

Leverenz: "Oh, boy. And the third Amendment has to do with storage tanks."

Peterson, W.: "Yes. It's an administration proposal."

Leverenz: "And that would include...oh, they always have good ideas. If...if I were wanting to protect my IPAC or CUB voting record, how would I vote on this?"

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Peterson, W.: "Right, from a State Fire Marshall. You'd vote 'yes'."

Leverenz: "I would vote 'yes'. Would that be misleading, what you just stated?"

Peterson, W.: "I think if you want to abide by the federal requirement that we have the low level waste facility ready in 1993, we have to approve this legislation to stay in compliance with the feds. So, I recommend a 'yes' vote."

Leverenz: "And we've already spent in excess of \$5 or 6 million on trying to locate one of these depositories?"

Peterson, W.: "I don't know the exact amount. I know that we have spent substantial amount of monies on site location."

Leverenz: "As we start the beginning of summer, I'm reminded that we still have some type of summer rates from the utility companies. Is this...could this be considered paying back the utilities, giving them their new summer rate?"

Peterson, W.: "These fees...Representative, these are segregated fees that go directly for the construction of the facility. Nothing else."

Leverenz: "Thank you. I just wanted to make sure I knew how to vote on this new tax. Thank you."

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

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I...I agree with the Sponsor's Motion to concur in Senate Amendments #2 and 3 to House Bill 3325. Let's not look at this issue as a rate increase, but let's...let's look at this as addressing a problem that this state faces. We have to site a low level nuclear site within a couple of years by our agreement in the low level waste compact that we have with Kentucky. We have to do it. There's no way out. We are raising the fees on the nuclear reactors in order to raise this money in order to site this commission. The siting commission is an answer to the other problems

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that the department had in siting this new low level site. So therefore, we are addressing the problems that we have had so far and I think we should all be voting green on this concurrence."

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

Peterson, W.: "Thank you, Madam Speaker. Once again, we're under a federal mandate to provide a low level waste facility by 1993. If we don't do that we're going to have it sitting around. We're going to have illegal dumping. We're going to have il...illegal disposal in some way or another. I recommend that you vote concurring...concurrence with Amendments 1, 2 and 3."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 3325?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 89 voting 'aye', 20 voting 'no', and 3 voting 'present'. The House does concur in Senate Amendments 1, 2 and 3 to House Bill 3325. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3326, Representative Peterson."

Peterson, W.: "Thank you, Madam Speaker. I'm moving to concur with Senate Amendment 1 to House Bill 3326. It provides that a resident engineer program sunset in October '92. It limits the number of resident engineer employed by the department to no more than two at any one time. It requires the department to prepare an initial report on the resident engineer program and submit it to the chief executive nuclear power company by October 1, 1991. Requires the company to submit its comments on the

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department's report no later than November 15th. And it is agreed upon between the Department of Nuclear Safety and Commonwealth Edison. I ask for your concurrence with Amendment...Senate Amendment 1 to House Bill 3326."

Speaker Breslin: "You have heard the Gentleman's Motion. On the Motion, is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3326?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. This is final action. Have all voted who wish? The Clerk will take the record. On this question, there are 111 voting 'aye'. The House does concur in Senate Amendment 1 to House Bill 3326. And this Bill having received the Constitutional Majority is hereby declared passed. Representative Giglio in the Chair."

Speaker Giglio: "House Bill 3330, Representative Currie. Representative Currie. Barbara Currie. 3330. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3330, a Bill for an Act concerning health care services together with Senate Amendment #1."

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

Currie: "Thank you, Mr. Speaker, Members of the House. I move the House do concur in Senate Amendment 1 to House Bill 3330. The Amendment has the effect of making this pilot project for home visits for high risk women and children a permissive program and with that Amendment, the one adopted in the Senate, the Department of Public Health is no longer opposed to the Bill but has assured us that they will aggressively seek funds in order to implement the provisions of House Bill 3330. I'd be happy to answer your questions and I'd appreciate your support for this concurrence Motion."

Speaker Giglio: "Any discussion? Hearing none. The question is,

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'Shall the House concur in Senate Amendment #1 to House Bill 3330?' All those in favor vote 'aye', opposed 'no'. The voting is open. The Gentleman from Mac...Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I'm really not able to tell. I may have a conflict of interest. If I do, I'll vote my conscience."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'yes', none voting 'no'. And the House does concur with Senate Amendment #1 to House Bill 3330. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3390, Representative Myron Olson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3390, a Bill for an Act to amend the Quarters of Opportunity and Development Act together with Senate Amendments #1, 2 and 3."

Speaker Giglio: "The Gentleman from Lee, Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The original Bill provided for an increase in the amount of administrative quarter of opportunity administration funding to be raised from five to eight percent. The Amendments that I seek to concur on gives the department the authority to designate eight wild card enterprise zones instead of seven outside the regular application cycle for extraordinary circumstances. And it extends the sunset date of the 883 Fund which is a Federal Fund, to September 1st, 1991. If we didn't extend that sunset to September 1st of '91, we would have to replace it with \$6 million of GRF funding. I would move to concur in the Amendments."

Speaker Giglio: "Any discussion on the Amendments? Hearing none, the question is, 'Shall the House concur with Senate

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Amendments #1, 2 and 3 to House Bill 3390?' And all those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 109 voting 'yes', 3 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendments #1, 2 and 3 to House Bill 3390. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Steczo, House Bill 3406. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3406, a Bill for an Act to amend the Illinois Municipal Code, together with Senate Amendments #1, 2 and 3."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to concur with Amendments #1, 2 and 3 to House Bill 3406. Amendment #1, deals with the Quad Cities Regional Economic Development Authority and clarifies provisions in the current Act with relationship, I believe, to the tax exempt status of their bonds. That provision was approved unanimously by the House just last week on another Bill. In addition to that, Amendment #2 and 3 deal with the question of retirees in local municipalities. One of the Amendments deals with the cost of or for the pensions for people who retire prior to age 65. This House approved a Bill just a few weeks ago by an overwhelming margin which embodies some of the provisions here which allow for a individual a retiree of a local municipality to be able to purchase...to purchase health care and pay the entire premium both the employer's cost and the employee's cost. It allows them to extend the coverage that they currently have, that they currently have under the Federal COBRA Law which provides these retirees the ability to be able to



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purchase up to 18 months health insurance continuance...continuance of coverage and then they would reach Medicare at age 65. Since most retirees retire at approximately 62 years old, this would allow them to purchase approximately another 18 months and keeping in mind that they would have to pay both the employer's cost and the employee's cost. The other Amendment, Mr. Speaker, and Members of the House deals with firefighters and it allows those firefighters who become Medicare eligible to be able to continue coverage under the municipal group plan. Many firefighters in the State of Illinois do not have social security...social security and therefore once they would reach the age of 65 they would have no insurance. This would allow them to be able to have continued coverage under the municipal plan. I would also like to indicate to Members of the House that some people who have talked to Members of the General Assembly have suggested that this somehow inhibits collective bargaining. I should mention to the Members of this House that collective bargaining in these cases doesn't apply really to retirees and retirees' benefits are not collectively bargained. Also, there has been some suggestion that in the case of municipal employees that this thing that the provisions here would extend far beyond Medicare age or age 65 and I would just turn everybody to page 4 of the Amendment which says that if a group policy provides for reduction in benefit and premiums for insurance would become eligible for Medicare such provisions shall apply to persons electing continued coverage under this section. So that in effect provides an inhibition to what has been suggested would be an ongoing type of a program. I would Mr. Speaker ask...answer any questions or would ask for the adoption or concurrence in Senate Amendments #1, 2 and 3 to

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House Bill 3406."

Speaker Giglio: "You've heard the Gentleman's Motion. Any discussion? The Gentleman from Coles, Representative Weaver."

Weaver: "Thank you, very much, Mr. Speaker. Just two quick questions Terry. Senate Amendment #1, allows the Quad Cities Regional Economic Development Authority to issue tax exempt bonds, would those bonds be issued, for example, for a riverboat dock or riverboat gambling development."

Steczo: "Mr. Speaker, I'll yield to Representative DeJaegher."

DeJaegher: "The bonds are for a specific purpose and that's basically to promote and develop a NASCAR racing facility in Carbon Cliff, Illinois. The reason that we have this piece of legislation is that the bonding authority was not comfortable with the language that was in the present Bill, so basically they have drafted the wording to enable them to sell the bonds for the construction of NASCAR."

Weaver: "So as I understand it, it is not to be used for riverboat gambling or any facilities related to that."

DeJaegher: "No."

Weaver: "Okay, thank you. The other question I have refers to Senate Amendment #3. For the employees to elect to move into the health insurance do they have to do that take that action as a group as a bargaining unit or can they do it on an individual basis?"

Steczo: "They do it on an individual basis, I believe Representative Weaver."

Weaver: "Individual?"

Steczo: "Yes, I believe so."

Weaver: "Thank you."

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

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

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Speaker Giglio: "He indicates he will."

McCracken: "I've...thank you, I've looked at Amendment #2, is it your position that there is no increased cost to the municipality or the firefighting unit as a result of this Amendment?"

Steczko: "Well, Representative McCracken keep in mind that the retiree has to pay both his premium...his or her premium I should say and the premium of the municipality. So as has happened with a few others that offered, offer similar types of programs I don't expect to see any great increase in cost."

McCracken: "Okay, is it possible if this passes in the future for a municipality or firefighting unit to require that benefits be reduced when Medicare kicks in or is that no longer available as an option."

Steczko: "Well, let me...let me...let me suggest that we, we're talking about two different subject matters. One Amendment deals with firefighters, that's Amendment #2, and their coverage or their situation is much different than that of the general, regular municipal employee."

McCracken: "Okay, well you can address yourself to two. My question is can the firefighting unit now require that their contract for benefits include a reduction when Medicare kicks in or is that no longer legal if this Bill passes?"

Steczko: "Well, the problem with firefighters, and that's just addressing the situation of firefighters alone, is that most are not covered under Medicare. So this Amendment is there so those people who then would see their benefits reduced or ended at age 65 would have a place to go, would have a place to be able to get coverage."

McCracken: "Okay. Page 4 of the Amendment deletes language allowing for a reduction in benefits when Medicare kicks

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in, that language is now stricken from the law, if this Amendment passes. Does that mean a municipality can no longer make that provision in it's coverage."

Steczo: "Well, in reality the reason that that is deleted, Representative McCracken is that in the case of those municipalities many don't qualify for Medicare but if you read the paragraph underlined above you read 'If a person electing continued coverage under this section becomes eligible for Medicare coverage benefits under the group policy may continue as a supplement to the Medicare coverage upon payment of required premiums, to maintain the benefits of the group policy as supplemental coverage."

McCracken: "Okay. Well, why is there an Amen...a portion of the Amendment which exempts this from the State Mandates Act is it contemplated there will be an increased cost?"

Steczo: "Well, it's just a safety mechanism. We don't Representative McCracken if this were a state mandate even if it cost a dollar we wouldn't be able to put it on as an add on this year anyway. So it's just a protective measure on our part."

McCracken: "Okay, well I'm not sure I got an exact answer to my question. But it does appear to me that this Amendment #2, and to the extent Amendment #3 is the same or similar could result in an increased cost to municipalities and firefighting units and at least as to the firefighting unit may limit those benefits which a municipality or a firefighting unit can make available, pursuant to law. The Municipal League, I am advised, is against this because it does see an increased cost and particularly with the exemption of the State Mandates Act. It seems to me to be reasonable to assume there will be a cost incurred as a result of these Amendments. I respectfully rise in opposition."

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

Mautino: "Thank you, very much, Mr. Speaker. In response to Representative McCracken's questions. I think Representative Steczo was exactly correct, when this legislation was presented to our committee in it's original form the Amendment ..the Bill which is now the Amendment addresses only the coverage, covered by the employee for the employee him or herself and the employer. Those are the same individuals that come under the retired or disabled provisions. It was brought out that there would be no cost since that employee is picking...or that retired or disabled employee is picking up total dollars therefore the rational in no additional increase to the State of Illinois. Your second question on the firefighters, I think the firefighters and the police and the sheriffs are in a different category but now you've got all those employees who are under IMRF under the same blanket and to the best of my knowledge there would be no increase anywhere on the program as long as the employees picking up both ends of it and he is or she is a retired or disabled employee and I stand in support of the concurrence to Senate Amendments 1, 2 and 3 to 3406."

Speaker Giglio: "Further discussion? The Gentleman from McHenry, Representative Klemm."

Klemm: "Will the Sponsor yield for a question? Alright, Representative I guess my concern was expressed by Representative McCracken but also Amendment #3 is of concern because again if a employee can buy in is the assurance that they would have to pay both the employee and employer's share. Again I saw the exemption that you added on that Amendment about the State Mandates Act so again I was alerted by that and I needed your assurance that that

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would be no cost to the employing unit."

Steczo: "Representative Klemm, in response to your question. The State Mandates Act language is there pretty much as a safeguard. The fact is though that since the retired employee is required to pick up and it specifically says so in the Amendment both his or her premium costs and the cost that the municipality or local government would, would incur, that would make the cost negligible, and in addition there are three or four cities in the State of Illinois that are doing that and probably wouldn't do it if it cost a great deal of money."

Klemm: "Does the Amendment specifically say that the employee will or is responsible or will pay the employees and employer's share?"

Steczo: "It specifically says they're responsible for both. Just in case there are some negligible costs I mean, that's the only reason the State Mandates Act language was put in there."

Klemm: "Alright, thank you, very much."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Harris."

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

Speaker Giglio: "Proceed."

Harris: "Representative, Senate Amendments 2 and 3 were those Amendments previous pieces of separate legislation?"

Steczo: "Amendment #2, I'm sorry Amendment #3 was a Bill that passed out of this House I believe with 90 some votes. Amendment #2 I don't believe or I'm not aware that it was considered in this House before."

Harris: "Well, it may have been House Bill 4032, Senate Amendment #2. House Bill 4032, Senate Amendment #3 was House Bill 3624. What happened to those two pieces of legislation?"

Steczo: "I can only speak Representative Harris to House Bill

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3624 which was passed by this House about five weeks ago by a goodly margin. I believe the number of votes was in the nineties."

Harris: "Where is the Bill now?"

Steczo: "It was held in the Senate Rules Committee. But it's now back before us as a Senate Amendment to House Bill 3406. So it did receive Senate consideration as well."

Harris: "Indeed it is just as 4032 is back before us."

Steczo: "It just missed one step."

Harris: "Just missed a couple of Senate Committees and Third Readings over in the Senate. Do you have any...I know you've answered the questions about mandates before. Do you know if those previous Bills that we passed out of here the two that we just made reference to which are now Senate Amendment 2 and Senate Amendment 3 did they have Mandate Act requirements filed on them?"

Steczo: "Representative McCrack...Representative Harris I'm not certain I can't recall if they did or they did not. Excuse me, there may have been one note that may have been brought to my attention as per the Bill as it was originally introduced. It has been modified greatly since it's original introduction, take into consideration some of the concerns that were brought to our attention by the municipal league."

Harris: "Okay, thank you. To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to make a couple of points on this Motion to concur specifically related to Senate Amendments 2 and Senate Amendments 3. First of all they were indeed previous House Bills, House Bill 4032 and House Bill 3624, those Bills did not pass the Senate they we're held in Senate Rules, they were held in Senate Rules for good reason, they indeed do have mandates on them. When those Bills were considered in the House we requested

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a fiscal note and in the opinion of the Department of Commerce and Community Affairs both of those Bills do create a personnel mandate. In other words more costs for your local municipalities. That's what it's gonna mean more cost for your local municipalities. That's why both of these Amendments have excluded reimbursement by the state to the local municipalities. They know there's money gonna have to be spent here, they know there is a greater cost and where saying we're not gonna pay it, you the locals have to pay it. Now, the Gentleman says that these types of benefits are not subject to collective bargaining, why not? Why can't the public safety officers union say, we want to collectively bargain for the benefits which are contained in Senate Amendment #2. Why can't they do that? Why are they bypassing the collective bargaining process? Just earlier today in an educational Bill we said let's not bypass the collective bargaining process. Well, let's not bypass the collective bargaining process on this one either, and that the reference was made to the fact it doesn't raise cost because they are paying both their share and the municipalities share. Folks, let me tell you why it does raise costs. Because you are now insuring more people at an older age population, that costs more in terms of insurance because the older people use more insurance benefits. Okay, that means that the cost to municipalities are gonna be greater that means that our taxes that we pay to our municipalities are gonna be greater and that means we when we levy this mandate on the local municipalities are not reimbursing them for what are clearly going to be increased costs. My colleagues, I urge you to vote 'no' on this Motion to concur, let's get these Amendments out of here and vote 'no'."

Speaker Giglio: "Further discussion? The Lady from Sangamon,



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Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I stand in support of the Gentleman's Motion to concur. For one thing my own community Springfield has already been doing this so I don't think it's fair to say that this will raise the taxpayers' money. This is already going on in many communities across the state. The second point I would like to make is I think it's important to remember that these Amendments were not defeated in the Senate. They were not voted on, they were held in the Rules Committee. So it is unfair to say that these did not get out of the Senate. They were not even called for a vote in committee. So again I urge 'yes' votes on this concurrence Motion."

Speaker Giglio: "Representative Flinn."

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

Speaker Giglio: "Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. Just to address one of the questions that was brought up about negotiating or bargaining for retirees and why it's not done that way. The first thing I would like to bring to the attention of the Body is that state law specifically prohibits it. So that being the case we have to deal with it in this manner. I would also like to remind the Members of the House the federal law currently, federal law currently allows the retirees to purchase this type of coverage for 18 months. So this is just an extension of what the federal law already mandates or requires and when you take into account the fact that most retirees or most municipal retirees, retire at age 62 this is only coverage basically for approximately a year and a half which is the same time as the federal law requires. There have been statements made by people who are opposed to these provisions about the cost and it's gonna drive

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municipalities into bankruptcy but as Representative Hasara said Springfield has this provision already and certainly would not be offering it if it would drive Springfield or Waukegan or any of the other places into bankruptcy. This provision is necessary, this provision affords the opportunity of those retirees to be able to buy their coverage and keeping in mind that they have to pay their premium and they have to pay the municipality's premium as well. So they pay both sides, they pay both of those and the cost then to the municipality would be negligible so don't let the bugaboo about a State Mandates Act language being included in this Bill as meaning that it automatically is gonna bankrupt municipalities. Lastly, the comment was made that this Bill somehow, or these provisions somehow because they were not let out of the Senate Rules Committee somehow is subverted to the legislative process, the fact is is that these two provisions did pass this House. They were heard in our committees they passed the House on Third Reading, unfortunately they were kept in Senate Rules, as were many many other Bills that are now resurfacing. The fact is they were heard on Second Reading in the Senate, they were heard on Third Reading in the Senate passed with 43 votes in the Senate so this is our opportunity now to come back and say 'yes' we still agree with our original, our original position that this should become law. So I would, Mr. Speaker, at this time renew my Motion that the House concur in Senate Amendments #1, 2 and 3 to House Bill 3406."

Speaker Giglio: "You heard the Gentleman's Motion, the question is, 'Shall the House concur in Senate Amendments #1, 2 and 3 to House Bill 3406?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted a wish?"

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Have all voted a wish? Have all voted a wish? Mr. Clerk, take the record. On this question there are 78 voting 'yes', 33 voting 'no', and none voting 'present'. And the House does concur with Senate Amendments #1, 2 and 3 to House Bill 3406, and this Bill having received the required Constitutional Majority is hereby declared passed. The Gentleman from Macon, Representative Dunn. House Bill 3412. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3412, a Bill for an Act to amend an Act concerning courts together with Senate Amendment #2."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur with Senate Amendment #2 to House Bill 3412. What Senate Amendment #2 does is it provides for a cost of living increase for court reporters on the same terms and conditions as was approved by the Compensation Review Board for other state offices including us. And I ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Thank you. Representative, I...who pays for this? Does the county have a share in the cost of the court reporters, etc.?"

Dunn: "I think there is a cost to the State of Illinois and I think it's about a million dollars of GRF. In...in no cost for fiscal '91 because is like the Compensation Review Board Statute. It will trigger July 1, 1991."

Black: "Well, how much was spent on this last year and what is the percentage of increase?"

Dunn: "This is Senate Amendment, I don't have those figures. But the percentage increase was small and you raised a very

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good question. I...I don't know whether it's an original question or not, but it's an excellent question."

Black: "Thank you very much."

Speaker Giglio: "The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Would the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Olson, M.: "Representative Dunn, can you tell me the average salary of a Class A Court Reporter, as we speak, in the State of Illinois?"

Dunn: "Yes, it's inadequate."

Olson, M.: "Well, how inadequate is it?"

Dunn: "Grossly inadequate."

Olson, M.: "Is it slightly in excess of what a Member of the Illinois General Assembly makes today, which is \$35,661. But who keeps track of that?"

Dunn: "I don't know. It may very well be because it takes a lot of training to be a court reporter. And you have to be able to listen, which is not necessarily a prerequisite to be a Member of this Body. And you have to take accurate notes and that also is not necessarily a prerequisite."

Olson, M.: "Do these same underpaid court reporters, I use the word loosely, are they able to do transcripts and be reimbursed for other things that they might do?"

Dunn: "I would hope so to supplement their income. They are probably not as well...probably better compensated than circuit clerks."

Olson, M.: "Thank you very much. That certainly is true. Thank you very much."

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

McNamara: "Thank you, Mr. Speaker. If I read our analysis correctly, Representative Dunn. It says that, 'Court

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reporters earn from \$6,000 to \$37,250 annually and that this provides for a...not less than zero or more than five percent of an increase' just to help you out with the figures on it. However, is the five percent of an increase on top of the \$37,250 that it does not make clear."

Dunn: "I think the increase is just the way the COLA was provided through the Compensation Review Board. It would be a five, up to no more than five percent increase based upon the current salary. So, if you have a \$6,000 salary it would be five percent of 6,000. If you have a salary at the maximum, which is 37,250, it would be five percent of that. If the cost of living is five percent. Of course, the cost of living could be zero."

McNamara: "Okay. So, your interpretation is...is that the court reporter's maximum salary would go probably from \$37,250 up to about 39,500 to 40,000."

Dunn: "I don't know. You can't predict anything because the legislation provides for a cost of living based upon a percentage yet to be determined. The ranges are determined. The cost of living would be between zero and five percent."

McNamara: "Okay. And this is paid totally out of General Revenue Funds?"

Dunn: "That's my understanding. This is a Senate Amendment, I'm not exactly clear about this, but I believe that is correct."

McNamara: "Okay. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Macon, Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker. I just ask for your favorable vote."

Speaker Giglio: "You heard the Gentleman's Motion. The question is, 'Shall the House concur with Senate Amendment #2 to

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House Bill 3412?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 79 voting 'yes', 35 voting 'no' and none voting 'present'. Representative Mulcahey 'no'. There are now 79 'yes'...78 'yes', 36 'no'. And the House does concur with Senate Amendment #2 to House Bill 3412. And this Bill having received the required Constitutional Majority is hereby declared passed. On page 13, of the Calendar under Motions, appears House Resolution 1964. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. Mr. Speaker, it's my intention to move to discharge the Personnel and Pension Committee. And then amend this House Resolution, and then adopt it. I've cleared this Resolution with Representative McCracken and the ICC. So, my Motion is to move to discharge the Personnel and Pension Committee from further consideration and advance to the Order of Speaker's Table, House Resolution 1964."

Speaker Giglio: "You heard the Gentleman's Motion. Does he have leave by the Attendance Roll Call? Hearing none, leave is granted. And the Bill now is on the Speaker's Table. Representative Cullerton."

Cullerton: "Mr. Speaker, I'd like to adopt Amendment #1 to House Resolution 1964. This changes some of the whereas clauses and, as I indicated, this has the approval of the Commerce Commission. And, so I would move it's adoption."

Speaker Giglio: "Any discussion on the Amendment? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. I rise in support of the Amendment. There were some concerns expressed over the original drafting of this Resolution. And the Amendment presents a

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much more balanced approach to the issue. And I'll reserve further remarks until we decide on the Resolution itself. Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Representative Cullerton on the Resolution."

Cullerton: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Resolution now talks about the Illinois Supreme Court ruling reversing Commonwealth Edison's rate increase that took effect on January 1st, 1989. And after recounting the fact that the Supreme Court made its decision that the Commerce Commission has not yet met to give a rate refund or a rate reduction. We urge that the Commerce Commission do that. We have gone full-support for the decrease to all customers consistent with the increase these customers experienced under the rate increase that was just overturned. And we urge the Commerce Commission to ensure that such rate decrease and refund occur over the shortest time period practical. So, I move for the adoption of the House Resolution 1964."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I'd like to thank the Sponsor for taking the Amendment. It brings more balance to the Resolution. I'd just like to make the point, that the Resolution may not even be necessary or at least is premature because the Commerce Commission has not yet ruled on how to make the refunds so that those who paid actual increased rates receive the proper rebates. Apparently

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there are some sliding scales or variations among customers who paid as a result of what has now been found to be an illegal rate increase. So, that the Commission is expeditiously going about its job of insuring that the refund is accomplished consistent with the rate increase experienced by these different rate payers. I support the Resolution."

Speaker Giglio: "Further discussion? All those in favor of the Resolution signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolution's adopted. Representative Terzich. 3426. The Gentleman from Cook, Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move that we concur with Senate Amendments 1, 3 and 4. Senate Amendment #1 basically deletes the Bill and further imposes a ban until December 31st, 1991 on the issuance of any construction or operation permits of a new hazardous waste incinerator. Unless it is...such is intended to be used in conjunction with state or federally mandated clean up action. Senate Amendment #3 provides that the Environmental Protection Agency shall not issue a permit for development or construction of landfill incinerators. And Amendment #4 deletes the provisions of the Bill added by Senate Amendment #3. Basically the Bill then would simply be that there would be a moratorium on the issuance of construction and operation of new hazardous waste incinerators up until December 31st, 1991. This has been a basic compromise on the legislation that will simply give us, in the state, some more time to review this here very serious problem of hazardous waste incinerators in the State of Illinois. And I would move for its adoption."

Speaker Giglio: "Any discussion? The Lady from Kane, Representative Deuchler."



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Deuchler: "Will he yield for a question, please?"

Speaker Giglio: "He indicates he will."

Deuchler: "Representative Terzich, as regard Senate Amendment 3 that Senator Karpziel placed on the Bill, would you elaborate? It seems as though that would be very helpful to a county such as Kane County, who has concerns about solid waste sites and that this would...Senate Amendment 3 would give us some protection. Yet, Senate Amendment 3 is stricken by Senate Amendment 4, so essentially that is not in your Bill now. Is that correct?"

Terzich: "The Bill, as I mentioned, provides for a moratorium on hazardous waste incinerators to be constructed up until December 31st, 1991."

Deuchler: "So, Senate Amendment 3 and 4 are out of the Bill?"

Terzich: "That's correct."

Deuchler: "Well, I certainly would have concerns about that, I think that Kane County needs this protection. So that the requirements would be in the Bill for solid waste management plan prior to EPA issuing any permits. So, I would be opposed."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to oppose the Gentleman's Motion to concur with Senate Amendments 1, 3 and 4. It's bad public policy when we try to establish moratorium on a problem which we're not willing to face. The problem of incineration is here to stay. And it's not something that we can hide and stick our heads in the sand and say, 'well, let's stop it for five years or 18 months' or whatever it is that you want to do. This is bad public policy. It doesn't address the problem. Here, we have a company who's willing to take care of its own hazardous waste, from the cradle to the grave, it's doing the right thing. It's eliminating the

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hazardous waste from our environment. What we have here is the 'chicken little' syndrome, everybody running around saying, 'the sky is falling, the sky is falling.' Well, let's look at the scientific and technical data, here this company is building a state of the art incinerator. A state of the art incinerator which eliminates 99.999% of any toxic emissions. Now if you take a look at those figures that means your chance of catching cancer would be like if you smoked one cigarette every seventy years. That's how much emission is coming out of that company. So, let's not hide from the problem, let's face the problem. We have a Siting Task Force which has been working for the last year and it's going to continue working for the next six months 'til November. In November we want to come out with a responsible answer to all the solid waste problems that we have. So, I would urge all the Members to look closely and vote 'no' on this concurrence."

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

Zickus: "Mr. Speaker, I rise in support of Senate Amendment 1 and urge my colleagues to look closely at it and vote 'yes'. We're talking about a company that is proposing a chemical waste incinerator in an area that is very heavily populated and already is suffering the consequences of the industrial areas around it, the airport. This company is certainly disposing of its own waste but it is transporting the chemical waste in through a very heavily populated area as far as other states. I urge an 'aye' vote on this. Thank you."

Speaker Giglio: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. The Sponsor will yield for a clarification?"

Speaker Giglio: "Yes, he will."

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McNamara: "Representative Terzich, it's my understanding, and I just want you to clarify as to whether the understanding is correct, that this Bill in its entirety right now refers only to hazardous waste chemicals. So, therefore it affects no other incinerators either proposed or started within the State of Illinois."

Terzich: "That's correct."

McNamara: "Thank you."

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

McCracken: "Thank you, Mr. Speaker. I rise in opposition to the Bill for a little different reasons than expressed by some other opponents. Today, you may like the decision the state is making by declaring a moratorium. But what this does is set in place a precedent: the principal of state siting of all environmental issues, all landfills, incinerators, things of that nature. So, don't be beguiled by the fact that it's a moratorium. What you should really be afraid of is the precedent that it sets and that is state control over siting decisions. Those of you who don't want these things in your backyard, be aware. You want to be against this because of the precedent this sets. You do not want to defer to the state on this siting issue, even if you may like the concept of a moratorium, because, believe me, it will come back to haunt you later. Say 'no' to the state siting authority retain the local siting authority. Vote 'no' on this Bill."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I agree with the Speaker who spoke just previously. I do believe that we really ought to try to make sure that as many decisions are made at the local level as possible. And this is most certainly not a proposal that encourages

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the local decision making. But the most important reason, I believe, for opposing this Bill today is because, as you all very well know, we have a lot of discussions going forward to overhaul the entire local siting approval process. The vehicle for those changes, which hopefully would be comprehensive and would be sensible in a way that they all relate well together, is House Bill 4013 which is currently on Second Reading and the deadline for which has been extended until November, 1990. We have until November, 1990 to decide about just such issues as that presumably addressed by House Bill 3426 as amended. I would suggest to you that just once why don't we do something comprehensive and sensible, rather than doing it in bits and pieces? I think we should defeat this Motion and rely on doing a good job in November."

Speaker Giglio: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Kulas is 100% correct when he says that, 'this is not a responsible piece of legislation.' And Ladies and Gentlemen, it is not a responsible piece of legislation. Taking the head in the sand approach to the disposal of toxic and chemical waste in Illinois is only going to increase the problem of disposing of it. He is also correct in that the emissions from the current facilities being operated by Chem Nuclear Waste at the present time are indeed to the nines and meet the most stringent EPA approval. Merely saying, 'You can't build another toxic waste incineration device in the State of Illinois', is not a responsible approach to the problem. And the correct vote on this Bill is a 'no' vote."

Speaker Giglio: "The Gentleman from Lake, Representative Peterson."

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Peterson, W.: "Thank you, Mr. Speaker. I too stand in opposition to this concurrence. What some of the other speakers have not mentioned is that this company has gone through all the hoops. It has spent hundreds of thousands of dollars, maybe millions of dollars, to meet all the IEPA current regulations, to meet all the objections. And now we're trying to change all of the rules in the middle of the stream. I agree with my other colleagues that a 'no' vote in concurrence to this Amendment is in order. Thank you."

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

Weaver: "Thank you, very much, Mr. Speaker. Ladies and Gentlemen of the House, it appears with all the people who are standing in opposition to this concurrence that it probably won't make it. But I need to add a downstate voice of what we see happening here. It's already been referred to...the provision of Senate Amendment #3, which hopefully is deleted even with 4 allowed in there, but it is going to prohibit the use of incinerators, landfills, or other waste disposal facilities in counties of over 100,000 population. The intent, folks, is to move all incinerators, landfills and waste disposal facilities to downstate sites. We don't want that to happen. We don't want the state to be involved in making these decisions over and above the wishes of the local people. Keep local control at the local level. Keep these facilities where the people will accept them. And vote 'no' on the concurrence of these Amendments."

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

Balanoff: "Yes, I'd like a division of the question."

Speaker Giglio: "The Gentleman is within his rights and we'll discuss Amendment #1. Representative Terzich on Amendment

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#1."

Terzich: "Amendment #1 is the Amendment that we've been discussing. Amendment #1 is the moratorium on the construction of hazardous waste incinerators. That's all it covers and it basically does not address the municipal waste or anything like that. The only provision is there's hazardous waste and particularly hazardous waste, whether it be nuclear or any other hazardous waste, that is being imported into our state and want to have it incinerated. And, basically, we did pass this Bill out quite substantially letting local units of government make a determination of authorizing the hazardous waste incinerators to be constructed. That did have some complications in the Senate and, therefore, it was passed out of the Senate 52 to 4 that we create a moratorium that will give us some time to address the very serious problem of hazardous waste incinerators in the State of Illinois. Which, I'm sure, that Representative Kulas and the other Members of the Committee would certainly help develop this. All I can tell you is that a vote for not to concur with this Senate Amendment is simply a vote for the hazardous waste industry and against the people of the State of Illinois, that is creating such a hazardous problem to not only their well-being but also their health. And I would move for the concurrence of Amendment #1."

Speaker Giglio: "You heard the Gentleman's Motion. Question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3426?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an issue that we have to face up to. And I think it looks like the majority recognizes that and so

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that's all I have to say."

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 29 voting 'aye' and 68 voting 'no'. Representative Harris votes 'no'. Representative Giorgi. Representative Terzich, you wish to nonconcur? Take the record, Mr. Clerk. On this question, there are 29 voting 'aye', 69 voting 'no'. And the House does not concur with Amendment #1 to House Bill 3426."

Terzich: "Alright. Also, I move to nonconcur with Senate Amendment 3 and 4."

Speaker Giglio: "The Gentleman now moves to nonconcur with Senate Amendments #1, 3 and 4. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the Motion...the House does not concur with Senate Amendments #1, 3 and 4 to House Bill 3426. House Bill 3454. The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. I move to concur in the Senate Amendment to this Bill. The original Bill allowed townships to switch General Assistance Funds so that it could be expended for specified social service programs. You will remember that it passed rather overwhelmingly in the House. The Senate Amendment is, I believe, a good Amendment, although it significantly limits the application of the Bill. The reason that we entered into negotiations on the Bill was to satisfy some of the concerns of the Farm Bureau. This Amendment satisfies those concerns and that of Public Aid as well. What it does is that it allows for one time transfers, so it will not be an ongoing transfer that townships will be able to make, and that transfer is guided by a specific formula. In addition to that it prohibits townships which has...a township which has

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certified a new levy or an increase in the levy during this year from being eligible for this kind of a transfer. This kind of a transfer will be required to be approved at a special town meeting of the township board of trustees. And funds cannot be transferred for the purposes of qualifying for state General Assistance Funds. All in all I think it is a good Amendment. I move to concur in it and ask your support."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, thank you. The transfer has to be authorized at a town meeting?"

Breslin: "It does."

McCracken: "Pursuant to notice and all the standard types of things?"

Breslin: "I presume so. I think those notices are required under the regular law dealing with holding time."

McCracken: "Okay. Is it a township in your area that prompts this?"

Breslin: "No. No. This is a request of the Township Officials of Illinois. It is a statewide organization and this is their major request of the Session."

McCracken: "Okay. I have some reservations about it just because of the way money is levied by taxing units in Illinois specifies the purpose. The segregation of funds is the long time vehicle used to insure the integrity of levies. So that they cannot be used for purposes other than as levied or advertised to use the vernacular. I suppose if it were one district having a problem, a one time problem, we could consider an exception to the rule. But, honestly, I don't see that that's very wise public policy just because it's a general request. You know, I...if it's levied for general assistance that's fine use it for



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general assistance. If you don't need that much for general assistance then abate the General Assistance Fund. I don't see how we should be approving the transfers of funds that are inconsistent with their levy. So, I have reservations about it"

Speaker Giglio: "Further discussion? The Gentleman from Lee, Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the adoption of Senate Amendment #1. When you get into downstate counties where they do not have imaginative growth in population and abilities to levy and they provide their own levy monies for general assistance. They're caught in the box like most homemakers are from time to time in moving their monies around. As a consequence this is not an unreasonable request, and a one time move would be appropriate. I would move to suggest that we concur in Senate Amendment #1."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin to close."

Breslin: "Just support a favorable consideration. Thank you."

Speaker Giglio: "The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3454?' And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? 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 102 voting 'yes', 7 voting 'no' and 3 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3454. And this Bill having received the Constitutional Majority is hereby declared passed. The Chair would like to finish up some of the nonconcurrences and on that Order appears House Bill

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3842. Representative McCracken moves to nonconcur. Senate Amendment #2, House Bill 3842. Mr. Clerk, take 3842 out of the record. On the Order of Nonconurrence appears House Bill 3682. Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I move to nonconcur, there's been a request for a Conference Committee on the Bill."

Speaker Giglio: "The Gentleman moves to nonconcur on House Bill...Senate Amendment #1 to House Bill 3682. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur and a Conference Committee...and the House nonconcur with Senate Amendment #1 to House Bill 3682. Representative Ryder. Representative Ryder in the chamber? Alright, we'll come back. Representative Currie, House Bill 3777. House Bill 3777."

Currie: "I move the House do not concur to the Senate Amendments to House Bill 3777."

Speaker Giglio: "The Lady moves to nonconcur in Senate Amendment #2 to House Bill 3777. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendment #2 to House Bill 3777. Representative Terzich, for what purpose do you rise, Sir? Representative Terzich?"

Terzich: "Yes, Mr. Speaker, I would like to make a Motion on Senate Bill, or House Bill 3426 to reconsider the vote to nonconcur that we previously had. So we can keep the Bill in the House."

Speaker Giglio: "The Gentleman moves to reconsider the vote by which the House nonconcurrred with Senate Amendments #1, 3 and 4 on House Bill 3426. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "What's the Motion? To reconsider the vote by which a

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nonconcurrency was made? Is that correct?"

Terzich: "Yes."

McCracken: "Well, that's fine, because if you move to reconsider, then we can freeze that Motion as well and the Bill won't go anywhere. Is that the point of all of this? No? Alright. I guess I'm missing something."

Speaker Giglio: "That's lawyers work, Representative McCracken. Does the Gentleman have leave? Hearing none, leave is granted by the Attendance Roll Call. And the House does reconsider the vote by which Senate Amendments #1, 3 and 4 were nonconcurrent to House Bill 3426. Representative Regan, 2647."

Regan: "Thank you, Mr. Speaker, Members of the House. I move to nonconcur in Senate Amendment #3 to House Bill 2647, Amendment #1, excuse me, and send it in a Conference Committee Report."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? The Lady from Cook, Representative Currie."

Currie: "I guess I did have a question for the Sponsor of the Motion. I don't understand why he would want not to concur in the Senate Amendment. All the Senate Amendment does is make sure that this Bill doesn't, in its final form, do anything that sort of accomplishes basically nothing. So, maybe he would explain to us what the value of this Motion is."

Regan: "I'd be glad to. Senate Amendment #1 completely deletes a portion of the Bill that I added in. And I'd like to see it go back to Conference Committee Report and discuss the issue further."

Currie: "Okay, fine."

Speaker Giglio: "Further discussion? The question is, 'Shall the House nonconcur to Senate Amendment #1 to House Bill 2647?' All those in favor signify by saying 'aye', opposed 'nay'."

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In the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendment #1 to House Bill 2647. Representative Hasara, 3374."

Hasara: "Thank you, Mr. Speaker. I move to nonconcur in Senate Amendment #1 to House Bill 3374."

Speaker Giglio: "Any discussion? All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendment #1 to House Bill 3374. Representative Homer, 4126."

Homer: "Thank you, Mr. Speaker. I move that we nonconcur in Senate Amendment #1."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 4126. Representative Churchill, House Bill 3959."

Churchill: "Thank you, Mr. Speaker. I move to nonconcur in House Bill 3959."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 3959?' All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendments #1, 2 and 3 to House Bill 3959. Representative McGann. Andrew McGann. Representative Cullerton on House Bill 2899. 2899, was Representative LeFlore. Representative Cullerton is handling the Bill."

Cullerton: "Yes, I talked to Representative LeFlore and he indicated his desire to move to nonconcur with Senate Amendments #1, 2, 3 and 4."

Speaker Giglio: "You heard the Gentleman's Motion. All those in...On that question, the Gentleman from DuPage,

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Representative McCracken."

McCracken: "My friend, Bob LeFlore, called me and told me that I was mistaken, that we should be nonconcurring. So, that's...that's why we're here now."

Speaker Giglio: "Question is, 'Shall the House concur with Senate Amendments...nonconcur with Senate Amendments #1, 2, 3 and 4 on House Bill 2899?' All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendments #1, 2, 3 and 4 to House Bill 2899. Representative Flinn, 3914."

Flinn: "Thank you, Mr. Speaker. I would like to move to nonconcur in Senate Amendment #1 and to concur in Senate Amendment #2. By concurring in Senate Amendment #2 it will not be final passage."

Speaker Giglio: "Alright, you heard the Gentleman's Motion that moves to nonconcur in Senate Amendment #1 to House Bill 3914. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 3914."

Flinn: "Not 2. I'm not nonconcurring in 2. I want to concur in #2."

Speaker Giglio: "We're dividing the question. Now the Gentleman asks that he wants to concur with Senate Amendment #2. And on that question, Representative Flinn. You want to explain the Amendment, Representative Flinn?"

Flinn: "I can't hear you."

Speaker Giglio: "Do you want to explain Senate Amendment #2?"

Flinn: "I want to concur with Senate Amendment #2. It has a small flaw in it, but it's something that can be corrected by the Governor's Amendatory Veto, and we would rather not do without the Amendment. It's an Amendment we need in the Bill that was written by Bun Council. And it has a

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technical error or flaw in it that can be corrected easier by the Governor's Amendatory Veto. That's the direction we want to go. So, I would move that we concur even though it's not an absolute correct Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. The Gentleman moves to concur in Senate Amendment #2 to House Bill 3914. And on that question, all those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', 2 voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 3914. Representative McCracken will handle Representative Ryder's Bills, 3614. Representative Ryder is back. Representative Ryder, on House Bill 3614"

Ryder: "Thank you, Mr. Speaker. I would move to nonconcur with Senate Amendment #1."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 3614. House Bill 3639, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I would move not to concur with Senate Amendment #1."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 3639."

Ryder: "Thank you for your courtesy."

Speaker Giglio: "Lady from Lake, Representative Stern, on House Bill 3826."

Stern: "Mr. Speaker and Members of the House. I would like to concur in Senate Amendment #1 to House Bill 3826. This is

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the Bill which really deals with Democratic Party business and includes in it: the delegate selection plan to be implemented in the future, as well as some miscellaneous clean up stuff on permitting proxy voting on the Democratic Central Committee, and filing dates for Democratic presidential candidates, to put us in compliance with the Democratic National Committee."

Speaker Giglio: "Any discussion? Hearing none, all those in favor...Representative Stephens, I hear your voice."

Stephens: "How lucky can you get. I think one of our leaders wants to just briefly discuss this with the Sponsor and if we can just kind of...Are we okay? He says we're fine."

Speaker Giglio: "Representative Stern."

Stern: "Pull out for just a minute and put it back in in a moment. We are...no?"

Speaker Giglio: "Lady's prerogative. Take the Bill out of the record. Take it out of the record, Mr. Clerk. Representative Stange. Representative Black, would you poke Representative Stange. Representative Stange, House Bill 2896."

Stange: "Thank you, Mr. Speaker. 2896, I move to concur with Amendment #1, Amendment #2."

Speaker Giglio: "Representative Stange, do you move to..."

Stange: "Concur with Amendment #1 and #2."

Speaker Giglio: "The Gentleman moves to concur in Senate Amendments #1 and 2 to House Bill 2896. Any discussion? Hearing none, all those in favor signify by voting 'aye'...Any discussion? Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I believe that the Sponsor may wish to hold off on this just for a second because there may be a technical Amendment...error in Amendment #1 on that. So, I just want to confirm before we get a Roll Call taken."

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Stange: "Probably have the Governor fix it at the Veto time."

McNamara: "Maybe we should vote 'present' so that we can fix it in the Second Conference Committee and get the technical error out of it."

Stange: "Why don't we take it out of the record for a second."

McNamara: "The Sponsor's requested to take it out of the record."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted by use of the Attendance Roll Call. Mr. Clerk, take the Bill out of the record. On the Order of Nonconcurrency appears House Bill 3590. The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, House Bill 3590. I move to nonconcur on Amendments 2 and 4."

Speaker Giglio: "You heard the Lady's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur with Senate Amendments #1, 2, 3 and 4 to House Bill 3590."

Didrickson: "Just Amendments 2 and 4, I nonconcur. And then I have another alternate Motion."

Speaker Giglio: "Alright, the Lady moves to nonconcur in Senate Amendments #2 and 4. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendments #2 and 4 to House Bill 3590."

Didrickson: "And then I would move to concur in Senate Amendments 1 and 3."

Speaker Giglio: "The Lady now moves to concur in Senate Amendments #1 and 3 to House Bill 3590. Shall I...Would you care to discuss the Amendments?"

Didrickson: "The substance of those Amendments? Yes, Amendment #1, Senate Amendment #1, puts federal reporting schedules into our state reporting schedules with regards to manufacturers of pharmaceuticals, that's Amendment #1 and



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that was an agreed Amendment. As I understood it worked out between the pharmaceuticals, the manufacturers and the retailers. Senate Amendment #3 has to do with professionals who are in alcohol and drug dependency programs in our...in private practice would not...that as such these provisions require that the private practitioner meet many requirements of a residential treatment facility. It would make a special exemption for those in those particular cases."

Speaker Giglio: "Any discussion on Senate Amendment #1 to House Bill 3590? Representative Sutker, the Gentleman from Cook."

Sutker: "Representative Didrickson, can you hear me?"

Didrickson: "Yes, I can."

Sutker: "Which Amendment deals with the removal of suspension from a list of..."

Didrickson: "Those were Amendments, Senate Amendments 2 and 4 and, I recede, I did not concur with them."

Sutker: "Those are in 2 and 4 and to those you are not concurring. Is that correct?"

Didrickson: "That is correct. That's right, that's right."

Sutker: "1 and 3 do not in any way affect that."

Didrickson: "Not at all. Not at all."

Sutker: "Alright, thank you."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative Cullerton. Further discussion? The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3590?' All those in favor signify by voting 'aye'...1 and 3?"

Didrickson: "1 and 3."

Speaker Giglio: "All those in favor signify by voting 'aye', opposed 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

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Clerk, take the record. On this question, there are 110 voting 'yes', none voting 'no' and 2 voting 'present'. And the House does concur in Senate Amendments #1 and 3 to House Bill 3590. House Bill 3826, Representative Burke. Excuse me, Representative Stern."

Stern: "Mr. Speaker and Members of the House. Representative Burke and I are presenting...We would like to concur in Senate Amendment #1 which deals with the delegate selection plan. We have conferred with the Republican concerns and we'll try to accommodate those on a different Bill."

Speaker Giglio: "Any discussion? You heard the Lady's Motion. All those in favor signify by voting 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', none voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 3826. Representative Stern."

Stern: "Mr. Speaker and Members of the House. We would like to nonconcur in Senate Amendment #2 of House Bill 3826."

Speaker Giglio: "You heard the Lady's Motion. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #2 to House Bill 3826. Representative Homer, House Bill 3152. Representative Homer."

Homer: "Thank you, Mr. Speaker. This Bill is one we took out of the record previously. I move to concur with Senate Amendment #1 which is the Amendment that adds eight new enterprise zones in 1990. I think we've already discussed the Amendment. I would simply move its adoption."

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

Cullerton: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

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Cullerton: "Representative Homer, have you been able to identify any sections of the State of Illinois that are, if we pass this Amendment, that would not be in an enterprise zone?"

Homer: "There are a few holes in the doughnut not too many."

Cullerton: "Thank you."

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

McNamara: "Yes, just a question of the Sponsor. Representative Homer, I was just wondering, how does this differ from Representative Olson's Bill which was also eight enterprise zones? Is there a difference or what? Representative Olson, a little bit earlier, had a Bill that also provided eight enterprise zones. What is the difference? Okay, I understand it from my seat mate, that my question has been answered, that his did not affect any of the language that this one does, therefore, this sort of completes the cycle. Thank you."

Speaker Giglio: "Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, you may wish to ask Representative Hartke this question. But does this as amended take care of the World Color Press situation?"

Homer: "Right, the provision that was in House Bill 3152 is still in that Bill."

Black: "Okay, thank you very much. And as far as you know then DCCA is very much in support of this. Are they not? Thank you."

Homer: "Yes, they are."

Speaker Giglio: "Representative Homer."

Homer: "I would move that we concur in Senate Amendment #1."

Speaker Giglio: "You heard the Gentleman's Motion. All those in

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favor signify by voting 'aye', opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there's 107 voting 'yes', 3 voting 'no' and 2 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3152. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Klemm, House Bill 3492."

Klemm: "Thank you, Mr. Speaker. House Bill 3492, I move to concur with Senate Amendment #1. And all we did was add, the certified speech language pathologist can also be included along with the physician and an audiologist for the hearing impaired to determine whether they receive the special telephone equipment under the TDD statutes. It's in agreement by everybody and I do move its adoption."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments #1 to House Bill 3492?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'yes', none voting 'no'. And the House does concur in Senate Amendment #1 to House Bill 3492. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3494, Representative Tenhouse. The Gentleman in the chamber? House Bill 3494."

Tenhouse: "Mr. Speaker, I wanted to...I move concurrence on Senate Amendments 1, 2, 3 and 4. Just to explain, this is coming back to that vehicle Bill that we were talking about earlier on, there was some concern expressed by the Department of Transportation as far as lost revenues concerned. Senate Amendment #1 addresses that, that raises

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from \$28 to \$42 the split on the 3000 to 5000 pound license. In effect, that would make it revenue neutral because the fee for the 5000 to 8000 pound plate would be \$44. Senate Amendment #2 would require school bus driver permit applicants in the City of Chicago, who have met all other permit requirements, to submit to a criminal background check conducted by the Department of State Police. Senate Amendment #3 would amend the Highway Advertising Control Act. Really, what it would amount to is highways that are similar to interstates, but do not...they're freeway standards. They do not technically meet the interstate highway standards, would be eligible to use the business logo signing program that would effect Central Illinois Expressway around Jacksonville, U.S. 34 around Galesburg, U.S. 20 around Rockford, U.S. 51 south of Decatur, Illinois 336 around Quincy and Illinois 6 north of Peoria. The signs are currently permitted, of course, on interstate highways. And the program is financed by fees paid by the businesses to IDOT. Then Senate Amendment #4 is strictly a clean up Amendment that was needed by the Department of Conservation. And that simply states and clarifies that individuals who rent water craft are required to register their vessels. Current law states it's illegal to operate a non-registered water craft but also states that only rented motor boats must be registered. This Amendment was requested by DOC. This by the way, all four of these Amendments passed and the underlying Bill, besides passing unanimously earlier this passed unanimously out of the Senate. I move for adoption...concurrence."

Speaker Young, A.: "Anthony Young in the Chair. The Gentleman moves that the House does concur in Senate Amendments 1, 2, 3 and 4 to House Bill 3494. On that question, the

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Gentleman from Macon, Representative Dunn."

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

Tenhouse: "Yes, I would."

Dunn: "My analysis in regard to Senate Amendment #1 indicates that there is an increase in registration fees for Class TB trailers. I don't know what those are. Do you know?"

Tenhouse: "Sure. What we're talking about under the present law the trailer classification is for 3000 to 8000 pounds. What we're doing because there had been a problem with the Department of State Police as far as stopping vehicles that are small trailers. If they're under 5000 gross vehicle weight they don't have to meet certain requirements as far as inspection is concerned. So, this is just a way to clean that up. So, in essence, what we're doing is simply dropping the fee by \$2.00 for these very light trailers. They will not be subjected under the permit as far as inspection is required."

Dunn: "You're reducing some fees?"

Tenhouse: "By \$2.00, but there should be very, very few vehicles, we have a total in that whole classification of about 46,000 vehicles. And there was some concern..."

Dunn: "Are you raising some fees also though?"

Tenhouse: "Excuse me?"

Dunn: "My analysis indicates that some fees are being raised."

Tenhouse: "No, you see what happened, Representative Dunn, initially in the legislation or, you know, the initial Bill. We talked about cutting it from 45 down to 28 for that light category or 44 down to 28 for that light category. So what the Senate Amendment did, I should say, to make it revenue neutral was to bring it from 28 up to 42. So, in essence, the fees aren't going up they're actually going down by \$2.00 for the light trailers. But

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it's \$14 more than in the Bill that was originally passed in the House back at the end of May."

Dunn: "I think I understand you but for people who own a Class TB trailer today. My analysis indicates that the license fee is \$28 and if this Bill passes it will be \$42. Is that correct?"

Tenhouse: "No. It should be \$44. It's now only going to go down to 42."

Dunn: "Well, it may have gone down from 44 to 42 in legislation. But when we go back home and deal with the owners of vehicles, they'll want to know whether it's up or down from what they paid last year. Last year, it appears to me they paid \$28 and now they're going to pay 42."

Tenhouse: "What they're telling me here is that it's actually going down by \$2.00."

Dunn: "It is going up?"

Tenhouse: "No, going down by \$2.00."

Dunn: "Then tell me this maybe...I'll read from my analysis of Senate Amendment #1 it says, 'the Amendment increases the registration fee for Class TB trailer from \$28 to \$42. The fee was reduced by the Bill in its original form from 44 to 28. So, maybe was it 44 last year?"

Tenhouse: "Yes."

Dunn: "Well, then it would be down \$2.00."

Tenhouse: "You see what happened when..."

Dunn: "Now, do you know what a TB trailer is? Is that 5000 pounds or less?"

Tenhouse: "It would be from 3000 to 5000."

Dunn: "Okay, thank you."

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

Santiago: "Mr. Speaker, I would like to separate the question. Amendment #2, to take that Amendment individually."

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Speaker Young, A.: "The Gentleman moves to divide the question as to Amendment #2. So, now the Motion before the House...Representative Tenhouse, Representative Santiago has moved that in regard that the question be divided in regards to Amendment #2. So, now the Motion before the Body is that the House does concur in Senate Amendments 1, 3 and 4. On that question, the Gentleman from Cook, Representative Turner."

Turner: "Yes, thank you, Mr. Speaker. I have a question on Amendment #2 and when it comes time then I'd like to be recognized."

Speaker Young, A.: "Representative Hartke."

Hartke: "Will the Representative yield for a question?"

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

Hartke: "Representative Tenhouse."

Tenhouse: "Yes."

Hartke: "Last fall there was a lot of confusion about trailers and goosenecks and so forth. Does this legislation clear up all those questions that many individuals in the field of agriculture had about the farm trailers and goosenecks and so forth?"

Tenhouse: "It clears up some but not all that's for sure, Representative Hartke."

Hartke: "And it answers some of the questions not all of the questions?"

Tenhouse: "Yeah."

Hartke: "Is the Farm Bureau supporting this piece of legislation?"

Tenhouse: "Yes, they are."

Hartke: "Okay, thank you."

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

Tenhouse: "I'd quite simply as far as Amendment #1, 3 and 4. I think these are rather simple changes that will just



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straighten out some of the earlier things. And one thing is especially beneficial, Senate Amendment #1 will make it revenue neutral which is very important. We don't want to impact on the Transportation Fund. I hope that we adopt these."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendments 1, 3 and 4 to House Bill 3494. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 voting 'yes', 2 voting 'no' and 1 voting 'present'. And the House does concur in Senate Amendments 1, 3 and 4 to House Bill 3494. And this Bill having received the required Constitutional Majority is hereby declared passed. Now on House Bill 3494, Senate Amendment #2, Representative Tenhouse."

Tenhouse: "Okay. Senate Amendment #2 would require school bus driver applicants in the City of Chicago who have met all other permit requirements to submit to a criminal background check conducted by the Department of State Police."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendment #2 to House Bill 3494. On that question, the Gentleman from Cook, Representative Santiago."

Santiago: "Mr. Speaker, I rise in opposition to this Amendment. This suggests ...for the last three months I have been working with the State Police, with the bus drivers contractors. We had an agreement on that same type of Bill, which I introduced, which passed the House twice. Now, all of a sudden we see an attempt by the State Police to back track on its agreement. What this Amendment does is it would put the burden on the school bus drivers to

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foot the fee for the fingerprinting. Let me tell you a little information on the issue, these bus drivers, the school bus drivers, only work four or five hours a day. These are part-time jobs which they make maybe \$4.00 or \$5.00 an hour. They have to pay an application fee, they have to pay for physical examinations, they have to pay for traffic school, they have to pay for other fees that are required by the Secretary of State. Now, the State Police, because they want to duck the issue and they want to put the responsibility on someone else, will now back track on its commitment. What they're doing is they're trying to put another fee on these poor bus drivers that are out there trying to make a living. They're out there trying to make a living. And, at the same time the State Police, what they're doing they are playing with the lives of children in the City of Chicago. When I first introduced the Bill I included the entire state, to have everyone in the state that drives a school bus to be fingerprinted. All of a sudden they came to me and asked me, you know, can we work something out. I said fine, we'll limit it to Cook County, they had an objection to that. I worked with them again and I sat down with them. And all of sudden we have something in common and they back track. So, I urge each and everyone of you that when I give my word I keep my word. And everyone, the State Police, have demonstrated that their word is no good. And I urge everyone here that believes in the principals of this House of Representatives to stand up. Because if they did it to me they will do it to you again. Thank you."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. Will the Gentleman yield for a question?"

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Tenhouse: "Point of personal privilege. Mr. Speaker, I certainly respect the comments of the Gentleman from Cook and I...appreciate what he is saying. And I think, that rather than addressing that at this time, I think what we need to do at this point is I'd like to offer a substitute Motion to nonconcur on Senate Amendment #2."

Speaker Young, A.: "The Gentleman moves that the House does nonconcur in Senate Amendment #2 to House Bill 3494. On that Motion, all those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does nonconcur in Senate Amendment #2 to House Bill 3494. House Bill 3513, Representative Countryman. Read the Bill, Mr. Clerk."

Countryman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move that we concur in Senate Amendment #1 to House Bill 3513. House Bill 3513 created the Home Detention Act which dealt with the Juvenile Court Act, the Code of Criminal Procedure, Uniform Code of Corrections. It established methodology in those cases in which we could use electronic monitoring devices as an alternative to incarceration. And there's a whole list of offenses in which they could not be used. It set forth all of the guidelines. When the Bill got to the Senate they realized that in some of the counties that home detention is used on a pretrial basis or on an appeal bond basis. And we hadn't made provision for that. So, Senator Schaffer put on Amendment #1 which does that to make provisions for a pretrial detention on the electronic surveillance or appeal bond detention on electronic surveillance. And I move we concur in that Amendment."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendment #1 to House Bill 3513. On that question, all those in favor vote 'aye', those opposed vote

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'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3513. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I would ask leave of the House and use the Attendance Roll Call for the purpose that the House Rules Committee meet while the House is in Session and to suspend the posting notice for Senate Bill 983. The meeting will be held immediately in the Speaker's Conference Room to exempt that Bill. And I would ask leave and the use of the Attendance Roll Call."

Speaker Young, A.: "You heard the Gentleman's Motion. On that Motion, Representative Piel."

Piel: "Question, Representative Matijevich, has this been cleared with the other side of the aisle? The posting notice."

Matijevich: "I understand it has but, if you want to take it out, I'll make sure."

Piel: "Yeah. Could we just take it out for just a second to make sure it clears with this side? I appreciate it. Thank you."

Speaker Young, A.: "The next Bill is House Bill 3518, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 3518. It's a technical Amendment. It merely changed the effective date from July 1, '90 to July 1, '91. And I move that we concur."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendment #1 to House Bill 3518. On that

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question, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 1 voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3518. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3529, Representative Parke. Out of the record. House Bill 3565, Representative Currie. Out of the record. House Bill 3591, Representative Barnes. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3591, amends the Illinois Purchasing Act, on the Order of Concurrence."

Speaker Young, A.: "Representative Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 to House Bill 3591. It's an agreed Amendment between Central Management Services, CDB and ENR. And I move for its approval."

Speaker Young, A.: "The Lady moves that the House does concur in Senate Amendment #1 to House Bill 3591. On that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3591. And this Bill having received the required Constitutional Majority is

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hereby declared passed. House Bill 3603, Representative Olson. Out of the record. No, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3603, amends an Act relating to secular text books together with Senate Amendment #1, on the Order of Concurrence."

Speaker Young, A.: "Representative Olson."

Olson, B.: "Thank you, Mr. Speaker. House Bill 3603, the underlying Bill, permitted schools to dispose of unneeded text books after five years of service. The Amendment in the Senate merely said that they have to notify the State Board of Education in writing. I would move for concurrence to the Senate Amendment 1 to this Bill."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendment #1 to House Bill 3603. On that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3603. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3613, Representative Cullerton. Out of the record. House Bill 3630, Representative Noland. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3630, a Bill for an Act in relationship to certain lands in the State of Illinois, together with Senate Amendments #1, 2, 3 and 4 on the Order of Concurrence."

Noland: "Mr. Speaker, this is the Department of Transportation's annual administrative Bill that releases easement rights

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and restores access rights along certain highways. Senate Amendments 1 thru 4 add additional properties to that. And I move to concur with Senate Amendments 1 thru 4."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendments 1, 2, 3 and 4 to House Bill 3630. On that Motion, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendments?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments 1, 2, 3 and 4 to House Bill 3630. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3645, Representative Ryder. Out of the record. House Bill 3649, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3649, a Bill for an Act in relationship to agro-chemical contamination, together with Senate Amendments #1 and 2 on the Order of Concurrence."

Speaker Young, A.: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I move to concur with Senate Amendment #1 and Senate Amendment #2. Senate Amendment #1 is a continuation of the Agriculture Fertilizer Act and Pesticide Act that I started here in the House. And there was an...We could not reach an agreement totally in the House on how to amend this thing. So, there was an agreement that they would of put an Amendment on in the Senate which they did. Senate Amendment #1 directs the Department of Agriculture in consultation with the Inter-agency Committee on Pesticides to develop a program to address the agriculture pesticide

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contamination in Illinois. It also imposes some temporary surcharges and fees for registration of products. It also creates the fees for registration fees, for applicators. It provides for a committee structure to administer the program of five members. It also imposes a fee for registration for agriculture chemical sites and facilities. And those are all in Amendment #1. Amendment #2 is a technical correction for the Department of Agriculture, Agriculture Chemical Disaster Relief Program, for the use of those funds to be only for the administration of the program. I'd be happy to answer any questions that any Member might have on Amendment #1 and Amendment #2 or the entire Bill itself."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendments #1 and 2 to House Bill 3649. And on that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, obviously there's been a lot of work done on this Bill since it left the House. I think there was some confusion perhaps that when this Bill left the House. It's my understanding that the Farm Chemical Association as well as the Farm Bureau were opposed to the original Bill, the Bill as introduced. Now it's had substantial amount of work done on it since that time. Can you tell me whether the Fertilizer Chemical Association and the Farm Bureau have altered their position somewhat?"

Hartke: "Absolutely, Representative Black, the Illinois Farm Bureau and the Illinois Agriculture Association and the Agriculture...Illinois Fertilizer and Chemical Association are in complete agreement with the Bill. We have worked



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very hard with the Environmental Protection Agency and the Emergency Service and Disaster Agency, the Pollution Control Board, The Department of Agriculture. And all sides are in agreement on this piece of legislation."

Black: "Thank you very much, Representative."

Speaker Young, A.: "Further discussion? The Gentleman from Cook, Representative Martinez."

Hartke: "I think we've heard comments on the Bill and I just ask for your concurrence."

Speaker Young, A.: "Excuse me, Representative Hartke. Representative Martinez is recognized for discussion."

Martinez: "Mr. Speaker, I wish to have the record to record that I would have voted 'aye' to House Bill 3603."

Speaker Young, A.: "The record will so reflect. Further discussion, the Gentleman from McLean, Representative Ropp."

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

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

Ropp: "Representative, I think in the Senate Amendment there is a pesticide or Agri-chemical Incident Response Fund. How much is that fund?"

Hartke: "Under this legislation it creates two things: the House Bill created a study commission, Representative Ropp, which will be funded by fees on applicators and registration of products. And those fees would amount to about \$600,000. The Pesticide Clean Up Fund will be funded by a sight registration, and each of the chemical and fertilizer sites in Illinois that register, and that will will be a \$500 fee. There are approximately 1300 sites in Illinois. A fertilizer dealer may have more than one sight. It would be \$500 fee per sight and that would raise somewhere close to \$650,000, to be put in a fund for chemical spills that would take place after the enactment of this legislation.

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Ropp: "So there is no cap? You're saying that it would be \$600,000 is the amount that is expected to go into that fund?"

Hartke: "The 600 some thousand dollars that would be collected under this fee structure would go for two years. The legislation also calls for the study commission created under the original House Bill is to report back to the General Assembly by January 1st, 1992 with the results. All of these fees and increases in registration are temporary and those are for two years. Also, there is in a Chemical Response Fund a deductible of \$50,000 per site plus 10% of the cost of the clean up. So, history has shown that there are approximately one or two spills each year and this is for an insurance for those sites to help with the clean up."

Ropp: "Okay. So, this is a self insuring fund or will this be used to purchase an insurance premium?"

Hartke: "Would you restate that question, please."

Ropp: "Will this fund be the self insurance portion to help clean up those spills or will this \$600,000 be used to purchase an insurance policy for the clean up?"

Hartke: "No, this will be for the Clean Up Fund. It's structured under somewhat like the Agriculture Grain Dealer Protection Act."

Ropp: "Well, okay, but that see has three or four million dollars that provides a continuing self insurance. And it seems I...my question is I don't think this is going to be enough to really do much, when the spill in Lexington, Illinois is something cost something like \$100,000 a day to clean up. I'm just wondering whether or not...I think this is a good idea and I'm going to support it. But it looks to me like it's just kind of a drop in the ocean and I'm not...I hope that people who support this, including the chemical

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people, are not wooing themselves asleep. Because there's a sleeping giant out there, if there's several spills, could just gobble this money up and there won't be any money in the fund at all."

Hartke: "Absolutely, and we realize that, Representative Ropp. There was considerable opposition, to start with we had a structure of an assessment on the dollar amount of chemicals sold to farmers and that was not acceptable to Farm Bureau in the original legislation. And that's why we worked so hard to put together to determine how much of a fund we would need in Illinois. And that was the idea of the creation of the study commission that's going to study what kind of a fund we do need. I realize that at some point in time we may need a ten, twelve, fifteen million dollar continual fund. But I can't tell you that yet because I don't know what the study commission is going to find in their studies."

Ropp: "Okay. In essence, what this is is a two year stop gap measure allowing the study to come forth to determine what is actually needed in the way of an insurance fund for these emergency situations."

Hartke: "You're absolutely right, Representative Ropp."

Ropp: "Thank you."

Speaker Young, A.: "Representative Hartke to close. No, Representative Sieben."

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

Hartke: "Yes, I will."

Sieben: "Representative Hartke, I'm concerned about the response portion of this fund and what might be available for a situation like Adkinson's Grain in Hoople. Do any of these funds apply to an ongoing existing situation where there is already an action involved?"

Hartke: "I'm not sure that the...And I don't think that the

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dollars for the Emergency Response Fund will be used to clean up those existing incidents such as the one you mentioned at Hoople or at Lexington. However, they may be considered in part of the study to determine on how to clean this up. We have the two incidents, one in Lexington and one in Hoople. We also have several other sites that have been designated in the State of Illinois by the EPA as having problems. We don't know what the extent all those problems are and they may be included in the study commission to determine or in the study to determine how to clean up those sites."

Sieben: "Okay. So, the money that would be generated by these fees would not be used to go back and try to resolve a situation pre-existing...legislation."

Hartke: "Not for those two but those two sites could be used. For example, we may go into Lexington or Hoople, it depends on what the study commission wants to do, to look at those sites to determine what is the best method of cleaning up those sites and the most responsible and economical way to do it."

Sieben: "If a situation like Lexington or Hoople were to happen after this legislation was passed. What...How do you see that benefiting those facilities?"

Hartke: "The Chemical Response Fund, Representative, would go in and clean up that facility once the deductible had been met and all the requirements by the Act. That is: they would have to register their sites; report it on a timely basis and so forth; met their deductible which is a high deductible, a \$50,000 deductible plus 10 % of the cost of the clean up. Then the Response Fund would kick in."

Sieben: "Thank you very much. This is a very responsible and progressive approach to deal with this problem. And I stand in support of the Gentleman's Motion."

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

Hartke: "I think we've heard the discussion. I just request a vote for a concurrence in Senate Amendment #1 and 2 to House Bill 3649."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendments 1 and 2 to House Bill 3649. And on that question, all those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments 1 and 2 to House Bill 3649. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill...Representative Matijeich."

Matijeich: "Yes, Mr. Speaker, I've discussed the Motion that I brought up with Representative Hallock and Representative McCracken. I would now ask leave and use of the Attendance Roll Call to suspend the rules to allow the House Rules Committee to meet and suspend the posting rule on Senate Bill 983. So, that we can meet immediately in the Speaker's Conference Room."

Speaker Young, A.: "The Gentleman has moved to suspend the posting notice for an immediate hearing of the Rules Committee in the Speaker's Conference Room. Does he have leave? By use of the Attendance Roll Call leave is granted. And the Rules Committee will meet in the Speaker's Conference Room. House Bill 3655, Representative Hicks. Out of the record. House Bill 3658, Representative Novak. Representative Novak. Read the Bill, Mr. Clerk. Representative Novak."

Novak: "Yes. Thank you, Ladies and Gentlemen, Members of the

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House. I move to concur in Senate Amendment #1 to House Bill 3658. House Bill 3658 provided that when a bill has been submitted to the state or to an administrator of health care provided to a person covered under the state group health insurance. The Bill is subject to the Prompt Payment Act. Senate Amendment #1 includes coverage through a physician owned HMO, Health Maintenance Organization, that is also subject to the provisions of the Bill. I move for its concurrence."

Speaker Young, A.: "The Gentleman moves that the House does concur in Senate Amendment #1 to House Bill 3658. And on that Motion, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3658. And this Bill having received the required Constitutional Majority is hereby declared passed. Committee Report."

Clerk O'Brien: "The Committee on Rules met pursuant to Rule 29(c)3. The following Bills have been ruled exempt on June 26, 1990: Senate Bill 983, signed John Matijevich, Chairman."

Speaker Young, A.: "House Bill 3679, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I move that the House concur in Senate Amendment #1. Senate Amendment #1 adds on to the Bill the Uniform International Wills Act and Uniform Foreign Money Claims Act. I don't believe these are controversial. The Uniform International Will Act merely provides a form which will be recognized in this country

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when adopted and other countries and vice versa. It does not have any substantive effect. And the Uniform Foreign Money Claims Act is...allows foreign currency to be used to establish damages as appropriate. I move that the House concur in Senate Amendment #1."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 3679. On that Motion, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there 115 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3679. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3683, Representative Leverenz. House Bill...Out of the record. House Bill 3694, Representative Breslin. Read the Bill."

Clerk O'Brien: "House Bill 3694, a Bill for an Act to amend the Vital Records Act, together with Senate Amendments #1, 2, 3, 4 and 5."

Speaker Young, A.: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I am going to move to concur in all of the Senate Amendments on this Bill. The original Bill was a Bill that would eliminate the requirement that newborns be blood typed immediately at birth, that was fairly noncontroversial, too it has been added these five Amendments which are all separate Bills. Two of them are Bills that passed this House by very large Roll Calls but never got out of the Senate Rules Committee. I will explain each Amendment individually and ask for your consideration. The first

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Amendment was an Amendment to put on Representative Homer's Bill, House Bill 3702, that passed this House with 114 'aye' votes. It required the Department of Public Health to make annual grants to regional poison resource centers to provide fast accurate information for prevention, detection, surveillance and treatment. Amendment #2 was Representative Shirley Jones' Bill that passed this House unanimously. It amended the Vital Records Act and provided that when an adoption is ordered by a court the record be furnished by the court clerk to the State Register of Vital Records. They shall include the Social Security Numbers of the adoptive parents. Those two Bills were adopted in their entirety in these two Amendments. Amendment #3 was a request by the Illinois Hospital Association to extend the time period for registering births and fetal deaths with local or subregistrars from three to seven days. The Department of Public Health does not oppose this Amendment and the hospitals indicate that it would greatly facilitate their operations. Amendment #4 is a Bill presented by the Department of Public Health. It amends the Ambulatory Surgical Treatment Center Act to authorize the Director of Public Health to employ a variety of sanctions in addressing the failure of licensed ASTCs to comply with the statute and its attendant regulations. The proposal requires the Illinois Department of Public Health to provide facilities with notices of violation and to provide an opportunity for hearing. Licensees are required to submit plans of correction for the Department's approval to remedy noted violations. The Director is authorized to levy an administrative fine of up to \$500 per violation per day against the ASTC. In cases of nonpayment the Amendment authorizes the Director to direct the State Treasurer to deduct the amount of the fines owed from amounts otherwise



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due the ASTC from the state and remit that amount to the Department. Finally, the Amendment would modify the ASTC's licensing boards approval power over administrative rules, allowing the Department to promulgate rules without board approval, if the board failed to act within 90 days of receiving draft rules from the Department. The Department maintains that this Amendment will incur minimal cost associated with rule making to the Department. Amendment #5 removes the application requirement...It amends the Illinois Clinical Laboratory Act to: first, remove the application requirement for laboratories which are by statute categorically exempt from the regulations because of the small number of minor tests they perform; and, secondly, it would add the strip test to the list of minor tests which may be performed without regulation. Again, the Department of Public Health does not oppose this Amendment. I would be happy to answer any questions and move to concur, Mr. Speaker."

Speaker Young, A.: "The Lady moves that the House concur in Senate Amendments 1, 2, 3, 4 and 5 to House Bill 3694. On that question, the Lady from Cook, Representative Davis."

Davis: "Will the Lady yield for questioning?"

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

Davis: "Representative, why do you want to remove blood type from birth certificates?"

Breslin: "Because we found that testing infants in the...when they are first born is not an accurate test. Traditionally the blood type of an infant is not set for between four to six months after the child is born. So, it is very bad policy to have the wrong blood type on the birth certificate. This matter was brought to us by the attention of the Illinois State Medical Society. They are in complete agreement that it is better not to have this

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testing done at this time."

Davis: "I certainly respect your opinion, thank you."

Breslin: "Thank you."

Speaker Young, A.: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments 1, 2, 3, 4 and 5 to House Bill 3694?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendments 1, 2, 3, 4 and 5 to House Bill 3694. And this Bill having received the required Constitutional Majority is declared passed. House Bill 3695, Representative Olson. Out of the record. House Bill 3717, Representative Parcels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3717, a Bill for an Act to amend the Environmental Protection Act together with Senate Amendment #1."

Speaker Young, A.: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur in Senate Amendment #1 to House Bill 3717. The House...The Bill remains the same as it left the House with this one Amendment. The original Bill amends the Environmental Protection Act to authorize the Illinois Environmental Protection Agency to deny the renewal of an air pollution operating permit. If the operator of the facility has failed to pay any Air Pollution Permit fees owed to the state within 60 days from the time the fee is due. This was suggested by the Audit Commission and it passed out of this House unanimously. In the Senate it was requested by the state chamber and the Illinois manufacturers that the IEPA clarify the link

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between the Federal Laws and the rules and regs that they come up with. The Illinois Environmental Protection Agency thought this was a good idea. And they will in the future be able to show where the Federal Law has had an impact on the rules and regulations which they adopt here in the state. And so it is an Amendment which was in complete agreement and came out of the Senate unanimously. I'd ask for your 'aye' vote on the concurrence Motion."

Speaker Young, A.: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 3717. On that Motion, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3717. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3733, Representative Regan. Read the Bill."

Clerk O'Brien: "House Bill 3733, a Bill for an Act to amend the Children and Family Services Act together with Senate Amendment #1."

Speaker Young, A.: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Senate Amendment 1 to House Bill 3733 simply broadens the list of places where this pilot project for foster children suggested by DCFS. No opposition. I move its passage to concur."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 3733. On that Motion, is there any discussion? Hearing none, the question is,

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'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3733. And this Bill having received the required Constitutional Majority is declared passed. House Bill 3738, Representative Black. Read the Bill."

Clerk O'Brien: "House Bill 3738, a Bill for an Act to amend the Conservation District Act together with Senate Amendment #1."

Speaker Young, A.: "Representative Black."

Black: "Thank you very much, Mr. Speaker. The original Bill amends the Conservation District Act. I believe it affects five county conservation districts throughout the state. The underlying Bill simply puts those conservation districts on the same fiscal year schedule as park districts. The Senate Amendment probably makes a good Bill even better. And it was suggested by the Illinois Press Association. It restores the publication requirement for ordinances making appropriations as originally deleted by the Bill. It does require publication once rather than at least once a week for two weeks. I would urge that we concur with Senate Amendment #1."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 3738. On that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in the Senate Amendment?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the

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record. On this question, there are 116 voting 'yes', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3738. And this Bill having received the required Constitutional Majority is declared passed. House Bill 3740, Representative Peterson. Read the Bill."

Clerk Leone: "House Bill 3740, amends the Illinois Insurance Code together with Senate Amendment #1 on the Order of Concurrence."

Speaker Young, A.: "Representative Peterson."

Peterson, W.: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 3740. The Amendment contains changes reflecting the latest National Association of Insurance Commissioner's Model Act for junk bond investments. It clarifies the authority of the Director of Insurance regarding unauthorized or alien companies in receivership. I ask for your approval, concurrence of Amendment 1 to House Bill 3740."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 3740. On that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt the Senate Amendment?' All those in favor vote 'yes', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no' and none voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3740. And this Bill having received the required Constitutional Majority is declared passed. House Bill 3755, Representative Levin. Out of the record. House Bill 3766, Representative Homer. Representative Homer. House Bill 3766. Read the Bill."

Clerk Leone: "House Bill 3766, a Bill for an Act to amend an Act

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to revise the law in relationship to clerks of the court, together with Senate Amendment #1. On the Order of Concurrence."

Speaker Young, A.: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I would move the concurrence of Senate Amendment #1, which is the substance of a House Bill, which was House Bill 3025 that passed this House and was held in the Senate Rules Committee. The provision provides that there be a supplemental payment to the offices of the circuit clerks in counties that have correctional facilities that would, that would amount to I believe it's 10, yes, \$10,000 dollars per year to enable those circuit clerk's offices to hire an additional staff person to handle the caseload created by the filing of proper petition by inmates from the correctional centers. Which has caused circuit clerk's offices in those counties to be inundated with additional paperwork. And the Bill also has the provision in it that would redefine state university for the purpose of the reimbursement to county states attorneys that have state universities. So as to include those universities that have a 2 + 2 baccalaureate degree program. Again this was the substance of House Bill 3025 and I would move the concurrence of Senate Amendment 1."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 3766, and on that question the Gentleman from Vermilion, Representative Black."

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

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

Black: "Representative, is the underlying Bill still intact that the changing the way a county may impose a fee or charge a

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fee on child support? They can put a collection of child support payments?"

Homer: "Yes, the Amendment leaves the original Bill intact."

Black: "And that Bill added, said a county could go to a three dollar fee per collection, not to exceed \$36 dollars a year, was that correct as I recall?"

Homer: "Correct. Right. Originally last year we passed a Bill that allowed for it to be three dollars per payment. Well in some cases that payment is made weekly and three dollars per week amounted to a pretty substantial fee. The attempt of this Bill is to standardize and make uniform the fee throughout all of the 102 counties in the state of Illinois and would say that the maximum the cap would be \$36 six dollars. But it could be charged either in lump sum or per periodic child support payment.

Black: "Thank you very much."

Speaker Young, A.: "Further discussion? The question is 'Shall the House adopt this Senate Amendment?' All those in favor vote 'yes', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'yes', 3 voting 'no' and 5 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 3766. And this Bill having received the required Constitutional Majority is declared passed. House Bill 3771, Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I move to concur in the Senate Amendment to House Bill 3771. The original Bill was the Bill that required state agencies, who are building new buildings or acquiring or leasing all or a substantial portion of a building other than the renewal of an existing lease, to provide on-site child care for state employees in the construction plans for that new

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building. The Amendment that the Senate added is a clarifying Amendment that says, 'of course this requirement shall be based on the demonstrated need that is already required in the Act.' I think it is a good Amendment. It satisfies the needs of Central Management Services and the universities."

Speaker Young, A.: "The Lady has moved that the House concur in Senate Amendment #1 to House Bill 3771."

Breslin: "Excuse me. Mr. Speaker, the staff indicates they need to look at the Amendment. So, I'll take the Bill out of the record."

Speaker Young, A.: "Take the Bill out of the record. At this point we will go back and pick up some of the Bills where the Sponsor was not on the Floor when the Bill was called. Any Sponsor who had a Bill called and was not on the Floor come to the well and let us know. The first Bill on this Order is House Bill 3149, Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3149, in it's current form deals with reimbursement for social workers. I'm going to move to concur with the Senate Amendments which delete all other sections of the Bill and just deal with this. You've been hearing a lot about this issue and this issue is in fact and truly consumer choice. Concurring with these Amendments and sending it to the Governor for his signature will allow your constituents to make a choice as to how they will receive treatment for emotional disorders, personal problems that may or may not now be taken care of by a psychiatrist or a psychologist. Currently there are over 30 counties in our state where there isn't even a registered psychologist or psychiatrist, we must give the people in these counties the opportunity to make choices as to ways and methods that they might get these important



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services for themselves. And in counties where these services do exist this type of methodology is substantially cheaper than a psychiatrist or a psychologist. To those who have been opposing this in the past because it's a mandate. It clearly is not a mandate it simply says that where health insurance policies cover this type of care that the care of a social worker should be reimbursable through that insurance company. What this will allow is the opportunity for consumers to make a choice as to the type of individual they would like to help them with their problems, it will also enable insurance companies after a period of time to in fact lower insurance premiums, because the more often that someone would choose a social worker to handle these problems at perhaps forty dollars an hour as opposed to a psychologist or psychiatrist at perhaps a hundred and fifty dollars an hour. These lower payments through the insurers should lead to lower insurance rates. So this is a good deal for all who need this type of service. I would add that there have been quite a few articles recently and editorials, particularly in the Chicago Sun Times supporting and endorsing this procedure, I know many people in my district and I'm sure you know people in your districts that have used a social worker to help them with family problems or personal problems and not necessarily problems that anyone would go to a psychiatrist or a psychologist for. Not all problems that people have require a psychologist or psychiatrist. A person who can write a prescription, of course social workers cannot write a prescription but they in many cases are closer to the problems that people in your districts have within their homes and within their own heads and hearts, than a psychiatrist or psychologist would. This is crucial, crucial legislation for your constituents for trying to

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make a choice, this is particularly crucial legislation to those of you in rural areas that don't have psychologist and psychiatrist, over thirty counties that are represented in this General Assembly need to have to go to a social worker for these problems. And it's a shame that currently they aren't able to make a claim through their insurance company to get these claims paid. So I ask your support on this concurrence Motion, be happy to answer your questions."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendments #2 and 3 to House Bill 3149. On that Motion, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I must respectfully rise in opposition to this Motion. I would like this Body to remember that we have...we have soundly defeated this Bill in the past. We have soundly defeated it in the Senate, this Bill is a mandate regardless of what anybody will tell you it is a mandate and that mandate must be paid by the small businessman and woman who provides health insurance coverage to their employees. This will be a major cost which will further rise the cost of providing health insurance in this state. It has been said in committee hearings that 66 percent of the health care provided by the clinical...supposedly comes from the clinical social workers. If we in fact turn around and in fact put that on the backs of the small businessman and woman providing health insurance benefits consider how much more it is gonna cost to do business in this state. I will tell you in addition that the State Medical Society, the Chamber of Commerce, the Manufacturers Association, the Life Insurance Council has opposed this continually. And for that reason as well as the reasons I have stated earlier I must

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respectfully rise in opposition and ask this Body to join with me in opposing this Motion."

Speaker Young, A.: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of the Gentleman's Motion. First of all, this is not a mandate. It simply says that if you are going to provide insurance coverage, for services provided by psychiatrists and psychologists that coverage must also be extended for the services provided by a registered clinical social worker. And it seems to me, Mr. Speaker, that we have to be concerned here about not only the availability but also the cost of health care and we have to recognize that mental health care is every bit as important as physical health care. As to the availability issue I would remind you of a letter sent by Representative Larry Woolard to all of us urging our support for this Amendment...this Senate Amendment and telling us how that would effect his district. Where there practically are no psychiatrist or psychologist who are available even if the person can afford those services. I would also point out to you that not only is the hourly rate for a social worker, clinical social worker far less than that for the psychiatrists or psychologists but of course the clinical social worker typically works on an outpatient basis rather than the very costly inpatient basis. One of the other things this proposal does is to increase competition. We all know that increased competition is the best thing for everybody it improves the quality and the professionalism of those who are competing and it works to the best interest of the consumer, for all of those reasons and many others, Mr. Speaker and Ladies and Gentlemen of the House, I rise in strong support of the

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Gentleman's Motion and I urge all of you to join me in voting 'yes'."

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

Pedersen, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This truly is a mandate and it will not increase competition because the competition's already there, if they can prove their case. I mean there is nothing to prevent any employer from putting together medical coverage that would include these costs. The fact of the matter is the cost really does go up, the Health Data Institute has issued a report that says there is clear evidence that vendorship from the clinical social workers has not reduced costs. So I think what we're talking about here is just another mandate there is nothing to prevent...to prevent employers to include their services in their coverage if they want too. So the market is there if they want it. It really does hurt the little guys especially and I would urge a 'no' vote."

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

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. I rise in support of this concurrence Motion. Psychiatrists and psychologists are very important elements in the mental health community but so, too, is our clinical social workers as important elements to the mental health community. I disagree with those who say that this is a mandate, as one doesn't require offering of insurance that covers mental health problems and two if all this does is to provide an option, an option for a consumer who may not be able to obtain the services of a psychiatrist or a psychologist but we should keep in mind that many people who are definitely able to obtain the services of a

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psychiatrist or a clinical psychologist may well opt to have the services rather of a clinical social worker because social workers are mental health professionals, every bit as professional as the other elements, the other professions within the mental health community. This is good legislation that will make mental health care more available to the people we represent, and that's what it's all about and as an extra bonus it will also for those who opt for that type of mental health care in most cases make it available at a lower cost, and we're always worried about the rising costs of health care. This provides an option that will be health care, mental health care at a reduced cost for those who seek it and those who desire it. And I think it's a very good idea. These are professionals and I urge you to vote 'aye'."

Speaker Young, A.: "The Gentleman from Coles, Representative Weaver."

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

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

Weaver: "Representative there seems to be some disagreement as to whether or not this is a mandate. Can you tell us under current law, if I for example were to go to an insurance agent and ask for coverage for social workers, would I be able to get it?"

Lang: "I appreciate the opportunity to answer this question, the answer is some policies cover this, some policies do not cover this. But it only stands to reason that if policies are required to cover this, since the cost of a social worker is \$40 per hour as opposed to \$150 per hour, that the cost of this supposed mandate will decrease the prices and the premiums on these insurance policies. So it is not a mandate in the way that many are referring to it as a

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mandate."

Weaver: "Well, thank you very much. Mr. Speaker, to the Bill.

Ladies and Gentleman by the sponsor's own admission it is currently available, we can get it if we want and if the employees can bargain for it and they get it through the employer's health insurance program then they can buy it. And I would think that if it is that much cheaper and just as effective that the employer would certainly want to save some money and go ahead and purchase it anyway. I think what we have here is a problem of deciding whether we want quality or we want to save some money. In addition to a previous speaker's indication that the Illinois State Chamber of Commerce, and the Life Insurance Council are opposed to this Amendment, please listen to the fact that the Illinois Medical Society and the Psychiatric Society are also in opposition to this, they are looking towards the quality of care, not just the cost. Sometimes we can save money and end up with a lesser quality in treatment and I think we need to at least think seriously about concurring on this. I think a 'no' vote or a 'present' vote is probably the correct one in this case."

Speaker Young, A.: "The Gentleman from Lake, Representative Matijeich."

Matijeich: "Mr. Speaker, Ladies and Gentlemen of the House. Let's, for a moment, talk about that issue again about mandates. If I am covered for mental health services I ought to be able to go to the practitioner of my choice. Now, what is mandated is that you've got to go to a practitioner who the Legislature in prior years has said you must go to. That is the mandate and I think that's wrong. Now, I heard in the last debate about this issue that buzz word that we were hearing now days, micro-manage. What is this stuff about that we've heard about government

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getting into regulation and what not. We have already got into it. In the prior statutes by regulating that if you are covered for mental services, mental health services, you have to go to a psychiatrist or a licensed psychologist. That's the prior mandate. Now, if you don't like mandates you ought to say let's not have those types of mandates. Let's have them go to the practitioner of their choice as long as they meet statutory qualifications. Now, when we passed the qualifications for the licensed clinical social worker, we didn't grandfather anybody, we said that they have to take tests, they have to have graduate level education, we have to have, they have to have experience. We wrote into the law to insure that if you are going to choose, if you are going to choose that practitioner you are choosing somebody who is well qualified. This is not a mandate, no matter how you define the word mandate. In fact, as I have said, and I say again we ought to erase the mandate that's on the book now and let that person who is presently, presently has insurance for mental health services. How can it be a mandate? If I'm covered, I'm already covered, it's not mandating additional coverage. What we're saying is you make the decision and if I do make the decision that I'm going to go to a clinical social worker actually it will be at lesser cost, lesser cost. Because you and I know that if you are going to go to a psychiatrist that you're going to have hospital care and hospital care is so much more costly, so Ladies and Gentlemen of the House this is not a mandate it is good. It's good for the person so that the person makes that choice and I urge you to vote 'aye'."

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

Shaw: "Thank you, Mr. Speaker. I move the previous question."

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Speaker Young, A.: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the previous question is put. Representative Lang to close."

Lang: "Thank you, Mr. Speaker. I greatly appreciate the words of Representative Matijevich who stated the issue about mandating very clearly. In fact, this does not mandate benefits in policies that allow for mental health coverage there is already mental health coverage. This would merely add to the types of people who can receive reimbursement this is not additional coverage. This is to allow the social workers to receive this reimbursement, will lower the cost of policies. It will create more competition in this field and will lower costs and where we can lower costs particularly in an era where we have very high medical costs. In the inner city and in urban areas we have greatly escalating medical costs. And we have to be able to control them, we have a crisis in the amount of cost of health care. We need to be able to do something about this. This Bill will do something about this. I must also add that I have a list of 150 psychiatrists here who are in a group called Psychiatrists For Consumer Choice who endorse this concept, they say that we need to have more social workers doing this kind of work because they're closer to the people and their more responsive to these kinds of problems on a day to day basis. Help us with the health care crisis in this state, level the playing field in this area so that all who render this type of service can be paid appropriately and so that your constituents can get the kind of mental health services they desire. Please vote green to concur."



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Speaker Young, A.: "The question is 'Shall the House concur in Senate Amendments #2 and 3 to House Bill 3149?' All those in favor vote 'yes', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Regan to explain his vote."

Regan: "Thank you, Mr. Speaker, Members of the House. Make no mistake this is a mandate, every time you mandate you make the insurance, health insurance field shrink, the self-insurance plans come in they don't have to listen to any of these mandates so what you're trying to accomplish you lose in the long run. A 'no' vote is the vote to..."

Speaker Young, A.: "Representative Ryder to explain his vote."

Ryder: "Thank you, Mr. Speaker, I concur with the comments of Representative Regan, this is a mandate and although it doesn't appear necessary now should this receive the requisite number that we, I would request a verification."

Speaker Young, A.: "Representative Dunn to explain his vote."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in explanation of vote to ask for support for this legislation, people can throw buzzwords around all they want but there are people out there who have problems who are in need of treatment by clinical social workers and they have health care insurance. All we're asking is that there is an opportunity to provide insurance coverage for those patients to pay the professionals who provide the treatment to them. This is good legislation and as I pointed out earlier by someone on the other side of the aisle it is actually not a mandate this is an option. All it says is if you offer one thing you should include this, you don't have to offer it but if you do include this. This is good legislation, please put up some green votes for the social workers, let's pass this Bill and send it to the Governor."

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Speaker Young, A.: "Representative Stephens to explain his vote."

Stephens: "Well thank you, Mr. Speaker. And I think on behalf of those voting 'no' to point out that this is not a 'no' vote against clinical social workers, we understand and appreciate the fine services that they provide. But the real issue is that those services can be put in any insurance policy and they can have coverage it is something that can be negotiated we in no way reject social clinical...clinical social workers this is just a 'no' vote because of the mandate and because of the increased cost that this will obviously provide."

Speaker Young, A.: "Representative Woolard to explain his vote."

Woolard: "Let me talk about a word that hasn't been mentioned it's necessity. Necessity is something that is entirely different than a mandate if you lived where I lived there would be no question that you would support this issue because we don't have psychologist and psychiatrist available on every street corner. And there's a lot of others of you in this room that are in the same position that I am, but let me tell you something that's more important and dearer to my heart than whether or not I have this available. I have a young man that lives in my district that has a chemical imbalance, this young man needs the care, he needs the attention of the kind of people that are social workers. He needs the support that they can provide, this young man has every right to expect the best care available, this young man is very near and dear to Representative Larry Woolard's heart...to support this issue because it's important, it's very important. We don't have psychiatrists and psychologists on every corner. But we've got a lot of social workers and they can provide that support. And there's a lot of other fathers out there that have sons that have those same needs, damn your

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mandates, I don't care if it is a mandate let's make it happen, let's make it right for those people that have needs and they're there. There's a lot of them. I plead with you for your support."

Speaker Young, A.: "Representative Sutker to explain his vote."

Sutker: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. There has been a lot of discussion about the talents of social workers as against psychiatrist and psychologist. Let me suggest to you that psychologist and psychiatrist agree on the importance of social workers, psychiatric social workers in handling some of these problems, now the Amendment provides for doctors to intervene on behalf of the social workers for those to suggest that social workers aren't capable of handling these situations just are not dealing in the real world. Ladies and Gentlemen this Bill provides another option for consumers, it provides another option for citizens, it doesn't take anything away from those that are in the field currently. It adds a provision that social workers can handle some of these cases even more professionally, even more skillfully than psychiatrist. They are trained for this work. I'd like to see more votes up there that support this concept. It is not a mandate Ladies and Gentlemen, that's confusing the issue entirely, that's a smoke screen..."

Speaker Young, A.: "Bring your remarks to a close."

Sutker: "It's merely an attempt, Ladies and Gentlemen, to give consumers one more chance to serve themselves."

Speaker Young, A.: "Representative Davis to explain her vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I believe that the American way is usually the way of choice and I think this legislation does not mandate that one has to see a clinical social worker. It simply

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states that if one so chooses that they have a right to that particular kind of service. I think with all of the drug testing that's going on in the workplace today and if there will be counseling available to those people who are abusers, I think we are going to be in dire need of the clinical social worker to help us address some of the serious problems that are not being addressed today at all. Today there is a lot of testing going on but there is no treatment available. I think the clinical social worker being an available partner in presenting this kind of care is a very good option for all of those in need of that service, and I think a good green vote is important. Thank you."

Speaker Young, A.: "Representative Ropp to explain his vote."

Ropp: "Thank you, Mr. Speaker, Members of the House. I don't think in my impression of this Amendment that we are saying that social workers will be in a position to administer or recommend certain kinds of medical council. If, in fact, you have attempted to seek the help of a psychiatrist or a psychologist you're talking about thirty to sixty, ninety days many people who are in need of this assistance need it now, these clinical social workers will provide that as I might say, tender loving care and council to those people who need it. The cost saving is rather astronomical we're asking for help for those people who need just help of a kind of loving care that social workers will be able to give. It's important that this pass and I urge your support."

Speaker Young, A.: "Representative Bowman to explain his vote."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All this discussion about mandates is quite misplaced. After all the reason that employers provide health insurance is because if an employee has a health

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problem they should have that problem taken care of so they can return to work and function in the work environment. If a person gets a broken arm, that arm should be set, and repaired and the person could come back to work. If a person has a substance abuse problem or a problem with mental health or stress then that problem should be taken care of so that they can return to work and be a fully functioning member of the work force. This legislation fixes a problem in the workplace that needs to be fixed, because there are people who cannot function adequately because they have problems that need repairing. This legislation will help them get access to the care and the treatment they need so that they can return to the work force and be fully functioning members of that force. This benefits employers, it benefits everybody."

Speaker Young, A.: "Representative Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House. Let's follow the lead of the Federal Government, the Federal Government has already determined that this is the best method for delivery of care, to allow for clinical social workers, as well as psychologist and psychiatrist to provide these services and that's why this kind of care is already provided for under Medicare, under Champus, and the health insurance policies that are available to federal employees. If the federal government has determined that this a cost saving measure for their employees and for the people under federal care then it seems to me that Illinois ought to follow that lead and provide this alternative where it can best serve the needs of the client. I urge you to support this legislation."

Speaker Young, A.: "Have all voted who wish? Mr. Clerk, take the record. Representative Ryder has request. Representative

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McCracken, votes 'no'. On this question there are 63 voting 'yes', 36 voting 'no'. And Representative DeLeo votes 'aye'. And Representative Ryder request a verification of the affirmative vote. And Representative Lang, asks for a Poll of the Absentees. Representative Matijevich requests leave to be verified. Representative Martinez requests leave to be verified. Representative Terzich for what purpose do you seek recognition?"

Terzich: "I'd like to have leave to be verified."

Speaker Young, A.: "This is a verification of the affirmative vote."

Terzich: "I can still be leaved. I want to be..."

Speaker Young, A.: "Representative Shaw requests leave to be verified. We do not verify the negative vote. Representative Ryder."

Ryder: "Speaker you've indicated several names and I was not able to hear those names as a consequence I did not grant consent for any leaves for verification."

Speaker Young, A.: "The names given so far were: Matijevich, Martinez, and Shaw."

Ryder: "Speaker inquiry of the Chair, I believe that the leave for verification has to be granted by the person requesting the verification."

Speaker Young, A.: "That is correct, but the three gentlemen left the Chambers under the assumption that they did have leave to be verified...which I gave them"

Ryder: "I am sorry for their assumptions but as long as I'm asking for the verification I'm the person I believe under the rules who has the ability to do that. And I have not assented to any leaves for verification. And I persist in that position. I apologize to my colleagues."

Speaker Young, A.: "Representative Ryder will you verify anyone or should I tell the Members who wish to be verified that

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you will refuse to verify them."

Ryder: "I've...you've allowed some to go without my consent as a consequence I now feel constrained that I am not able to offer that and I apologize to the folks for that."

Speaker Young, A.: "Start the verification, Mr...Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Farley. Giglio. Hensel. Shirley Jones. Keane. Kulas. Ronan and Santiago."

Speaker Young, A.: "Poll the Affirmative vote."

Clerk O'Brien: "Balanoff. Barnes. Bowman. Breslin. Brunsvold. Capparelli. Cowlshaw. Cullerton. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Frederick. Giorgi. Goforth. Granberg. Harris. Hartke. Hicks. Homer. Hultgren. Kirkland. Klemm. Krska. Kubik. Lang. Laurino. Leverenz. Levin. Martinez. Matijeovich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Phelps. Preston. Rice. Richmond. Ropp. Saltsman. Satterthwaite. Shaw. Sieben. Steczo. Stern. Sutker. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

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

Ronan: "I'd like to be recorded voting 'no'."

Speaker Young, A.: "Vote Representative Ronan 'no'. Questions of the Affirmative vote?"

Ryder: "Thank you, Mr. Speaker. Representative Mautino."

Speaker Young, A.: "Representative Mautino. Is the Gentleman in the chamber? He's in the rear of the chamber. Further questions?"

Ryder: "Thank you, Mr. Speaker. Representative Flowers?"

Speaker Young, A.: "Representative Flowers. Representative Mary

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Flowers. Is the Lady in the chamber? Is Representative Mary Flowers in the chamber? How is the Lady recorded?"

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

Speaker Young, A.: "Remove her."

Ryder: "Thank you, Mr. Speaker. Representative Monique Davis?"

Speaker Young, A.: "Representative Mary Flowers has returned to the chamber, and votes 'aye'. Representative Monique Davis is in the rear of the chamber on the Republican side."

Ryder: "Mr. Speaker, did I ask for Monique Davis? Did you verify her?"

Speaker Young, A.: "She's in the rear of the chamber on the Republican side."

Ryder: "Thank you very much, Representative Munizzi?"

Speaker Young, A.: "Representative Munizzi is in the chamber."

Ryder: "Thank you, Representative Granberg?"

Speaker Young, A.: "Representative Granberg is in the chamber."

Ryder: "Representative Santiago?"

Speaker Young, A.: "Representative Santiago is not voting."

Ryder: "Representative Capparelli?"

Speaker Young, A.: "Representative Capparelli is in his chair. Further questions of the affirmative?"

Ryder: "Representative Krska?"

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

Ryder: "Representative Turner?"

Speaker Young, A.: "Representative Turner. Is in the rear of the chamber."

Ryder: "Thank you, Representative Goforth?"

Speaker Young, A.: "Representative Goforth is in the rear of the chamber."

Ryder: "Representative Leverenz?"

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



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

Speaker Young, A.: "Remove Representative Leverenz from the Roll.

Further questions of the affirmative."

Ryder: "Thank you, Representative Martinez?"

Speaker Young, A.: "Representative Martinez is in the rear of the chamber. Further questions of the affirmative vote."

Ryder: "Representative Richmond?"

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

Ryder: "Representative Virginia Frederick?"

Speaker Young, A.: "Representative Frederick is in her chair. Are there further questions?"

Ryder: "No further."

Speaker Young, A.: "On this question, there are 63 voting 'yes', 37 voting 'no', 9 voting 'present'. The House does concur in Senate Amendments #2 and 3 to House Bill 3149. And this Bill having received the required Constitutional Majority is declared passed. On the Order of Nonconcurrency appears House Bill 3771. Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. I find that I need to move to nonconcur to Senate Amendment #1 to this Bill because of a technical error. I therefore move to nonconcur."

Speaker Young, A.: "The Lady moves that the House nonconcur with Senate Amendment #1 to House Bill 3771. On that Motion, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in this Senate Amendment?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #1 to House Bill 3771. On the Order of Nonconcurrency appears House Bill 3136. Representative Currie. Representative Curran for McPike on the Order of Nonconcurrency. Representative McPike."

McPike: "Thank you, Mr. Speaker. I move the House nonconcur in

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Senate Amendments #4, 5 and 6 to House Bill 3136."

Speaker Young, A.: "The Gentleman moves...Go ahead, Representative."

McPike: "And I move that the House concur in Senate Amendments #1, 2 and 3."

Speaker Young, A.: "We'll do the Order of Nonconurrence first. The Gentleman moves that the House nonconcur in Senate Amendments 4, 5 and 6 to House Bill 3136. On that Motion, is there any discussion? Hearing none, the question is, 'Shall the House nonconcur in Senate Amendments 4, 5 and 6. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the House nonconcur in Senate Amendments 4, 5 and 6 to House Bill 3136. Now, on the Order of Concurrence, Representative McPike moves that the House concurs in Senate Amendments 1, 2 and 3 to House Bill 3136. On that question, is there any discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendments 1, 2 and 3 to House Bill 3136?' All those in favor vote 'aye', those opposed vote 'no'. This is final passage. 1, 2 and 3. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 voting 'yes', 3 voting 'no' and 2 voting 'present'. And the House concurs in Senate Amendments 1, 2 and 3 to House Bill 3136. And this Bill having received the required Constitutional Majority is declared passed. On the Order of Concurrence appears House Bill 4208. Representative Davis."

Davis: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 in 4208."

Speaker Young, A.: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 4208. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Yes. Is this consistent...Well, let me ask this, are

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the banks in favor of Amendment #1 in the Senate?"

Davis: "Yes, Mr. McCracken, they are."

McCracken: "Were they worked with? Is that it?"

Davis: "That is correct."

McCracken: "Okay. Thank you."

Davis: "Thank you."

Speaker Young, A.: "The Lady moves that the House concur in Senate Amendment #1 to House Bill 4208. All those in favor say 'aye', those opposed say 'no'. Voting is open. Concur. Voting is open and this is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 voting 'yes', 2 voting 'no', 3 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 4208. And this Bill having received the required Constitutional Majority is declared passed. On the Order of Concurrence appears House Bill 3529. Representative Parke. Out of the record. On the Order of Concurrence appears House Bill 1190. Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to concur with Senate Amendment #1 to House Bill 1190. House Bill 1190 or the Senate Amendment seeks to address some problems which have come to light in some of the community college districts out in the suburban area. This...What evidently has happened is that some community colleges have issued credit cards to their board members. And there have been some cases where that situation has been abused. So, Senator Topinka, when she amended House Bill 1190 in the Senate, indicated that...if that is going to be the case and if that's going to be the policy of the community college: then the board member who uses those credit cards has to request that credit card in writing; has to agree to use that credit card for only reasonable

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expenses which he or she would incur in connection with board activities; the cards would be accounted for separately and would be submitted to the chief financial officer, of the district for prior review, prior to being reported to the board at its next meeting. In addition, there's been some questions with relation to insurance and board members availing themselves of insurance policies and what have you that are available to members of the district. And I believe this Amendment would prohibit that practice. I would answer any questions, Mr. Speaker. If not I would ask for the concurrence of Senate Amendment #1 to House Bill 1190."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendment #1 to House Bill 1190. On that question, the Gentleman from Vermilion, Representative Black."

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

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

Black: "Thank you. Terry, let's make sure that we get this on the record. It's a little noisy in here. What Senate Amendment #1 does is to clarify and make absolutely clear that public community college trustees will receive no remuneration for their service as a trustee. Correct?"

Steczo: "That is correct."

Black: "Now, on the item of the credit cards, and forgive me, I have not read all of the Amendment. Are you satisfied that such expenditures on those credit cards would be duly reported in the monthly financial statement that's a matter of public review, and that they are subjected to full disclosure and audit?"

Steczo: "Representative Black, considering the fact that there are no controls on the procedure now. I believe that this Amendment establishes procedures which can create a check

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on any potential abuses."

Black: "Community College Board signed off on this Amendment?"

Steczo: "Yes, they have, this is their language in conjunction with those people interested in trying to do something about this."

Black: "Thank you very much."

Speaker Young, A.: "Further discussion? Hearing none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 1190?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 2 voting 'no', 3 voting 'present'. The House does concur in Senate Amendment #1 to House Bill 1190. And this Bill having received the required Constitutional Majority is declared passed. On the Order of Concurrence appears House Bill 2389, Representative Farley. Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur in Senate Amendment #1 to House Bill 2389. It's a clean up Amendment to the Workers' Compensation Act of last November. And it was approved by all parties. I spoke with the Minority spokesman, Representative Loleta Didrickson, and she's aware that we are proceeding with this at this time. And I would move to concur, Mr. Speaker, with the Senate Amendment #1."

Speaker Young, A.: "The Gentleman moves to concur with Senate Amendment #1. On that question, the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I concur with the Gentleman's Motion. This is indeed a technical clean up of the Working Compensation Laws and an 'aye' vote would be an appropriate vote."

Speaker Young, A.: "The question is, 'Shall the House concur in

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Senate Amendment #1 to House Bill 2389?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'yes', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 2389. And this Bill having received the required Constitutional Majority is hereby declared passed. On the Order of Concurrence appears House Bill 3529, Representative Parke."

Parke: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. I move to concur with Amendments 1, 2, 3 and 4. In essence, Amendment 1 says that the underlying Bill, refunds of unearned premium for policies of auto insurance, must be computed pro rata to the month of cancellation. And not on the short rate table which is the underlying Bill. Amendment 1 provides the refund must be computed on the date of cancellation rather than the month of cancellation. Amendment 2 creates the Motor Vehicle Theft Prevention Act. #3, Takes the Limited Health Service Organization Act and requires the Department of Insurance rather than the Department of Public Aid to certify whether provider participation is required in quality assessment programs. And Amendment #4 goes back to the Motor Vehicle Theft Prevention Council does not have the authority to subpoena or arrest. I move for concurrence to Senate Amendments 1, 2, 3 and 4."

Speaker Young, A.: "The Gentleman moves that the House concur in Senate Amendments 1, 2, 3 and 4. On that question, is there any discussion? Hearing none, the question is, 'Shall the House adopt the Senate Amendments?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish?

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Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no' and none voting 'present'. And the House concurs in Senate Amendments 1, 2, 3 and 4 to House Bill 3529. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Keane in the chair."

Speaker Keane: "House Bill 3755, on the Order of Concurrence, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. I move that the House concur in Senate Amendment #1 to House Bill 3755. Senate Amendment #1 was developed with the Department of Public Aid and the Governor's Office and simply delays the effective date for the underlying legislation to the 1992 fiscal year. It also makes some technical changes."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3755?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 voting 'aye', none voting 'no', none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3755. And this Bill having received the Constitutional Majority is hereby declared passed. We will now go to Page 2, of the Short List, from the very top. The first Bill on that is House Bill 3795. Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. I move we concur in Senate Amendment #1 to House Bill 3795, this is Senator Hawkins. Originally the Bill allows municipalities and townships to enter into intergovernmental agreements. The Amendment simply adds

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that the city co-termed as township in the adjacent township must all three agree to intergovernmental agreements concerning the territory annex. It passed out of the Senate 58 to 0. Consent Calendar in the House. And I would move for the adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3795?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', none voting 'no' and 2 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3795. And this Bill having received the Constitutional Majority is hereby declared passed. House Bill 3812, Representative Curran. Representative Curran."

Curran: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 3812. The underlying Bill simply made it...Orders of Protection more stringent, more useful for women who get the Orders of Protection. And the Senate Amendment dealt with a loophole in the law. What previously existed is last year we passed legislation creating a new crime called domestic battery. And providing that upon a second conviction within five years the abuser must be sentenced to at least 48 hours in jail. The loophole was that the abuser could have his record expungement within two years. What this does is simply takes out that loophole, denies that expunction, and gives meaning to the legislation we passed last year protecting women from domestic battery. I'd be glad to answer any questions and move for a favorable Roll Call."

Speaker Keane: "On that issue, Representative McCracken."

McCracken: "Yes, just to say that I support this Amendment. I



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thought we had done this last year, if not it was an oversight, and this is a good Amendment. I support the Gentleman's Motion."

Speaker Keane: "There being no further discussion. The question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3812?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 110 voting 'aye'...On Senate Amendment #1 to House Bill 3812, there are 110 voting 'aye', 4 voting 'no', none voting 'present'. And House Bill 3812 having received the Constitutional Majority is hereby declared passed. House Bill 3823, Representative Black. Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. The underlying House Bill passed from the House 117 to 0. It simply provides that when a minor, who is at least 15, is prosecuted under the Criminal Code. The court may enter an order directing that the juvenile be able to be confined in the county jail or municipal jail separate from adult prisoners. I move to concur in Senate Amendment #1 which simply provides an immediate effective date."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3823?' All those in favor vote 'aye', all 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 Bill, there are 114 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3823. And this Bill having received the required Constitutional Majority is hereby declared passed. House

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Bill 3829, Representative Kubik. Representative Kubik.  
Out of the record. House Bill 3834, Representative  
Countryman. Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3834, as it passed the House, contained provisions with regard to uninsured motorist coverage that required that when you purchased automobile insurance coverage, on the application, you'd automatically be issued the amount of uninsured/underinsured motorist coverage in the amount of the bodily injury limits. Unless you signed a special provision on the form indicating you wanted a lesser such coverage. The Bill still does that. It also amends the Insurance Code regarding provisions of the captive insurance companies and makes certain self-insured captives have to report as other captive insurance companies do under the Insurance Code. Senate Amendment #2, is at the request of the Department of Insurance, and it regulates managing general agents' Medicare Supplement Policies and Property and Casualty Insurance Guaranteed Fund. Managing general agents, it contains provisions regarding licensure of those agents by the Department of Insurance and the changes reflect the model Act of the National Association of Insurance Commissioners. The Bill also defines managing general agent. With regard to the Medicare Supplement Health Insurance, it eliminates certain minimum standards for Medicare Supplemental Policies with respect to the previous catastrophic coverage which was recently repealed. It requires the Director of Insurance to issue rules for the establishment of minimum standards for marketing practices, compensation arrangements and so forth. With regard to the Guarantee Fund, it's authorized and is provided for the Director of the Department of Insurance to appoint an advisory committee with court

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approval to assist in the rehabilitation or liquidation of insurance. It also limits the Fund's financial obligation to defend an insurer or lesser of the covered claim obligation of the policy limits. These are all Amendments that we put on in the Insurance Committee on another Bill that came over from the Senate that didn't get called. And it might be my last Bill but I don't want to guarantee that to anybody."

Speaker Keane: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I won't ask the Gentleman to repeat that long and arduous explanation of what this Bill does. I couldn't understand one word he said. I think he mumbled deliberately. He didn't get close to the microphone. It must be his last Bill. That's all I can think of and if that's the case, if it's his last Bill, I'll vote for it just to get him out of here and on the bench where he belongs."

Speaker Keane: "It was actually in preparation for his judicial career. Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. I guess just to echo what the previous speaker said. I didn't catch maybe two or three words that he said but I have to disagree. I don't think this is his last Bill. I think this is his first Bill."

Speaker Keane: "There being no further discussion. The question is, 'Shall the House concur in Senate Amendment #2 to House Bill 3834?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 voting 'aye', none voting 'no' and none voting 'present'. And the House does concur in Senate Amendment #2 to House Bill 3834. And this Bill having received the required Constitutional Majority is hereby

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declared passed. House Bill 3829, Representative Kubik.  
Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would move to concur with Senate Amendment #1. Senate Amendment #1, which was put on by Senator Alexander, provides that if the landlord uses his or her labor to repair any damage caused by a tenant. The landlord may include the reasonable cost of his or her labor to repair such damage. This Bill had to do with security deposits and damages with apartment rental. I have no problem with the Amendment and I move to concur with the Amendment, Senate Amendment #1."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #1 with House Bill 3829?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 voting 'aye', none voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3829. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3838, Representative Stern. Representative Stern."

Stern: "Mr. Speaker and Members of the House. I would like to concur in Senate Amendment #1 to House Bill 3838. This is an Amendment added by Senator Topinka which expands the number of people who are not eligible for the 180 day meritorious good time that could be allotted at the discretion of the Director of Corrections, Mr. McGinnis, on my right. This is a Bill in total wanted by the Department of Corrections and supported by Members on both sides of the aisle. I ask your 'aye' vote on this concurrence."

Speaker Keane: "Representative Myron Olson."

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Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I join Representative Stern in her Motion to concur. When the Amendment came over from the Senate they are very well designed and placed. And we need to get on with permitting the Department of Corrections some immediate relief with regard to beds and the possibility of disturbances. Please support this Amendment."

Speaker Keane: "Representative McCracken."

McCracken: "Is this the Amendment which renders your Bill virtually meaningless?"

Stern: "No Sir."

McCracken: "No? Are there some parties that can still get good time credit?"

Stern: "Yes, Sir. My understanding is that this will have moderate to mild impact on the legislation."

McCracken: "Okay, alright, well that's fine. Thank you."

Speaker Keane: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Although the original Bill is watered down somewhat by the addition of some additional offenses. This is still an important management tool for the Director of the Department of Corrections in order to control and manage a prison population. It is more than 5,000 residents above rated capacity. It will give him the opportunity to use this additional good time to slim down that prison population and allow him to manage. Remember we're looking at a huge time bomb with overcrowding in all of our prisons. There's no money to build new ones. This management tool is absolutely necessary for the Director of the Department of Corrections to manage the present inmate population. And I urge your 'aye' vote and approval."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1

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to House Bill 3838?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 100 voting 'aye', 9 voting 'no', 3 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3838. And this Bill having received the required Constitutional Majority is hereby declared passed. We'll go back and pick up 3655, Representative Hicks. Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3655 was passed out of the House as a shell Bill. With Senate Amendment #1, that was added to it, Senator Zito placed on a Bill which provided for payment cycles throughout the state to be uniform. I'd be happy to try to answer any questions dealing with the Amendment."

Speaker Keane: "Is there any discussion? Representative McCracken."

McCracken: "What is the practical effect of the Amendment? Does that obligate any money or why is the Department opposed to the Bill as amended?"

Hicks: "Well, it's my understanding the Department was not opposed to the Bill as amended. I think they did have some questions and some things they wanted added to the Bill, Representative McCracken, that we resisted from. And I think they had some differences not so much with the content of the Bill. But with the things they wanted to place onto the Bill that we weren't for. I think they do resist somewhat the idea of us telling them they have to pay and make payments to nursing homes throughout the state on a uniform basis. And that's what we're asking for. And what has happened in the past it's been very...well, not very uniform in payment. They've pretty well picked and

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chose who they wanted to pay across the state. And in doing so they've been able to lengthen the payment cycle to a...sometimes out as far as 180 days for nursing homes. That's something that I think is not acceptable. This simply says that if they're going to pay nursing homes in one part of the state, they've got to pay nursing homes throughout the State of Illinois. It's a uniform payment cycle for doing so."

McCracken: "Does the Amendment...Does the Amendment also provide that by July 1, '91 the payment cycle must be a Calendar month?"

Hicks: "That's correct, it does."

McCracken: "Now, do you envision an increased cost to the state, assuming there is value to late payments?...from the providers prospective? Is this going to cost us money?"

Hicks: "I'm not aware of it costing us money, Representative McCracken. if you have information that says it does, I'm not privy to that and if you do have I'd be happy to look at it and share it with everybody else."

McCracken: "Well, I believe the department is still opposed to this even with the Amendment, at least that's what our analysis indicates. This was a very controversial Bill on Third Reading when it left the House by a vote of 65 to 47 to 3. I...I believe that there will be a substantial impact and for that reason oppose the concurrence."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 3655?' All those in favor vote 'aye', all 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 Bill, there are 102 voting 'aye', 12 voting 'no', none voting 'present'. And the House does concur in Senate Amendment #1 to House Bill

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3655. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3565, Representative Currie. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the House do concur in Senate Amendments 1 and 2 to House Bill 3565. These Amendments are pretty much coterminous with current Illinois Department of Public Aid Rules in respect to...to Illinois participation and cooperation with the Federal Family Support Act changes of a year ago. I'm aware of no opposition and I'd appreciate your support for the concurrence Motion.'

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 3565?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 115 voting 'aye', none voting 'no', none voting 'present'. And House Bill 30...and...and Senate Amendments...and the House concur on Senate Amendments #1 and 2 to House Bill 3565. And that Bill having received the required Constitutional Majority is hereby declared passed. I'm not...we'll go back to House Bill 3585, Representative Phelps on a nonconcurrence. Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to nonconcur with Senate Amendment #1 to House Bill 3585."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall...Representative McCracken."

McCracken: "What you're saying, I can't tell what he's saying. Does he want to concur in the Amendment? What is the Amendment?"

Speaker Keane: "Mr....Mr...he wants to nonconcur..."



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Phelps: "I move to nonconcur, Representative McCracken. We want to make everybody happy."

McCracken: "Oh, I'm sorry. I'm sorry. You were reasonable after all."

Speaker Keane: "The question is, 'Shall the House nonconcur in Senate Amendment #1 to House Bill 3585?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House nonconcur with Senate Amendment #1 to House Bill 3585. We will go back to page two, we're now down to 3852, Representative Regan. Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I move to concur in Senate Amendment #1 to House Bill 3852. It leaves the original Bill intact and simply adds on authorization for townships to grant ordinance licenses, rules and regulation for the purpose of recycling yard waste. I move for it's concurrence."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur Senate Amendment #1 to House Bill 3852. All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 112 voting 'aye', 1 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3852. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3868, Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move to concur with Senate Amendments #1 and #2 to House Bill 3868. House Bill 3868 in it's original form was approved by the House by a vote of 113 to nothing and it was amended in the Senate to include the provisions that Representative Cullerton sought which passed the House by a

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vote of 111 to 1 to provide that when three or more occupants request cable services, the cable company may install cable throughout a building provided that the cable company presents written notification and copies of written plans and specifications for installation. This Bill also includes language that was sought by Representative Black which also previously passed the House by 1...111 to 1 vote which specifically allows the municipality of less than 2 million to own and operate a cable T.V. system upon notification and public hearings on the financial advisability of that kind of effort. Mr. Speaker, I would answer any questions and if none, would ask for a concurrence of Senate Amendments #1 and 2."

Speaker Keane: "Representative Levin. Representative Levin, do wish to speak on this? Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker Keane: "He indicates he will."

Levin: "There was a Bill that Representative Cullerton was the Sponsor of in the House on c...cable television and we put an Amendment on there with respect to condominiums providing for I think it was a three month extension. Is that Amendment part of this legislation?"

Steczo: "This Amendment...Amendment #1 is in the exact same form as when Representative Cullerton's Amendment passed the House."

Levin: "Okay, so then it is in there."

Steczo: "If it was in the Bill when it passed the House, it's in here now."

Levin: "Thank you."

Speaker Keane: "Representative Klemm."

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

Speaker Keane: "He indicates he will."

Klemm: "Representative, on Senate Amendment #1, I was concerned

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about if the community antenna or the...cable television  
pe...company puts a television installation in each  
residential unit. Does the residential unit who did not  
want it still have to pay for that?"

Steczko: "This...this in...Representative Klemm, explain further  
by what you mean by residential unit."

Klemm: "Well, I'm just reading through out a multi-unit  
residential building is the term that's used in our  
analysis."

Steczko: "Right. In the case of that, the...Bill or the language  
says that when three or more occupants of that building  
request services, that the cable company can install cable  
throughout the building so people who want to avail  
themselves to services in the future, they may. But they  
also have to provide the owner with written notification of  
the copies, plans and specifications."

Klemm: "So, I my question is they bring it to the building and as  
they bring it to each apartment, does the apartment owner  
or that resident have to pay for that even though they  
didn't want it."

Steczko: "No, no, no, no. No, they would pay for it when they  
choose to subscribe. But yet the building is wired should  
they in some cases, in the future decide...in the future  
decide to do that. Rather than have the cable company come  
back twelve times, they could just wire the building once."

Klemm: "Would they be able to get access to that private home  
in...to make that installation?"

Steczko: "Mostly the wiring that could be done to prepare the  
building for cable can be done outside of going into the  
individual's residence."

Klemm: "So, it's not the intent to go into a private...okay,  
thank you very much."

Steczko: "That's correct."

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Speaker Keane: "Is there any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendments #1 and 2 to House Bill 3868?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 114 voting 'aye', and 1 voting 'no', none voting present'. And the House does concur in Senate Amendments #1 and 2 to House Bill 3868. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3875, Representative Giorgi. Representative Giorgi. Out of the record. House Bill 3894, Representative Currie. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I move the Senate do concur in Senate Amendment 1 to House Bill 3894. The Bill the basic Bill that we passed deals with supported employment in state government and the Amendment adopted by the Senate was a Bill I believe Sponsored by Representative LeFlore that had passed this House but was stuck in Senate Rules Committee. It requires the Department of Central Management Services to establish training programs for state agencies, if those agencies are not meeting their affirmative action and equal employment goals. I know, I'm aware of no opposition and would appreciate your support for the Motion."

Speaker Keane: "Is there any further discussion? Representative Weaver."

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

Speaker Keane: "She indicates she will."

Weaver: "Representative, maybe you can help me understand this a little bit. Senate Amendment #1 appears to amend the Illinois Human Rights Act and it deals with a new section

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regarding enforcement of affirmative action and equal employment opportunity in state agencies. Would that have anything to do with pay equity?"

Currie: "Not a thing, not a thing. This has to do with affirmative action goals for state agencies and the issue here is when state agencies don't meet their goals, this then becomes a push from Central Management Services to help them figure out how to do so. Has nothing to do with wages and salaries which is the issue in pay equity, but it does have to do with making sure there are equal opportunities for women and minorities and handicap people in state government employ."

Weaver: "How are the goals to be established?"

Currie: "The goals are already established....see you're on the Appropriations Committee with me and we see the ISL each time any budget comes before us and they tell us what their goals are and the tell us what their head count is and has been and the issue is when and under present statutes the Department of Human Rights is charged with responsibility to make sure agencies file their reports on an annual basis. Tell us how they're doing and when an agency fails to file the Department of Human Rights is supposed to you know make sure they do. What this deals with is when agency is not doesn't meet its goals Central Management Services is charged with responsibility to help them figure out how."

Weaver: "So these are internal goals rather than externally applied percentages that have been declared somewhat questionable by the courts?"

Currie: "Absolutely."

Weaver: "Thank you."

Speaker Keane: "Representative McCracken."

McCracken: "Yes, thank you. Does the Senate Amendment merely,

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not merely, but does it add this other...what has been formerly Representative LeFlore's Bill?"

Currie: "It was formerly House Bill 4008 and that Bill came out of the House but was stuck as sometimes Bills are in Senate Rules and this then language was added by Amendment to House Bill 3894 and with that Amendment the Bill passed the Senate by an overwhelming margin."

McCracken: "I rise in opposition to the concurrence Motion. This Bill or this Amendment adopted in the Senate is identical to House Bill 4008. House Bill 4008 passed the House on a 69 to 44 vote and I think we should resist it again. I know that the intentions for all of these things are good and that we're all hoping that the world becomes a nicer place to live in. But I am sick and tired of lawful discrimination and it makes no difference what the past is, it does not justify discrimination as a matter of law and what this Bill says is where the discrimination is a matter of law hasn't worked where you haven't met your quotas you will create a system to meet those quotas. The effect can only be to penalize those who are not a favored class under the laws as it's written today. This is another bad idea although well;in I

Speaker Keane: "Any further discussion? Representative Currie to close."

Currie: "Thank you, Mr. Speaker. I think the Gentleman misunderstands the point. Right now there are goals for affirmative action for all state agencies. Those goals are supported by the Governor who's supported by the General Assembly. If goals are not met all this Bill does is say let's make sure Central Management Services that understands the hiring process that understands outreach is in a position to help agencies meet not quotas, this is not about quotas this establishes no new anything except that

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Central Management Services will be able to help an agency figure out how to do the outreach when the agency isn't quite sure how to go about meeting its own affirmative action goals. Its own interest in making sure that there are equal employment opportunities for all. So I think the previous speaker misunderstands what this Bill is about. It establishes no new program, it just says let's make sure that our state agencies have the where with all to meet requirements that are already on Illinois State statute books. I'd appreciate your support for the concurrence Motion on this Bill."

Speaker Keane: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3894?' All those in favor vote 'aye', all opposed vote 'no'. 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 Bill there are 64 voting 'aye', 47 voting 'no', 3 voting 'present'. Representative Curran vote 'aye'. On this Bill there are 65 voting 'aye', 46 voting 'no', 3 voting 'present'. And Representative McCracken."

McCracken: "Thank you. If I verify this and there aren't enough votes here can we go home tonight? Do we have to stay an extra hour if I verify? Well, then I won't verify it."

Speaker Keane: "You do. This Bill Senate the House does concur with Senate Amendment #1 to House Bill 3894 and this Bill, having received the required Constitutional Majority, is hereby declared passed. Senate Bill 3902, Representative Steczo. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I move to concur with Senate Amendment #1 to House Bill 3902. Senate Amendment #1 addresses an area regarding local or downstate forest preserve districts and requires those districts to indemnify employees and officers of those districts from

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civil actions arising from actions within the scope of employment. It passed the Senate 58 to nothing. And I would move for concurrence."

Speaker Keane: "The Gentleman has moved concurrence to Senate Amendment #1 to House Bill 3902. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Representative Cullerton."

Cullerton: "Yes, I had a question of the Sponsor."

Speaker Keane: "Maybe the Gentleman can hear your question. Why don't you explain your vote and see if that will take care of your problem."

Cullerton: "Well there's...the file reflects the fact that there's some indemnification here and we were just curious whether or not the indemnification was for willful and wanton conduct or for negligent conduct as well?"

Steczo: "Mr. Speaker, in response the language in the...the Amendment indicates when damages are sought for negligent or wrongful acts."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 107 voting 'aye', 1 voting 'no', 1 voting 'present'. And the House does concur in Senate Amendment #1 to House Bill 3902. And this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3949, Representative Giorgi. Out of the record. House Bill 3952, Representative Novak. Mr...Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to concur with Senate Amendment #1 and #2 to House Bill 3952. House Bill 3952 passed out of the House by over 100 votes and it creates the Organic Labeling Act. Senate Amendment #1 clears up some technical provisions and



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it authorizes the Department of Agriculture to conduct investigations and hold administrative hearings. It is the understanding that the certification organizations will attempt to resolve problems at their level first or in cooperation with the Department of Agriculture. Which means the cost of the department should be minimal. Senate Amendment #2 adds a provision to the authorities and duties of the Department of Agriculture via the Civil Administrative Code which authorizes the agency to promote ginseng both in overseas and national markets. The department can promote this product as part of it's regular promotion program without additional cost. The legislation including the Amendments is supported now by the Department of Agriculture, the Illinois Farmers Union, the Illinois Farm Bureau, Illinois Stewardship Alliance, and a group of organic growers. I move for the adoption of the Amendments. Thank you."

Speaker Keane: "Is there any discussion? Representative Doederlein."

Doederlein: "Yes, Ladies and Gentlemen of the House. This is one of those mistakes we're going to make unless you listen. I object to Senate Amendment #2 to House Bill 3952. Let me read from a paper from the Department of Agriculture. It says that Senate Amendment #2 authorizes the department to conduct investigations and hold administrative hearings. It is our understanding that the certification organizations will attempt to resolve problems at their level first or in cooperation with the department which means cost to the department should be minimal. We know that there are several certification organizations that don't disagree...that disagree with one another and what we have tried to do here is to appease those certification organizations. And we've done a very poor job. We've

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caused more problems than when we started. Let me also read to you from the Department of Agriculture a statement that says, the Amendment to the organ...the Amendments to the Organic Labeling Act provide flexibility in changing certification standards as the program develops. And that is exactly what one of the certification organizations states. We're not ready for this Bill yet. At the federal level, it will be ready next year. Let's wait until next year for this Bill to come up, so that we don't have to continually change our laws and Bills so that we can be ready with a good Bill next year. I hope that you vote 'no' on this Amendment."

Speaker Keane: "Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Leverenz: "What...what costs will this be to the department?"

Novak: "Representative, I can't hear you. Excuse me."

Leverenz: "What will the cost be to the department to implement this?"

Novak: "I have a fiscal...a revised fiscal note here from the Department of Agriculture. They indicate the cost will be minimal."

Leverenz: "How much...how much is that."

Novak: "Minimal."

Leverenz: "Is that under a billion?"

Novak: "I can't hear you."

Leverenz: "I know, if he'd turn it up, I'd be able to talk to you. How much is minimal?"

Novak: "Representative...Representative Leverenz, I can read your lips. I can read your lips, Representative."

Leverenz: "Good. How much?"

Novak: "It's very minimal. Quote, unquote, from the Department of Agriculture."

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Leverenz: "How much is minimal? What would they have to do? How many people do they have to hire to implement this?"

Novak: "They would all serve...they would all serve on a voluntary basis."

Leverenz: "Pardon me? Now, I can't hear you. How do we benefit the public by this?"

Novak: "I think it's very important that we pass this timely legislation, Representative."

Leverenz: "How does the public benefit by this?"

Novak: "I can't hear you, Representative."

Leverenz: "Is it your ears or his speakers?"

Novak: "It's not my ears, it must be his speaker."

Leverenz: "I knew you could read...now see what have we got out of here. Are we having fun yet? This must be an organic microphone. It just cuts in and out. Watch me...my wires. Am I giving you static yet?"

Novak: "A little bit."

Leverenz: "How much does this really cost us to implement this?"

Novak: "According to the Department of Agriculture fiscal note, very minimal. Very minimal cost. They don't even put a dollar sign on it."

Leverenz: "What is minimal? Under a billion?"

Novak: "It's got to be under a thousand dollars, I would say. All these people that serve, they'll be serving as a voluntary...on a voluntary basis."

Leverenz: "What kind of a high are we going to get from this Ginseng Marketing Program?"

Novak: "Well, this...I thank you for asking. This is kind of a highly stimulating subject. Ginseng is a...is a very exotic root that it's in demand all over the county."

Leverenz: "I knew you'd get that word in there. Well, let's go to the root of the problem. What's this Bill cost?"

Novak: "To reiterate. The cost is very minimal. Pursuant to the

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fiscal note signed by the Director of the Department of Agriculture."

Leverenz: "But how much would you guess that to be?"

Novak: "I...I would...I would say under a thousand dollars."

Leverenz: "Well, then why is the Lady on the other side of the aisle so adamantly against you on this? Is she wrong?"

Novak: "I think she is. It's really incredulous to me when we passed this Bill out of the House two weeks ago on Third Reading, we spoke in debate at quite a length and I seemed to answer her many of her inquiries and then all of a sudden a swift turn about came around and she opposed the Bill. But we still passed it with over a 100 votes."

Leverenz: "Can you give me an instance how they would certify standards for organic products? Would the label simply say, no additives?"

Novak: "The...there would be...would be...the department doesn't intend to print any labels or application forms, it cert...what it is, it sets up standards pursuant to the growers. All the growers associations involved to certify that crops grown for a certain number of years are grown without any uses of pesticides, synthetic chemicals or any fertilizers."

Leverenz: "And...and that the product would contain no preservatives."

Novak: "Correct."

Leverenz: "Why would she be against that?"

Novak: "I have no idea?"

Leverenz: "Does she know not, what she do? I'm for you. Vote green, let's get out of here."

Novak: "That's possible."

Speaker Keane: "Representative Granberg. Okay, the question...Representative Doederlein, you have already spoken. The question is, 'Shall this Bill...Representative

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Doederlein."

Doederlein: "Excuse me. I think I'm the Lady on the other side of the aisle. May I respond to that?"

Speaker Keane: "Were you...were you specifically named in debate? If not, you've no...you do not have the right to expand your remarks. The question is, 'Shall the House concur in Senate Amendments 1 and 2 to House Bill 38...3952?' All in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 93 voting 'aye', 22 voting 'no', 1 voting 'present'. And the House does concur with Senate Amendments #1 and 2 to House Bill 3952. And this Bill having received the required Constitutional Majority is hereby declared passed. If I could have your attention for a second, please. If I could have your attention for a second. There is a House Supplemental Calendar #1. We'll go through it very quickly, but all we'll do in order to get Conference Committees moving along, will be to entertain Motions that are refuse to recede. So as I go through this, if you want to refuse to recede from your Amendment and get the Bill into a Conference, please do so. Senate Bill 983, Representative Curran. Representative Curran."

Curran: "Thank you, Mr. Speaker. I move to refuse...I refuse...move to refuse to recede from House Amendment #1 on Senate Bill 983. And wish to have a Conference Committee."

Speaker Keane: "The Gentleman refused to recede from House Amendment #1 and requests a Conference Committee. Is there any discussion? All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the Motion carries. And the House requests a Conference Committee. Senate Bill 1491, Representative Hicks. Representative Hicks."

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Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move to refuse to recede from Amendments #1 and #2 to Senate Bill 1491. And I ask for a Conference Committee."

Speaker Keane: "The Gentleman moves to refuse to recede from House Amendments #1 and 2 and requests a Conference Committee. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House refuses to recede from House Amendments 1 and 2 and requests a Conference Committee. House Bill 1504, Representative Capparelli. Out of the record. House Bill 1632, Representative McPike. Out of the record. House Bill...I'm sorry, these are Senate Bills. Senate bill 1649, Representative Hicks. Senate Bill 1649."

Hicks: "Thank you very much, Mr. Speaker. I move to refuse to recede from House Amendment #1 to Senate Bill 1649 and ask for a Conference Committee to be reported."

Speaker Keane: "The Gentleman moves to...refuse to recede from House Amendment #1 to Senate Bill 1649 and requests a Conference Committee. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House refuses to recede from House Amendment #1 and requests a Conference Committee. Senate Bill 16...Senate Bill 1960, Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I refuse to recede to House Bill 1960...Senate Bill 1960 and I would request a Conference Committee, please."

Speaker Keane: "The...Representative Flowers refuses to recede from House Amendment #1 to Senate Bill 1660 (sic - 1960) and requests that a Conference Committee be appointed. Is there any discussion? There being none, the question is, 'Shall the House refuse to recede?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the

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House does refuse to recede from House Amendment #1 and requests a Conference Committee be appointed. Senate Bill 1974, Representative Homer. Representative Homer."

Homer: "Thank you, Mr. Speaker. I move that we refuse to recede from House Amendment #...I move that we refuse to recede from House Amendments #1 and 2."

Speaker Keane: "The Gentleman has moved that the House refuse to recede from House Amendments #1 and 2 to Senate Bill 1974 and requests a Conference Committee. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House does refuse to recede from House Amendments #1 and 2 and requests a Conference Committee. House Bill...or Senate Bill 2222, Representative Steczo. Representative Steczo."

Steczko: "Mr. Speaker. I refuse to recede from the House Amendments to Senate Bill 2222 and asks that a Conference Committee be appointed."

Speaker Keane: "The Gentleman moves that the House refuse to recede from House Amendments #1, 2, 4 and 5 to Senate Bill 2222 and requests that a Conference Committee be appointed. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the House does refuse to recede from House Amendments 1, 2, 4 and 5 and requests that a Conference Committee be appointed. Senate Bill 2231, Representative Breslin. Sen...out of the record. Senate Bill 2253, Representative Currie. Representative Currie."

Currie: "I move we refuse to recede from the House Amendments to Senate Bill 2253 so that a Conference Committee could be appointed."

Speaker Keane: "The Sponsor refuses...or the...the question is, 'Shall the House refuse to recede from House Amendments 5, 7, 10 and 11 and request a Conference Committee Report...a Conference Committee be appointed.' All those in favor say

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'aye', all opposed 'no'. The 'ayes' have it. And the House does refuse to recede from House Amendments 5, 7, 10 and 11 and request a Conference Committee Be appointed. We will now go back to House Bill on a regular Calendar and we'll pick up 3645, Representative Ryder. Representative Ryder. House Bill 3645."

Ryder: "Thank you, Mr. Speaker. I'd move to concur with Senate Amendment #1."

Speaker Keane: "The Gentleman has moved to concur with Senate Amendment #1 to House Bill 34...3645. And the question is, 'Shall...be any discussion? There is no discussion. The question is, 'Shall the House concur with Senate Amendment #1...Representative Young."

Young, A.: "Thank you, Mr. Speaker. I'm sorry, I didn't hear the Gentleman's explanation. Could he explain what the Senate Amendment does, please?"

Speaker Keane: "Representative Ryder."

Ryder: "Certainly, I'd be glad to answer that question, Representative Young. This Bill establishes...fees for continuing education sponsors for CPAs. CPAs voluntarily enter into continuing education and they are, unlike attorneys, required to maintain a certain number of hours. This simply establishes a fund in which sponsors of those continuing education seminars put the fund into the Registered Certified Public Accountants Administration and Disciplinary Fund. It is then provides for the reapproval of continuing education sponsors. It has been approved, I believe, by the Department of Professional Regulations and the CPA Association."

Young, A.: "Representative, when you said continuing education sponsors, who are the sponsors?"

Ryder: "Well, in many cases it would be a CPA Association that would do it."



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Speaker Keane: "Is there any further discussion?"

Ryder: "Thank you, Representative. I would encourage all to concur on the Senate Amendments."

Speaker Keane: "The question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3645?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this issue, there are 115 voting 'aye', 1 voting 'no', and none voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3645. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate (sic - House) Bill 3949, Representative Giorgi. Representative Giorgi."

Giorgi: "Mr. Speaker, I move to concur with Senate Amendment #1 to 3949. The Senate Amendment was from Senator Hawkinson and has to do with amending the Bill relative to petition the court to be...organize a conserving district. It provides for the mechanism to petition the court and in the court brings the issue before the voters. I move for the concurrence of Senate Amendment #1."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3949?' Those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 111 voting 'aye', none voting 'no', 1 voting 'present'. And the House does concur with Senate...in Senate Amendment #1 to House Bill 3949. And this Bill having received the required Constitutional Majority is hereby declared passed. Representative Giorgi, do you want to go on 3962? Out of the record. 3980...39...Senate Bill 3983, Representative Brunsvold.

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Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I move to concur in Senate Amendment #1 to House Bill 3983. Senate Amendment 1 simply clarified language regarding muzzle loader and black powder guns...rifles. And it was a clarifying language presented by Represe...Senator Donahue and it's just a clarifying Bill. Thank you."

Speaker Keane: "The Gentleman has moved the...is there any discussion? There being none, the question is, 'Shall the House concur with Senate Amendment #1 to House Bill 3983?' All those in favor vote 'aye', all opposed vote 'no'. 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 Bill, there are 90 voting 'aye', 20 voting 'no', 4 voting 'present'. And this Bill having...and the House does concur with Senate Amendment #1 to House Bill 3983. And this Bill having received the Constitutional Majority...the required Constitutional Majority is hereby declared passed. House Bill 3998, Representative Pullen. Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I move to concur with Senate Amendment 1 to House Bill 3998. This is the Bill that authorizes physicians to notify the spouse of an affected patient when that patient is infected with the AIDS virus. The Senate put on an Amendment to clarify that the physician is authorized but not required to notify the spouse and extends the immunity from civil liability or criminal sanction to physicians who do not disclose the results to the spouse if they do so in good faith. I agree with the Amendment and believe that the Bill is very much needed to correct a terrible situation in our law. And I move for a concurrence with the Senate Amendment."

Speaker Keane: "Any discussion? There being none, the question

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is, 'Shall the House concur with Senate Amendment #...in Senate Amendment #1 to House Bill 3998?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 113 voting 'aye', 1 voting 'no', 2 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 3998. And this Bill having received the required Constitutional Majority...Bowman votes 'no'. Is hereby declared passed. Let the record show that if Representative Preston had pushed his 'no' button, he would have been recorded as voting 'no' on this issue. And Representative Cullerton. House Bill 4024, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. I move to concur in Senate Amendment #1 to House Bill 4024. It is an Amendment that is that is proposed by the Department of Conservation. Currently the law indicates that in certain facilities within the Department of Conservation, we can have a cash incentive of 35 percent to have bidders for development within those facilities. This Amendment deletes the specific reference to those particular conservation facilities and would therefore open this cash incentive to all of the parks within the jurisdiction of the Department of Conservation. This is legislation that was included in Senate Bill 2104 but that Bill did not get out of rules in the House. I know of no opposition to it and move for concurrence with the Senate Amendment."

Speaker Keane: "On that question, the Lady from Cook, Representative Zickus."

Zickus: "Yes, Mr. Speaker. I would, this is on another Bill, I would like the record to reflect I wanted to vote 'yes' on House Bill 3983."

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Speaker Keane: "The record will so reflect. Representative Doederlein."

Doederlein: "Yes, I would like to vote 'yes' on Senate Bill 3983. I voted 'present', I want to vote 'yes'."

Speaker Keane: "The record will so reflect. The question is...is there any further discussion? Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Keane: "She indicates she will."

Leverenz: "Does this allow the Department of Conservation to open up all of the contracts to current concessionaires?"

Satterthwaite: "To the current concessionaires? My understanding..."

Leverenz: "Correct. All the big ho...motel-like, hotel-like operations like Starved Rock, Giant City. Does this allow them to open and renegotiate all of those contracts?"

Satterthwaite: "No, I believe not. This would be prospective rather than retrospective."

Leverenz: "And the department has asked for this?"

Satterthwaite: "It's my understanding that the department has asked for this legislation, yes."

Leverenz: "And to what benefit of the state is this?"

Satterthwaite: "It would be cash incentive to have private developers come in to build facilities on the state land."

Leverenz: "Would this be a...let me draw a parallel, is this like the state paying the Bears to play in a McDome in downstate Illinois?"

Satterthwaite: "I think that is a pretty far fetched analogy."

Leverenz: "Would it be better that...the state would offer a cash incentive for someone to come in and run a huge complex around Shelbyville?"

Satterthwaite: "I believe Shelbyville is one of the areas that already has this provision."

Leverenz: "Which ones do not that this would allow?"

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Satterthwaite: "Well the current law gives this provision to Shelbyville Reservoir, to cut...to Rock Cut State Park, to Lincoln's New Salem State Park, and the Wayne Fitzgerald State Park."

Leverenz: "What would it do in Rock Cut State Park? My favorite."

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

Leverenz: "What would this provide at Rock Cut State Park, which is my favorite state park of all state parks."

Satterthwaite: "What I indicated was that those enumerated locations already have the ability to use this incentive. If this Amendment passes and becomes law, it would open that same incentive to other state parks."

Leverenz: "Good idea. Granberg theory wants this to pass."

Speaker Keane: "Represent...Representative Mautino."

Mautino: "Will the Sponsor yield for one question?"

Speaker Keane: "She indicates she will."

Mautino: "The upfront money on the process to develop these facilities, are they triple net leases or are they straight out leases?"

Satterthwaite: "Would you repeat the question?"

Mautino: "The entities which you just mentioned, there are different contractual arrangements. For example, Shelbyville is different than Giant City. Shelbyville may be different than Pere Marquette. The point is, I would hope that in the 35 percent provision you're providing in this legislation, that the state gets a return on the upfront money for those facilities."

Satterthwaite: "My understanding is that the department has the flexibility through whatever contractual arrangements are made to provide this incentive. So it may be different, may continue to be different from one location to another."

Mautino: "I will support your concurrence, but at the same time I

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would hope that when we go into these projects for development, there's a profit to the State of Illinois. Rather than providing the types of current leases that are in effect now where the cash flow and the funds generated to the State of Illinois are minimal with the exception of one or two of these facilities now."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House concur in Senate Amendment #1 to House Bill 4024?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 105 voting 'aye', 2 voting 'no', 4 voting 'present'. And the House does concur with Senate Amendment #1 to House Bill 4024. And this Bill having received the required Constitutional Majority is hereby declared passed. Let the record show that Representative Tenhouse had he been here would have voted 'yes' on this Bill. Agreed Resolutions."

Clerk O'Brien: "House Resolution 2008, offered by Representative Black. 2009, Weaver. 2010, Weaver. 2011, Phelps. 2012, Weller. 2013, Weller. 2014, Weller. 2015, Weller. 2016, Weller. 2017, Weller. 2018, Weller. 2019, McNamara. 2020, Parcels. 2022, Peterson. 2023, Peterson. 2024, Curran. 2025, Ryder. 2026, Stephens. 2027, Cullerton. 2028, Zickus. 2029, Granberg. 2030, Lang - et al. 2031, Steczo."

Speaker Keane: "Representative Matijevich on the Agreed Resolutions."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. We've examined the Resolutions, they're agreed to. I move the adoption of the Agreed Resolutions."

Speaker Keane: "All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted."

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Representative Wojcik for what reason do you rise?"

Wojcik: "Yes, Mr. Speaker and Members of the House. I'd just like to remind those of you who are from our graduating class that we're having our dinner tomorrow night. So don't forget it. It's at Jim's immediately after session."

Speaker Keane: "Okay. General Resolutions."

Clerk O'Brien: "House Joint Resolution 144, offered by Representative Currie."

Speaker Keane: "Committee on Assignments. Death Resolution."

Clerk O'Brien: "House Resolution 2021, offered by Representative Johnson with respect to the memory of John R. Scaggs."

Speaker Keane: "Representative Matijevich moves the adoption of the Death Resolution. All in favor say 'aye', all opposed 'no'. The 'ayes' have it. And the Resolution is adopted. Representative Matijevich moves the House stand adjourned until 11:00 a.m. tomorrow. 11:00 a.m. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and the House stands adjourned."

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