

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

47th Legislative Day

May 9, 1991

Speaker McPike: "The House will come to order. The Chaplain for today is Pastor Robert Martinek of the Trinity Lutheran Church in Marseilles, Illinois. Pastor Martinek is the guest of Representative Jerry Weller. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Martinek: "We pray. Lord of all creation, at the beginning of this day listen to our prayers of praise and honor for Your goodness and glory, for all that exists, for all that has life, for all that is beautiful, for the deep mysteries of the universe, for family structure, for human communities, for the wealth and resources of the earth of this state, for the inventing, discovering human mind, for medicine and health, for education and learning, for government and personal responsibility, for all arts and sciences, for industry and commerce, for all Your gifts our mind can recall this day, accept our praise and honor and thanksgiving. Remember Lord, King of the Nations, our country, especially this state, for we, too, are in need of your compassion. Be with our Governor, the Honorable Jim Edgar. Grant him advisors who have the interests of all our people in their hearts, as well as in their speeches. Be with us, the Legislature of this state. May we be known as honest, righteous, even angry servants of the people, above self-service and bribery, dedicated to routing out dishonesty and graft, committed to bringing justice to those who use and even destroy the innocent, the helpless, and the disinherited for their own evil gain. Deliver us here this day, oh, Lord, from neglecting the rights of others, from lack of concern for the weak, the helpless, the homeless the needy. Help us, oh, Lord, to finish the good work here begun. Strengthen our efforts to blot out ignorance and prejudice and to abolish poverty and crime,

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and help us to remember that as we here who have greatly received so in the same measure we are responsible. Forbid that we should betray our trust or that the fire which has been passed on to us should perish. Help us to be worthy of our forebearers and of their God. Great God, Eternal Lord, long ago You gave our ancestors this land. Show us there is no law or even liberty apart from You, and let us serve our people in this great State of Illinois and You, modestly, as devoted people, through Jesus Christ, Our Lord. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative Hartke."

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

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

Matijevich: "Yes, Mr. Speaker. Let the record reflect the excused absence today of Monroe Flinn due to his injuries."

Speaker McPike: "Mr. Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Barnes and Stange are excused today."

Speaker McPike: "Mr. Clerk, take the record. 115 Members answering Roll Call. A quorum is present. On the House Calendar, Supplemental #1, Agreed Bill list. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It's a extreme privilege...privilege for me to, for me to announce that we have a special guest in the gallery today. He served in the Persian Gulf. He's from Scott Air Force Base, which is in my...my district. He's stationed there. He's with the 375th Civil Engineering Squadron.

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He's served us well, and he returned, his wife, Dottie, tells me, April 21st at 8:59 a.m. I'd like, I'd like everybody to recognize Mr...Mr. John Arth from Scott Air Force Base. Thank you, John."

Speaker McPike: "Okay. House Bill 431, Representative McCracken. The Chair would like to move these Bills to Third Reading so we can pass these tomorrow. So, I'd like to see the Sponsors call their Bills. Mr. McCracken. Representative Homer. Mr. Hicks. Representative Burke. Representative Jay Hoffman, House Bill 840. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 840, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motion filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Amendment #2 would simply amend the Bill to say that if you are wearing criminal body, or you are wearing body armor and commit a crime, that you...in order to, to commit an offense of...of legally having body armor, being guilty of that offense, you must have in your possession a dangerous weapon."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1440. Read the Bill, Mr. Clerk. Representative Keane."

Clerk O'Brien: "House Bill 1440, a Bill for an Act to amend the

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Title Insurance Act. Second Reading of the Bill.
Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1573, Representative
Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1573, a Bill for an Act to amend the
Board of Higher Education Act. Second Reading of the Bill.
No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1594, Representative
Williams. Representative Homer. Representative Kirkland.
Mr. Kirkland here? Representative Lang, House Bill 2208.
Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2208, a Bill for an Act to amend the
Code of Civil Procedure. Second Reading of the Bill. No
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Kirkland. Representative Kirkland. The
Gentleman's not here. Yes, he is. Representative
Kirkland."

Kirkland: "Thank you, Mr. Speaker. Amendment #1 makes a couple
of changes to the Civil...Code of Civil Procedure regarding
service on individuals. One, it...it says that
service...alternative service can be made by leaving a copy
at defendant's usual place of abode with some person of the
family or 'a person residing there' is the added language,
of the age of 13 years and upwards. That change is just
trying to bring the law into conformance with some
demographic changes that create households these days, more
and more households with...with people in the household who
are not relatives. Second, there is a section added on

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service by special order of the court setting up a situation where there can be a motion without notice that the court direct an alternative method of service. This is the law in a number...in...in a number of other states, and, again would just create the opportunity for getting service on defendants who are trying to evade service which is not available at this time. I move for passage of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2206, Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2206, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2281, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2281, a Bill for an Act to amend an Act concerning the special education of certain students. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2410, Representative Williams. Mr. Williams. Mr. McCracken. Mr. Homer. Hicks. Burke. Representative Burke, House Bill 751. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 751, a Bill for an Act relating to community-based family services. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. The Chair will return to these

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Bills on Second Reading that were just taken out of the record later today so that tomorrow all of the Bills on the Agreed Bill list will be on Third Reading. So they will be read tomorrow a third time and then voted upon. For those new Members, these will all be voted on on one Roll Call. So we would encourage you to take a look at these Agreed Bills today because they will all be voted on tomorrow on one Roll Call. The procedure is that you vote on the entire list of Bills on one Roll Call, and then, if you disagree and would like to vote 'no' on any individual Bill, you fill out a slip at the well that indicates which Bills you would like to vote 'no' on, and that will be done tomorrow. So, today we would encourage you to read these Bills. State and Local Government, Second Reading. Representative Lang, House Bill 17. Representative Wolf, 391. Mr. Wolf. Representative Brunsvold. Representative Marinaro, 1538. Representative Lou Jones. Representative Keane. Representative Bugielski. Representative Trotter. On the Agreed Bill list, are there any Members that have a Bill on the Agreed Bill list on Third Reading that they would like to return to Second Reading for an Amendment? If there are any Members, please contact the Chair. House Bill 3, Representative Stepan. The Bill's on Third Reading. The Lady asks leave to return the Bill to Second Reading. Does she have leave? Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments? House Bill 3."

Clerk O'Brien: "House Bill #3. This Bill's been read a second time previously. Floor Amendment #1, offered by Representative Trotter."

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

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

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Speaker McPike: "Mr. Trotter."

Trotter: "Yes. Good morning, Mr. Speaker and Members of the House."

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

Matijevich: "Well, don't we have a rule against a first termmer having their first Bill on the Agreed list? I...I think there ought to be a rule against that."

Speaker McPike: "There should be."

Matijevich: "Yeah."

Speaker McPike: "There absolutely should be. Representative Trotter, on the Amendment."

Trotter: "Yes. Good morning, Mr. Speaker and Members of the House. Amendment #1 just deletes the language, 'is off school premises and', and what that does, it changes the language to now read, 'It is unlawful for any school bus driver to willfully abandon a school bus that contains any children who are without other adult supervision except in emergency where the driver is seeking help or otherwise acting in the best interests of the children'. So it just clears up the previously unclear language that was there."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Does anyone else wish to bring their Bill back to Second? Returning to Second Reading on the same Order. Representative McCracken, House Bill 431. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 431, a Bill for an Act to amend the Uniform Commercial Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

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Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #2 retains an Illinois law, a quirk that makes it different from the model legislation, that involves the liability on bad checks between retailers and the banks. That battle is being fought over a separate check. The banking community has agreed to accept this Amendment as the reservation of current law. With that exception this Bill is the model legislation recommended for adoption nationwide. I move its passage."

Speaker McPike: "And on the adoption of the Amendment, Representative Dunn."

Dunn: "Well, I think somebody ought to speak on behalf of the retail merchants, and I'm a logical person to do that, I think. What...what do they have to say about this Amendment?"

Speaker McPike: "Mr. McCracken."

McCracken: "They both agree."

Speaker McPike: "Representative Anthony Young."

Young: "Yeah, Tom. Could you just tell us what this Amendment...what will the law be in the bad check situation?"

McCracken: "We...we are adopting this Amendment to not change the current law. This is the exception to the Uniform Act, and we do it to retain this, what I'll call a 'quirk' in Illinois law."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. The

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'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Under Labor, Second Reading. Appears House Bill 175. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 175, a Bill for an Act to amend the Workers' Compensation Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 177. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 177, a Bill for an Act to amend the Illinois Public Labor Relations Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 178. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 178, a Bill for an Act to amend the Educational Labor Relations Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 179. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 179, a Bill for an Act to amend the Prevailing Wage Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Representative Mautino. Representative Giorgi."

Giorgi: "Are you...are you calling 824, Mr. Speaker?"

Speaker McPike: "I beg your pardon."

Giorgi: "Are you calling House Bill 824?"

Speaker McPike: "No, Representative Mautino is not here."

Giorgi: "I'd like to have this Bill taken off of the Short Debate Calendar, please, and I have seven Members willing to join me in taking it off the Short Debate Calendar."

Speaker McPike: "It's on Second Reading, Mr. Giorgi."

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Giorgi: "Well, I...I'd like to take it off the Short Debate Calendar anyway. That's what the Clerk instructed me to do."

Speaker McPike: "Representative Giorgi, would you..."

Giorgi: "Give me a one-liner or do something."

Speaker McPike: "Would you talk to some freshman? They'll explain the rules to you."

Giorgi: "You're never too old...you're never too old to learn, boy."

Speaker McPike: "...Officers, Second Reading. Mr. Novak, House Bill 2. Representative Homer. Mr. Homer. Mr. Williams. Mr. Saltsman. Representative Jones. Representative Bugielski. Representative Hicks. Representative Steczo. Representative Trotter. Mr. Trotter, House Bill 2232. 2232. Read the Bill, Mr. Clerk. Senator, how are you?"

Clerk O'Brien: "House Bill 2232, a Bill for an Act to amend the Juvenile Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Representative Pullen. Representative Capparelli. Representative Currie. On House Bill 2232, Mr. Trotter, there's been a request for a fiscal note, and that has not been filed. So the Bill will be returned to Second Reading. Going back to the Supplemental #1. Representative Homer, House Bill 434. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 434, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1951. Read the Bill, Mr. Clerk. Mr...Mr. Homer."

Clerk O'Brien: "House Bill 1951."

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Speaker McPike: "Representative Homer."

Homer: "Mr. Speaker, I'm waiting for an Amendment that I think will be ready shortly for that Bill. Can I hold it on Second while I have another opportunity or..."

Speaker McPike: "Well, we're trying to move these to Third, but if, if you don't get them on Third, then tomorrow they will be removed from the Agreed Bill list. We want to vote on these tomorrow. So if you can't amend it today, we'll just have to take it off the Agreed Bill list."

Homer: "I'll amend it today, but will I have a later chance?"

Speaker McPike: "Yeah, yeah."

Homer: "Okay. Thanks."

Speaker McPike: "Representative Williams. Mr. Williams. Paul Williams. You have some Bills on the Agreed Bill list that we'd like to move. House Bill 1594. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1594, a Bill for an Act to amend the Illinois Dental Practice Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed. No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2410, Representative Williams. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2410, a Bill for an Act to amend the Corporate Fiduciary Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2496, Representative Williams. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2496, a Bill for an Act to amend the Title Insurance Act. Second Reading of the Bill."

Speaker McPike: "Well, then we'll have to remove this from the Agreed Bill lists because we're going to vote on this tomorrow. Mr. Williams."

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Williams: "Would I be permitted to...this Bill is being worked upon. Can I bring it back for an Amendment at a...at a...at a later date? Can I, can I leave it on Second?"

Speaker McPike: "You can, but we're going to vote on the Agreed Bills tomorrow. So, if you don't have this Bill ready to go by tomorrow, then we'll have to knock it off this list."

Williams: "Okay. I would take it off the list. This Bill is not ready. They are doing a...a...a..."

Speaker McPike: "Alright. Mr. Clerk, remove this Bill, 2496. Remove it from the Agreed Bill list...Third Reading. Human Services. House Bill 274, Mr. White. 426. 739. House Bill 1160, Representative Richmond. Representative McGann, House Bill 1195. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1195, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Mr. Clerk, I show House Bill 1195 on Third Reading. Human Services, Third Reading. That's an error on the Calendar. Alright, Representative McGann, do you wish this Bill called on Second Reading?"

McGann: "Mr...Mr. Speaker, thank you. Could we check to see if there's been a Floor Amendment?"

Speaker McPike: "Yes. Are there any Amendments filed?"

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

Speaker McPike: "Representative Hasara, Amendment #1. The Lady withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Representative McGann."

Clerk O'Brien: "No, I'm sorry. Amendment 2 by Representative Hasara."

Speaker McPike: "Representative Hasara, Amendment #2."

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Hasara: "Thank you, Mr. Speaker. House Amendment #2 will change the Bill to require that the same amount spent on providing services to Cook County would be shared with the other counties in the state. I might also add, Mr. Speaker, that Amendment #2 makes the Bill permissive, not mandatory. Okay, I'm being asked to repeat. House Amendment #2 does two things: First of all, instead of mandating the Department of Mental Health and Developmental Disabilities to pay for mental health care, it makes it permissive. Secondly, at the current time the department is only providing money for that care in Cook County. Amendment #2 would spread those funds out over the entire State of Illinois. I move for its adoption."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I would ask you to defeat this Amendment #2. First is because no time did the Representative contact me about this Amendment, and secondly, the Amendment defeats the intention of the original Bill. So I would ask that this Amendment #2 to House Bill 1195 be defeated."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Are we talking about Amendment 1 or Amendment #2?"

Speaker McPike: "Number 2. Number 1 was withdrawn."

Wennlund: "To the Amendment. The Department of Mental Health and Developmental Disabilities has issued a fiscal note with respect to the Bill that would call for an expenditure of \$10,220,000 at a time when the State of Illinois has \$8.64 in its checkbook and simply cannot pay the \$660,000,000 in outstanding bills that we owe for health care, to the poor, to the minorities and the elderly. This sends a wrong message to the taxpayers of Illinois that we're spending money that we simply do not have. The Amendment that would

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make it discretionary or optional with the Department and spread the cost out over the entire state rather than one county in this state is indeed a good Amendment. We simply cannot afford to spend money we do not have. This Amendment would at least give the Department the discretion to be able to, if the funds are available, expend them throughout the state for psychiatric care. I urge the adoption of this Amendment, and when the Amendment is called for a vote, I request a Roll Call vote."

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

McGann: "Mr. Speaker, we are, the subject matter before us presently is Amendment #2. It is not the Bill, and the information the previous speaker is totally erroneous...erroneous as to what the Bill does. We are speaking here on the floor now of Amendment #2 which I ask to be defeated."

Speaker McPike: "Representative Hasara to close."

Hasara: "Thank you, thank you, Mr. Speaker. I hope that you will all listen very carefully to the importance of this Amendment, particularly those of you who live outside of Cook County. Chicago has 24% of the state's population. It receives over 40% of the Department's grant-in-aid funds. The south Cook County suburbs in greater southern collar county regions have 18% of the population. They receive only 6% of the Department's grant-in-aid funds. Amendment #2 says, 'We do not have the money to finance the underlying Bill', and as well there have been great inequities in that funding distribution. The only county in the state to have received these services in the past has been Cook County. At a time when we are in such a terrible financial crisis, it is only logical that we look at eliminating this cost that has been in our budget for

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the last few years. I ask, please, for a 'yes' vote on this Amendment."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' 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 Amendment there are 48 'ayes', and 54 'nos'. The Amendment's defeated. Further Amendments?"

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

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I hope we can blot out of our minds the erroneous information (sic which) was presented to you in the last Amendment and the comments of a previous speaker. Amendment #3 rewrites the entire Bill. It narrows the scope of the Bill significantly to reflect as closely as possible the historical commitment of the Department of Mental Health in providing financial support for the cost of mental health services to pretrial detainees in Cook County since 1974 under agreements between the state and Cook County stemming from the consent decree in the Harrington versus DeVito case. That decree required the Department of Mental Health and Developmental Disabilities to complete record keeping of detainees, provide medical records of detainees admitted from the department facilities, and participate in the cost of space and equipment for a mental health team to screen pretrial detainees in evaluation of the program. As a result of the 1974 Harrington decree, the Department provided a grant to Cook County of approximately, and please listen if I may ask you, approximately \$500,000 and has been providing a similar amount every year since 1974. This Amendment, which becomes the Bill, would assure

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continuation of that agreement, that commitment. That's exactly what the Amendment will do. That's exactly what the Bill will do when we debate it on Third Reading. I ask you for your support of Amendment #3."

Speaker McPike: "Representative, on the Amendment, Representative Mautino."

Mautino: "Will the Gentleman yield for a question?"

Speaker McPike: "Yes."

Mautino: "Andy, if I understand this correctly, this will have the state provide the funding for the...the people incarcerated in the...in jail, those mental health services only in Cook County."

McGann: "That...that is correct, which has been historically done since 1974. It is a department, as I stated, in an agreement, a commitment that they made in the Harrington-DeVito case in 1974 that they would provide those funds to do exactly what you're asking."

Mautino: "Well, why is it only Cook County, I guess is my question. I think it's totally unfair to tap into state resources for that type of service that's got to be provided at the local level in other counties. Why is that?"

McGann: "We have...it's...I think, Representative, what I, the way I could answer that is, it's not just taking new resources. This has been an ongoing program since 1974. Under an agreement with, as a result of a court decree, and in that court decree on Harrison, or Harrington-DeVito, it was brought out that the state is to provide mental health services, and it was to provide the mental health services for these inmates that are waiting pretrial, and that's exactly what has been happening all these years. So what we're doing is we're saying here on this Amendment that we want a continuation of this commitment. That is all."

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Whatever your philosophies may be as far as the rest of the state is concerned, this is strictly as a result of a decree that was granted and agreed to in 1974."

Mautino: "You're telling me that a court decree mandated that the State of Illinois fund the mental health services for inmates only in Cook County? I find that almost impossible to believe that a court decree would establish the state fund mental health services only in one county and then have the other counties provide that same service at the local level with the local funding. That just doesn't seem, I'm not an attorney, but it doesn't seem to be...to be logical."

McGann: "Let me correct you if I may, Representative, and respectfully. This was an agreement after the court decree."

Mautino: "That's not what you said. You said it was a court decree."

McGann: "The court decree came out and stated and supported that it's the obligation of the state to provide the mental health services throughout the state. After this occurred the Department made an agreement that they would fund this program of taking care of these pretrial detainees and would provide the funds for it. That was entered into in 1974 between the Department and the Cook County and especially the Cermak Hospital in Cook County."

Mautino: "Well, does that money, then, come from that same line item that funds mental health in all the rest of the State of Illinois? Does that come out of their operating budget?"

McGann: "In answer to your question, we have not been funding other counties in the last number of years."

Mautino: "The question is, 'Where does the money come from?'"

McGann: "But I think we're talking about something entirely

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different. Or just like in any way of life that you make a commitment then that commitment should be continually carried out. It wasn't limited of years to have this commitment. This commitment was ongoing."

Mautino: "My question is still, 'Where does the money come from?' Does it come from the operating budget of Mental Health that normally goes to provide the services for the people who are not in jail?"

McGann: "This specific grant comes through the Department. This specific grant has been coming through this Department since 1974."

Mautino: "To the Bill, Mr...To the Amendment, Mr. Speaker."

McGann: "No, to the Amendment."

Mautino: "I hope my downstate colleagues have listened to the responses given on this particular proposal. I believe the Gentleman said the funding for this specific program comes from the overall budget of Mental Health and Developmental Disabilities which we haven't been able to fund at the local level for about the last two years. My personal opinion, and since it was not a court decree that this be done, this was a so-called agreement, it seems to me rather unfair that only one county in this state end up having the State of Illinois provide the services that they don't provide in downstate Illinois. I happen to think that's unfair. So I cannot stand in favor of an Amendment that treats the State of Illinois differently in 101 counties than it does in the other one county, and I respectfully request you take a long, hard look at this since that's where the money comes from, is the operating budget of Mental Health to take care of the people inside the prisons when they should be taking care of the ones that need it outside the prisons."

Speaker McPike: "Representative Hasara."

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Hasara: "Thank you, Mr. Speaker. I also rise in opposition to Amendment #3 and would like to just elaborate on a few points that the previous Representative mentioned. It's very important that you know, this money for this program is not in the budget as it is now proposed. So if you want to add this back into the budget, particularly those of you from downstate whose counties are paying for their own mental health services, you need to be aware that this has to come somewhere out of what is now being proposed in the current budget. It is true, Governor Walker in 1974 agreed to make these payments. 1974 and 1991 are very different years. We need to look at what resources we have in 1991, and this is one that we do not have resources to fund. Even if we did, I think it is fair to raise this issue this year because it is totally unfair that all of you outside of Cook County live in counties that pay for these services on their own, whereas Cook County since 1974 has already received millions and millions of dollars for services that the rest of us have never received. The Department has looked over the consent decree that has been mentioned. There is absolutely no mention in that decree of the Department having an obligation to fund services in the Cook County Jail. It was something that the Governor at that time did agree to, but remember this is money that is not in the budget, so we need to find another place to get if we're going to add it back in. Please defeat Amendment #3."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In addition to the unfairness to the rest of the 102 counties in Illinois, what this does even though it was done in the past years by agreement, sharing the cost of this for Cook County, this is different than prior years,

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and what the Bill...the Amendment does is makes it mandatory that the State of Illinois pick up one-half of those expenses in a year when the Comptroller tells us we had \$8.64 in the budget...in the checkbook. I urge the defeat of this Amendment and I ask for a Roll Call vote."

Speaker McPike: "Representative McGann to close."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I don't want to get into what downstate provides for the state, neither do I want to get into what Cook County provides for the state. This is still an entire state. We haven't separated it geographically. We talk about, previous speakers talked about the consent decree. Let me talk to you about the Harrington-DeVito Consent Decree. The 7th Circuit Court of Appeals was involved in this matter. Despite a motion to dismiss the director and the department as defendants, which the court never ruled upon, the Department joined in a consent decree and agreed...agreed to the provisions that I have stated in the Amendment plus the dollars that were to provide the support for these detainees in Cook County which come from throughout the state, not necessarily Cook County. Governor Edgar decided to cut this agreement out of his budget this year. He didn't look into the past and say, 'We make a deal, we stick with the deal.' He decided that he just wanted to arbitrarily cut it out of the budget. But all through the years since 1974 and '78, '82, '86, '90, '91, the state never reneged on their agreement, and I think that we shouldn't send a message out of this House that we are now going to take a course in reneging on agreements that are made over a period of years. This is very, very important. The detainees are not entirely from Cook County. They're from entire...throughout the state, and also from other states that have come in here and are

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mentally disabled and have found themselves in some criminal, mental charges. I ask you for support of this Amendment #3, and I thank you for your support in advance."

Speaker McPike: "The question is, 'Shall this Amendment be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 48 'ayes' and 65 'nos', and the Amendment's defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Under Agriculture and Environment, Second Reading. Representative Richmond on House Bill 345. Representative Schakowsky, House Bill 580. Read the...Representative Granberg, House Bill 742. Yes, Representative Olson, for...what reason, for what reason do you rise?"

Olson: "Thank you, Mr. Speaker. There is someone up in the gallery behind you video filming this thing."

Speaker McPike: "Doing what?"

Olson: "Someone is up in the gallery behind you video."

Speaker McPike: "Did you say, 'Someone is up in the gallery filming?'"

Olson: "She just left, now. She has gone away."

Speaker McPike: "Well, thank you for bringing it to our attention. As you well know, you can film in the galleries at any time under our rules."

Olson: "Alright. Just...just so all the Members know."

Speaker McPike: "Representative, where were we? Representative Granberg, do you wish that Bill called? No. How about 1199, Mr. Granberg? 1199? No. Mr. Hicks. Mr. Hensel. 2022. Mr. Kulas. Kulas. Morrow, Charles Morrow, 2451...Third...on Third Reading. House Bill 204, Representative Hoffman. Mr. Hoffman. Mr. Ropp. House

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Bill 241, Mr. Ropp. Mr. Hartke. Mr. Hartke. Mr. Richmond, House Bill 620. Third Reading. Mr. Steczo, Mr. Steczo, thank you. Thank you. House Bill 706. Read the Bill, Mr. Clerk. The Bill's on Third Reading."

Clerk O'Brien: "House Bill 706, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 706 is a Bill that deals with the recovery of costs that incurred by local governments in responding to the releases of hazardous substances. The Bill requires that...that a unit...unit of local government must be reimbursed for costs that it incurs which are associated with the cleanup of hazardous substances. This applies to municipalities and regional response teams as well as counties. If the unit of local government has to remove or take remedial action concerning a hazardous waste spill, it can bring an action before the Pollution Control Board to recover the cost for the person responsible. What has happened, Mr. Speaker, Members of the House, is that there had been many spills and local governments and their response teams have taken their time and spent their money to react to the cleanup and have found themselves unable to recoup those costs. So this Bill allows that to happen. I'll answer any questions and would ask for your 'aye' votes."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Representative Dunn, John Dunn. Mr. Dunn. Wrong button. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 113 'ayes', and no 'nays'. House Bill 706, having received the required Constitutional Majority, is hereby declared passed. House

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Bill 620. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 620, a Bill for an Act concerning arbitration of seed disputes. Third Reading of the Bill."

Speaker McPike: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 620 amends an Act concerning arbitration of seed disputes. The Amendment creates a Seed Arbitration Act, and it requires arbitration before a seed buyer may maintain a civil action against a seed seller. It creates a review committee to review complaints, and it creates a seed arbitration council to make investigations and recommendations. It establishes a hearing procedure. This Bill was structured by the Department of Agriculture and is supported by the department and the various farm organizations as well as the Illinois Seed Dealers Association. Fiscal note furnished by the Department of Agriculture says there are no net costs to the General Revenue Fund. I would appreciate your support."

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

Sieben: "Thank, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Since I am a seed dealer in Illinois, I rise to announce my conflict of interest in this legislation. It is good legislation, but I did want the record to reflect that I...I do have a 'cornflict' of interest here. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 110 'ayes', and no 'nayes'. House Bill 620, having received the Constitutional Majority, is hereby declared passed. Representative Giglio. Representative Satterthwaite, House Bill 1135. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 1135..."

Speaker McPike: "Excuse me. The Lady ask leave to return the Bill to Second Reading. Any objections? Hearing none, leave is granted. The Bill's on Second Reading. Are there any Amendments filed?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Lang and Preston."

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

Lang: "Thank you, Mr. Speaker. Amendment #1 deals with the ritual...well, the Bill deals with the ritual slaughtering of...of meat, and there is some concern when Representative Satterthwaite first presented the Bill that kosher food would somehow be involved and it would open the window for the director to make some changes. Amendment #1 simply clarifies that and makes sure that kosher food is not exempted or changed in any way by the Bill, and I ask its adoption."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "I move to accept the Gentleman's Motion. I agree with the Gentleman's Motion."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Lady asks leave to call the Bill on Third Reading at this time. Are there any objections? No, you don't want it called? Out of the record. Third Reading. The Bill's on Third Reading. Out of the record. Representative Hartke. Representative Doederlein. Read the Bill, Mr. Clerk. 1448."

Clerk O'Brien: "House Bill 1448, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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Speaker McPike: "Representative Doederlein."

Doederlein: "Mr. Speaker, Ladies and Gentlemen of the House.

House Bill 1448 requires waste water treatment plants to accept for treatment and disposal septic system sludge generated within the county. This would assure that homeowners in unincorporated areas have an adequate means of disposing of their sewage that does not place them at a health risk. Amendment #1 was asked for in committee and it was for private residents only, and Amendment #2, if there's any additional capital costs incurred specifically to comply with this need, it could be included in the fees that would be charged for accepting the sludge. I believe this is in..."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 113 'ayes' and no 'nays'. House Bill 1448...Representative Curran, 'aye'. On this Bill there are 114 'ayes' and no 'nays'. House Bill 1448, having received the Constitutional Majority, is hereby declared passed. House Bill 1449, Mr. Peterson. Read the...out of the record. Mr. Mautino, House Bill 1514. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1514, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1514, as amended, the Amendment becomes the Bill. It...the Amendment that was requested by the agency as well as the people involved in the...shredder business, that the shredder fluff under the hazardous...be determined to be non-hazardous under the federal code and standards that have already been established. Shredder

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fluff is that additional residue from seats in cars, et cetera, et cetera, and the dirt and stuff that's under the fenders when a vehicle is shredded. That's what this legislation does. It puts it under the standards of the federal guidelines, and I don't know of any opposition to the legislation as of now as amended."

Speaker McPike: "Representative Mautino, we have an Amendment filed on Amendment #2 that has not been adopted. Did you wish to..."

Mautino: "No, that's the other one."

Speaker McPike: "Did you wish to adopt that?"

Mautino: "That one has to go on too."

Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading. Any objections? Hearing none, the Bill's on Second Reading."

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

Speaker McPike: "Mr. Mautino."

Mautino: "I just explained that second Amendment, Mr. Speaker, which is the definition and the provisions as a non-hazardous product, yes."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. Representative Pedersen. Who's hollering?"

Pedersen: "Representative Pedersen."

Speaker McPike: "Yes, Sir."

Pedersen: "A question of the Sponsor."

Speaker McPike: "Yes, proceed."

Pedersen: "Mr. Mautino, on that Amendment, does this now provide that when the material is shredded, if it is hazardous, it is up to the generator to determine if it is hazardous or not? Is that the crux of this Amendment?"

Mautino: "That's Amendment #2?"

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Pedersen: "Correct."

Mautino: "Yes, that is based upon the federal 40CFR261 standard.
Yes."

Pedersen: "Well, I mean, we're kind of letting the fox in with
the chickens, aren't we, on this?"

Mautino: "Well, it's the federal standard, and I don't think the
EPA has any objection to it. If somebody would tell me
who, when, how or why."

Pedersen: "Yeah. What I'm saying is there's no, there's no
oversight. I mean the operator or the generator can do
whatever he wants with that shredding...shredded material,
if it's hazardous or not, and I think in the committee when
we discussed this Bill, we...we only got out because we
were under the impression it was non-hazardous material
that we're going to be shredding."

Mautino: "Well, if...if that...if that Amendment causes you
problems, that was the request to bring that one back in.
I'll be happy to table that and run it just as we did under
the federal standards. Mr. Speaker, I'd like to table..."

Pedersen: "Yeah. If you table it, we're supportive of it."

Mautino: "Yeah, okay, fine. I'll table Amendment #2."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further
Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Amendment #1 was adopted previously, Mr. Clerk?"

Clerk O'Brien: "Amendment #1 was adopted previously, yes."

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

Clerk O'Brien: "House Bill 1514, a Bill for an Act to amend the
Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much. With that Amendment tabled I
don't believe there's any opposition to the Bill. The
determination definition is under the federal standard on

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non-hazardous shredder fluff. Move for its passage."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 112 'ayes' and 1 'no'. House Bill 1514, having received a Constitutional Majority, is hereby declared passed. House Bill 314, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 314, a Bill for an Act to amend an Act concerning soil and water. Third Reading of the Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 314 amends the Soil and Water Conservation District Act to name the soil and water conservation districts in the State of Illinois the natural area guardians. This Bill has had a couple of Amendments on it, worked out an agreement with the...several associations, the Homebuilders Association, and so forth, and I don't think there's any controversy on it. I would be happy to answer any questions."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 106 'ayes' and no 'nays'. House Bill 314, having received the Constitutional Majority, is hereby declared passed. Representative Hicks, Kulas, Wennlund. House Bill 2444. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2444, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Third Reading of the Bill."

Speaker McPike: "Representative Wennlund."

Wennlund: "I would ask leave of the House to return it to Second

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for the purpose of putting an Amendment on."

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

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

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2...about two years ago we passed the Bill to promote recycling of plastic containers, and what happened was...they would be labeled HDP or whatever the type of plastic it was so that they could be easily recycled. However, what we didn't do was to specifically limit it to single-use plastic containers. As a result of that we included Tupperware in the Bill and that's the purpose of this Bill, and, in addition to that, we inadvertently included plastic batteries which are also single-use containers. The Amendment merely excludes plastic batteries which are covered under other Acts, and that's all it does."

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to call the Bill at this time. Any objections? Hearing none, the Attendance Roll Call will be used. Leave's granted. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2444, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Third Reading of the Bill."

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Speaker McPike: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What House Bill 2444 does as amended is it clarifies the Act that we passed two years ago requiring plastic containers to be labeled as the type of plastic that it was made out of whether it's a milk carton or other type of container. This clarifies it so that we don't include things like Tupperware which was not intended to be included in, in, in the original Bill to begin with, and it clarifies it by excluding plastic batteries. It's...it's a Bill that...that will correct an error we made two years ago, and I ask for your favorable vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 111 'ayes' and no 'nays'. House Bill 2444, having received a Constitutional Majority, is hereby declared passed. House Bill 1207. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1207, a Bill for an Act to amend the Illinois Fertilizer Act. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 1207 amends the Illinois Fertilizers Act of 1961 to require soil additives products to be labeled and set forth what must appear on the...on the label of the product. It's a...it's a truth-in-advertising Bill for soil additives, and I appreciate your support."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Have all voted who wish? The Clerk will take the record. On this Bill there are 113 'ayes' and no 'nays'."

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House Bill 1207, having received the Constitutional Majority, is hereby declared passed. House Bill 204. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 204, a Bill for an Act in relationship to farm debt mediation. Third Reading of the Bill."

Speaker McPike: "Mr. Hoff...Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 204 requires that the...the IFLAF program which was passed by this Body a few years ago would enable that to continue to exist. In addition to that, in addition to that under the IFLAF program the voluntary farm debt mediation would be taken up by the foundation. I think that the State of Illinois has a...owes something to it's farmers. I think we've shown in the past, and this Body in the past, has shown that they care about the family farmer and saving the family farm. I think this Bill addresses something, something that we, we in the State of Illinois deem important, and I think that...that we should pass this Bill. It would help out our family farm. It would make sure that small communities throughout Illinois do not cease to exist."

Speaker McPike: "Representative Black."

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

Hoffman: "Yes."

Black: "Representative, I appreciate the fact you put this Amendment on the Bill, but I, would it be safe to assume that the banking folks are still opposed to the Bill?"

Speaker McPike: "Mr. Hoffman."

Hoffman: "Yes, I think that'd be safe to assume."

Black: "Do you...can you tell me why you think the...the bankers have some concerns about the Bill?"

Hoffman: "Well, I...the Bill is...is voluntary mediation. In

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other words, the bank and the farmer both agree to the mediation. If a bank does not wish to go to mediation, try and work out their differences, they can walk away from the table, and they can do the same thing that they...they could do from day one now. So it...it is a voluntary program. I don't know why they have...have concerns. I think that this is a reasonable solution to a...a problem that we are going...we are facing continually in the State of Illinois."

Black: "Okay. Thank you very much, Representative, and I...I appreciate the fact that you have tried to work this out, but Mr. Speaker, and Ladies and Gentlemen of the House, let me just, if I might, give you two specific objections that the banking industry has with this...with this Bill, and I don't think the Amendment takes away either of these objections. The Bill does not provide for a prohibition on the sale of assets by a farmer during mediation. Now that can be...that can be a glaring loophole when you're trying to settle a debt if the individual involved can sell off his assets during the mediation. The Bill also does not contain any indebtedness qualification level. Thus, a debtor who had an indebtedness of even, let's say, \$1,000 could continually request mediation. It's a...a Bill that's been around a long time. I think the Sponsor has worked out a good many of the objections to the legislation, but there are at least two objections that still should be addressed, and it is for that reason that I will vote 'no' on the Bill."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker. To the Bill. The dark days of the 1980s and the farm economic environment have changed somewhat. There are several agencies in the state government, and I'll lump them together and just say let's

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call them farmer-hotline-type things, that are promoting for self-serving reasons a preservation of a bureaucracy, if you will, to keep offering assistance to farmers who no longer are in dire financial straits. I'm reminded of back in those days a magazine, I believe it was the 'People' magazine, showed a farmer in Mississippi. He farmed 80 acres of land. He seeded 16 of those 80 acres for a crop in that particular year, and then he complained about the economics of farming and why he couldn't earn a living and why the government owed him assistance. I don't call a person like that a farmer then, nor do I call a person like that a farmer today. Farming is a business. It has its problems, but it's as healthy as the local auto parts store. It's as healthy as the grocery store. I wear two hats here, I will admit, I'm a farmer, so, as Todd Sieben said, we have a 'cornflict' of interest. I'm also involved in banking, and this is a bad Bill. I urge you give this consideration. I see that several farm agencies are supporting it, but I feel it's an idea whose time expired several years ago, and I'd urge a 'no' vote."

Speaker McPike: "This Bill's on Short Debate. Representative Hoffman to close."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. It was indicated that there is no limit, debt limit. I believe that the Amendment addresses that. The Amendment does say that there must be an indebtedness for the mediation of at least 40...\$40,000. In other words, the family farmer must be in legitimate trouble of losing their land. They...the Department of Agriculture, the IFLAF foundation and the Farm Bureau all are in favor of this. We sat down, worked out a Bill. There is no additional cost to the state in this fiscal year to have this program. Sure, we're...we're...we may kind of be out of the woods with

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farm problems, but they're going to come back, and it's time that we begin...begin to do something that's reasonable, something that's logical and will help out the family farmers. I ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 81 'ayes', 28, Ropp 'aye', 82 'ayes', 28 'nos'. House Bill 204, having received the Constitutional Majority, is hereby declared passed. House Bill 241, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 241, on page 40 of the Calendar, a Bill for an Act designating a state soil. Third Reading of the Bill."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I ask for favorable support to name this most important natural resource, state soil."

Speaker McPike: "Well, this Bill's on Postponed Consideration. The Bill is on Postponed Consideration. The Gentleman has moved for the adopt...for the passage of the Bill, and on that Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. I think we ought to all pay attention here. This is a Bill that was before us about two or three weeks ago, and it was soundly defeated. It did manage, I think, to get the required 47 votes to put it on Postponed, and at that time Representative Ropp had a hard time getting the attention of anybody to have real support for this. What he's trying to do is name a state soil for the State of Illinois. Since that debate I've come to find out that it's really not a native soil of Illinois at all. It came down with the glaciers. So I don't see why in the world we have to name a soil that's not native to Illinois the state soil."

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Many of the things that we do around here seem kind of ridiculous, but I think this takes the cake. I oppose this piece of legislation."

Speaker McPike: "Representative Phelan."

Phelan: "Mr. Speaker, thank you. This is in reference to House Bill 314, I had stepped away from my switch. Had I been here I would have voted on Representative Hartke's Bill 314, 'aye'."

Speaker McPike: "Okay, the Gentleman would have voted 'aye' on House Bill 314, and the record will so reflect. Representative Preston."

Preston: "Would the Gentleman yield for a question?"

Speaker McPike: "Yes."

Preston: "Representative Ropp, I...I didn't hear your explanation of what it is the state soil is that you're proposing here. What, does it have a name?"

Speaker McPike: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. Representative, the name is Drummer Silty Clay Loam."

Preston: "Okay, could you describe what that is? Some of us are...are not as knowledgeable about farming issues as you may be."

Ropp: "Yes, it's dark in cut, texture, rich in fertility, has a sizable amount of humus in it, and it drains pretty well, has about 1.6 million acres in Illinois."

Preston: "Can you grow anything in this soil?"

Ropp: "It is some of the better soil that you can grow. The State of Illinois and all its citizens are richly blessed because of its ability."

Preston: "What is typically grown in this kind of soil?"

Ropp: "Pardon?"

Preston: "What is typically grown in this type of soil?"

Ropp: "Oh, corn and soybeans, alfalfa, oats, barley, any

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agricultural product you want to grow will grow well in that soil."

Preston: "Well, to the Bill, Mr. Speaker. In my district we...we don't grow a lot of soybeans and alfalfa and the other things that he mentioned, but I...I'm going to rise in...in sound support of this dirty Bill. I...I think it's a good idea. Its time is long, long overdue, and I'll support Representative Ropp."

Speaker McPike: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I also rise in support of this Bill. There've been a lot of jokes made about it, and I think the Sponsor has taken some unfair criticism of the sponsorship of this Bill. We have a state everything, and it makes a lot of sense to me that if we have a state tree, bird, fish and dance, that in an agricultural state like Illinois we could also vote for a state soil. The Sponsor has introduced this Bill in all seriousness. I have had quite a few calls from ag teachers in my district who tell me this is a very, very legitimate soil to name as the state soil, and I think maybe we've just had our fill of voting in a state anything, but I think this is not the time to stop and that it's very unfair to the Sponsor and the ag community that wants this Bill to make fun of it. I've seen at least ten other Bills that are probably more ridiculous than this one pass this House, excuse me, but I have in the last couple of weeks, and I'm, yes, and I'm being very nice by saying only ten, I agree. So, I urge support of this Bill and its Sponsor who is doing this in all earnestness. Thank you."

Speaker McPike: "Representative Curran."

Curran: "I move the previous question."

Speaker McPike: "Alright. The Gentleman moves the previous question. Mr. Lang is the only one seeking recognition."

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Mr. Lang, you don't want to talk either? Yes, Mr. Noland is seeking recognition. Go ahead, Sir."

Noland: "Thank you, Mr. Speaker. I rise in support of this Bill and to the former director of agriculture. The...the comment is, 'What is this soil?' This is the soil that farmers die for. This is the soil that sold for \$4,000 an acre back in the '80s. This is the best soil in the state, and the word was made earlier, the comment was made from the friends in Effingham that it came over from, it wasn't a natural soil. Well, a little bird told me that our state bird came over on the Ark. So I think this is as native as our state bird."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 71 'ayes', 23 'nos'. House Bill 241, having received the Constitutional Majority, is hereby declared passed. Representative Hicks, 1741. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1741, a Bill for an Act to amend the Gasoline Storage Act. Third Reading of the Bill."

Speaker McPike: "Representative Hicks. Out of the record. Representative Kulas, House Bill 2250. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2250, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2250, all that's on House Bill 2250 is Amendment #1, Representative Regan's Amendment on the compost that would require that a farm cannot have a composting facility if it...constituting more than 2% of the property's total acreage without getting an agency

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permit to operate as a composting facility. It has other applications as far as a quarter of a mile from the nearest residence, and I would move for the passage of House Bill 2250."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 113 'ayes' and no 'nays'. House Bill 2250, having received the Constitutional Majority, is hereby declared passed. House Bill 2254. Out of the record. House Bill 2325. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2325, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 23...2325 as amended, Amendment #1 was adopted in committee. It codifies the existing 12-year-old Executive Order regarding the use of ethanol-blended gasoline in state vehicles wherever feasible. This Amendment was drafted in cooperation with Central Management Services, and they have no problem with the Amendment. Amendment #2 directs the downstate urban mass transit districts. There are 11 of them downstate to use ethanol-blended gasoline in their gasoline burning vehicles effective July 1 of 1992. This Amendment was drafted in consultation with Illinois Public Transit Association, and the Association has endorsed this legislation. I'd be happy to answer any questions, and I ask for an 'aye' vote."

Speaker McPike: "Representative Curran. Representative Giorgi in the Chair."

Speaker Giorgi: "Representative Curran, you're recognized."

Curran: "Can you hold off for a second, Mr. Speaker? I'll be

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right back with you."

Speaker Giorgi: "Certainly."

Curran: "Perhaps there's somebody else who'd like to speak first and then I might make my comments afterwards. Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of Representative Weller's legislation, and I do so because this Bill attempts to promote the use of gasohol, ethanol, and I think that's extremely important to the economy of this state. We just had legislation passed a few minutes ago which some of us thought was humorous, and others of us thought was serious. Well, this is serious. This is very serious. This gets to the lifeblood of this state, which is agriculture. The thing that Illinois can do as well as any spot on this planet is produce corn, and we ought to be in the business of promoting the use of that corn at every turn. Even if it steps on some toes, it is good for the entire state, it is good across the board, it is good for upstate and downstate, it is good for Democrats and Republicans, it is good for rural and urban, and I ask you to consider voting for this legislation, 'cause it's an awfully good idea. Thank you."

Speaker Giorgi: "Majority Leader Jim McPike."

McPike: "Will the Sponsor yield?"

Speaker Giorgi: "Indicates he will."

McPike: "Dick, have we already passed an identical Bill to this earlier this year?"

Speaker Giorgi: "Representative Weller?"

McPike: "Mr. Weller?"

Weller: "No, Representative I do not believe we have."

McPike: "Representative Walsh have a Bill that was nearly identical with this?"

Speaker Giorgi: "Representative Weller?"

McPike: "Mr. Weller."

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Weller: "I believe Representative Walsh had a Bill in committee, I do not believe it passed committee. I can't speak to the status of that Bill; I think it's still in interim study, I believe."

McPike: "I want to get...I'd like to get clear on one point of using gasohol, 'cause I see it advertised on TV all the time as to being good for the environment. We have in Chicago and in my area, in Metro East, Madison, St. Clair counties, unlike the rest of the state, I guess you well know that we have our automobiles inspected yearly. No one else in the state does except the greater Chicago metropolitan area, and the Metro East area. You aware of that, Mr. Weller?"

Weller: "Yes."

McPike: "The reason that we have problems is that we have a non-attainment for ozone. Now, using gasohol, does that help the ozone problem, or does that hurt the ozone problem?"

Speaker Giorgi: "Representative Weller."

Weller: "My understanding is that when it comes to vehicle emissions, and this is information that was provided to me by the Illinois Environmental Council and other organizations, that the use of ethanol reduces vehicle emissions about one-third in comparison to regular gasoline when ethanol is blended with a 10% blend."

McPike: "That wasn't my question. I wasn't talking about carbon monoxide, carbon dioxide emissions. I was speaking to the question of the ozone problem. There are two distinct problems that we have. One, is the carbon monoxide that I believe, in some areas of the country, is the number one problem. In our area, in the Chicago area, ozone is the problem. My question was, does the use of gasohol hurt the ozone problem, or help the ozone problem?"

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Weller: "My understanding is it doesn't hurt the ozone problem any worse than regular gasoline, Representative."

McPike: "Well, is this something you know for a fact, or are you just speculating on this, or, where did you get this information?"

Weller: "The EPA..."

McPike: "Is there any scientist that would agree with that statement?"

Weller: "I've asked the EPA right now is checking that statement?"

McPike: "Is there any chemist that would agree with that?"

Weller: "The Illinois Environmental Protection Agency, Representative, just indicated to me it does not have any more impact than regular gasoline on the ozone."

McPike: "Would you point out that Gentleman to me? Well, maybe that Gentleman could come to my office to discuss this with me. To the Bill, Mr. Speaker."

Speaker Giorgi: "Continue."

McPike: "To the Bill, Mr. Speaker. I recognize that farmers have a strong lobby on this floor, and I recognize that I'm not going to defeat this Bill. But I do want to make it clear that use of gasohol in the Chicago area by Mass Transit buses, or use of gasohol in the Chicago area by automobiles only hurts the problem that we already have, and it only hurts to use it in my district. If we increase the amount of emissions and increase the problem we have with ozone, the Federal EPA will simply require tighter inspections of our plants, tighter inspections of automobiles, than they currently do. So, we do know that gasohol is good in some areas of the country. We also know that it's bad in other areas of the country. It is not good to use it in the greater Chicago area; it is not good to use it in my area. So when you get up and say this is great for the

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environment, it's not a true statement."

Speaker Giorgi: "Representative Black on House Bill 1725 (sic 2325)."

Black: "Yeah, thank you very much, Mr. Speaker. To the Bill, the previous speaker raised some very interesting points and points that needed, I think, to be raised, but I think there's also another point. Maybe we'll never reach agreement on what's environmentally safe and what's best for the environment. I don't know that we ever will, but I can assure you of one thing, the Gentleman's Bill should pass, if for no other reason, it begins to move us away from a dependence on foreign oil. I don't want to see any more Illinois National Guard units have to go to the Persian Gulf for whatever the reasons we send them there, the bottom line, and I think all of us know it, maybe none of us were really comfortable about it, we were in danger of having our oil supply interrupted. Ladies and Gentlemen, this Bill addresses, in a small amount perhaps, but at least he's addressing a national problem, not just an Illinois problem. We need to lessen dependence on foreign oil, and if we can do that with ethanol, that comes from a product grown in Illinois, then we need to do it. I vote 'aye' for the Gentleman's Bill."

Speaker Giorgi: "Representative Ropp on House Bill 2325."

Ropp: "Thank you, Mr. Speaker. I would just like to add to the previous speaker and to the fact that when we have watched on TV some 500 wells going up in flame, certainly the environment wasn't being helped in that particular area. The threat of continued burning of oil and the fact that potential crises can occur throughout the world, anytime, we need to address this situation by depending on a particular commodity which we in Illinois can continue to grow, almost without end, corn, in order to provide the

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source of fuel that we need here. This is a good Bill. It's one that certainly is needed, and I think that we all ought to support it unanimously."

Speaker Giorgi: "Representative McCracken on House Bill 2325."

McCracken: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Bill. It's important to realize that this Bill does not apply to Chicago or the bi-state area. It applies to downstate urbanized mass transit other than in the bi-state area and does not apply to Chicago. It has no impact on the emissions issues in either of those areas, its use is limited to downstate urbanized mass transit. It has no impact, no effect, no application to either of those two areas."

Speaker Giorgi: "Representative Weller to close. Representative Mautino, do you want to rise on House Bill 2325?"

Mautino: "Will the Gentleman yield for a question?"

Speaker Giorgi: "Representative Mautino."

Mautino: "If we...Representative, if we mandate this provision to the mass transportation districts, will this save or will this cost them money over and above their current costs for gasoline?"

Weller: "Representative, I've discussed this legislation at great length with representatives of the Illinois Public Transit Association, which by the way has endorsed the Bill. Jim Houlihan is their Spokesman, I know you know Jim. The Association endorsed the Bill for a number of reasons because of its environmental benefits, and they also feel..."

Mautino: "Representative Weller, is it more costly to..."

Weller: "That's what I'm trying to answer, Representative, I'm just getting to that..."

Mautino: "Well, that's the question I want to know."

Weller: "Sure, and their indication is that there's very little

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fiscal impact to them, and that's why they support it."

Mautino: "What's the cost of a gas, of a gallon of ethanol-blend gasoline?"

Weller: "The cost usually is maybe a few cents more than a regular gasoline. Of course, these are public agencies, they don't get the tax benefits that are available that the private sector would buy, and so there's very little cost. Ethanol blended fuels have a higher octane, the engine runs more efficient, so they feel that's basically a wash, and let me make it clear the agencies that are affected by this legislation have endorsed this legislation. It does not impact diesel-burning buses, it only affects gasoline burning vehicles such as minivans or service vehicles, company cars, pickup trucks, that type of thing."

Mautino: "What is the intent of the percentage of ethanol in gasoline under your provision? For example, currently under our existing statute, you can use 70% gasoline, 10% ethanol, or an alcohol blend, and 20% rapinate. What are you mandating here as the provisions for the plan?"

Weller: "Representative, the intent of this legislation is to leave that up to the local mass transit districts. Basically, the ethanol blended gasoline that's available from companies like AMOCO oil, Texaco, Ashland, Chevron, Union Oil, Citgo, Southland, many other independents and major convenience store chains, is a 10 percent blend, but the way this legislation is drafted, that's a decision that they feel they want a higher or lower blend, that's a decision that they can make, and that's what they prefer."

Mautino: "Let me ask one additional question, then if I may. Is this scenario possible. Octane, 79%, 70% gasoline, 10% ethanol gasohol or alcohol, and 20% rapinate to bring up the octane to 83? Is that a possibility?"

Weller: "What was the third item you suggested, Representative?"

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Mautino: "Rapinate increases the...it raises the octane level in gasoline. It could raise it from 79 to 89, the rapinate's less expensive than other additives. So, I'm trying to figure out if we're doing something that's going to cost more money, or what your full intent is."

Weller: "I can't...I don't have a formula in my head, Representative, to figure out exactly what the octane would be. Ethanol-blended at a 10% rate with gasoline raises the fuel octane level by an average of about 3 points. That I can tell you, Representative. Point is, is that the Illinois Public Transit Association has endorsed this Bill, the Illinois Environmental Council has endorsed this Bill, those that are impacted by it are in support of it, Representative."

Mautino: "Yeah, because the taxpayers are paying for the additional increase in the cost of a gallon of the product. I can understand why they would endorse it. Isn't that about the bottom line? I mean...no more questions."

Speaker Giorgi: "Representative Dunn on House Bill 2325."

Dunn: "I'm sorry. I didn't hear you turn the microphone on. Will the Sponsor yield for a question?"

Speaker Giorgi: "Indicates he will."

Weller: "Yes."

Dunn: "I...does Amendment #2 become the Bill?"

Weller: "Amendment #2 is the...becomes a portion of the Bill. There are two Amendments on it, Representative."

Dunn: "Well, Amendment #2 appears to me to mandate that every downstate mass transit system shall have its buses retrofitted to use ethanol. Is that correct?"

Weller: "That is incorrect, Representative. The legislation as it is written only affects gasoline-burning vehicles. There would only be a need for retrofitting, as you would suggest, if you would be converting diesel buses over, and

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that is not the intent of the Bill, the Bill does not have any impact whatsoever on diesel burning buses or any other vehicles that do not use gasoline. As the legislation is written, Representative, it says that gasoline-burning motor vehicles operated under the jurisdiction of that urban mass transit district 'if capable' fuel containing ethanol-blended gasoline."

Dunn: "Well, then let's ask a different question. If you eliminate downstate diesel buses, and you eliminate gasoline powered vehicles which are not capable of retrofit, what's left?"

Weller: "Minivans, service vehicles such as cars or pickup trucks, for example, Representative."

Dunn: "So the, so if you have a pickup truck, you've got to retrofit it to use ethanol?"

Weller: "There's no need for any retrofitting whatsoever, Representative. If you...for use of ethanol-blended gasoline in regular gasoline burning vehicles. As a matter of fact, the all foreign and domestic manufacturers of gasoline-burning vehicles today warrantee ethanol-blended fuels. So there's no need for..."

Dunn: "...does that go?"

Weller: "...retrofitting. That's only if you would shift from diesel burning or something like that, and this Bill does not address that."

Dunn: "How long has it been that gasoline-powered vehicles have been equipped to use ethanol? It hasn't always been that way. It's fairly recently, as I recall."

Weller: "Some older models prior to 1980, it's my understanding, had some problems. Since 1980, and I'm not a mechanic or engineer, but the fuel injected motors run fine on ethanol blend fuels."

Dunn: "Mr. Speaker, if I may address the Bill. It is, just

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briefly, it is nice that we look into the use of ethanol in fuel systems. If you're going to affect the downstate mass transit systems, they're already looking into retrofitting their diesel buses. There are experimental programs that I'm aware of in Peoria, and in my community in Decatur, where buses have been retrofitted. There is a fairly large cost at the present time to do that. Obviously, the more buses fitted, retrofitted, the increased volume, the cost will come down, but there is an experimental operation going on. What we're talking about with this legislation is a handful of vehicles that will use ethanol under this legislation, so don't be misled that this is going to have any significant major impact upon sales and use of ethanol in this state, first of all, and secondly, if you're concerned about your local government back home, you better check the age of the pickup truck that goes out to service the minivan that drives around, or check the age of the minivan, because we have an older vehicle, it may not be capable of using ethanol, and if not, this Bill either doesn't cover it or mandates that you retrofit, so this is another piece of legislation, at least in this respect, with regard to the downstate mass transit systems that is designed to be glitzy, cosmetic, to be superficial and to pretend to do something, and it really isn't doing very much. So if you want to pass this Bill, fine, but don't kid yourself. It's not doing much."

Speaker Giorgi: "Representative Wennlund on House Bill 2325."

Wennlund: "Thank you, Mr. Speaker. I move the previous question."

Speaker Giorgi: "Thank you. It's not necessary. You're the last speaker. Representative Weller to close."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Let me address two points that were made by

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opponents of this legislation. Number one, this legislation does not require any retrofitting of any equipment whatsoever. Just says if capable on the gasoline-burning vehicles they should use an ethanol-blended gasoline. So that's a...there's no sense in that argument at all. Second point is, is that this legislation as drafted, it does not impact whatsoever the CTA, the RTA, or the bi-state area where the non-attainment areas are, so I'd make it very clear this legislation does not affect this. Let's look at the merits of this legislation, Ladies and Gentlemen. This legislation is important. We recently fought a war, you may recall, and one of the reasons that area of the world was so important to us is because of our great dependence on imported oil. As a matter of fact, that over half of the oil that we use in this country comes from overseas, and I don't think it's a good policy for the State of Illinois or our whole nation to be dependent on foreigners for our basic energy source. Number two, so we're going to reduce our dependence. Number two, there's environmental benefits. The use of ethanol-blended fuels reduces vehicle emissions about one-third. That's why the Illinois Environmental Council endorses this legislation, and third, of course, there are some benefits to the State of Illinois. Illinois is the home to the biggest ethanol industry in the country. It's also a source of a boost to the rural economy. In our rural communities, our downstate farmers, and anybody who's a downstate legislator knows the stress that our rural economy has undergone. This legislation will help make a boost, and let me close by making this point. Of course, this legislation is endorsed by the Illinois Environmental Council because it's a good...it's a good environmental Bill. Second, if you care about energy independence, this

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Bill will take care of that, too, but also those that are affected by this legislation, the 11 downstate mass transit districts, they've endorsed this Bill. This legislation has been endorsed by the Illinois Public Transit Association. I ask for an 'aye' vote, and I urge an 'aye' vote, and I move for the adoption of this legislation."

Speaker Giorgi: "The question is, 'Shall House Bill 2325 pass?' All those in favor will signify by voting 'aye', and those opposed by voting 'nay.' Voting is open. Have all voted who wish? Have all voted who wish? On this question, there are 95 'ayes', 96 'ayes', 10 'nays', 4 voting 'present', and this Bill, having received a Constitutional Majority is hereby declared passed. Hoffman, 'aye'? Representative Lee Daniels, for what reason do you arise?"

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Every once in awhile we have a (sic an) opportunity to meet some people from back home, and I'm very fortunate today to have the core of my support group, great citizens of Illinois, and some of the best friends I've had, my Senior Citizen Advisory Committee from Representative Lee Daniels. Addison District stand up and wave to those...all those great people. They are, there they are. Thank you." Guy in the center aisle is a big supporter of mine, too, right here."

Speaker Giorgi: "On the Calendar, on page 39, is House Bill 2473, Representative Kulas. Is Kulas in the chamber? Out of the record. 2491, Representative...out of the record. 2536, Representative Curran. Representative Curran on 2536? Representative Curran? Representative Curran?"

Curran: "Thank you, Mr. Speaker. Leave to bring this Bill back to Second Reading for purposes of Amendment?"

Speaker Giorgi: "The Gentleman asks leave to move this Bill back from Third to Second. Does he have leave? Leave is

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granted. Move Bills on Second Reading.

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

Speaker Giorgi: "Representative Curran."

Curran: "Thank you, Mr. Speaker. The Bill did two things. It created a demonstration and grant programs to retrofit public transit buses, and it also had general obligation bond authority of \$10 million. This Amendment takes the geo bond authority of \$10 million out, leaves the rest of the Bill intact. I move for the adoption of the Amendment."

Speaker Giorgi: "Is there any discussion? Gentleman moves for the ...Representative Black on the House Bill 2536."

Black: "Yeah, thank you very much. To the Amendment, Mr. Speaker, will the Sponsor yield?"

Speaker Giorgi: "Indicates he will."

Black: "Thank you. Representative, should this Amendment be attached to the Bill, what you're doing then is you are taking the Bond Authorization out of the Bill,..."

Curran: "That is correct."

Black: "...which I then understand means you don't need 71 votes to pass the Bill. Is that correct?"

Curran: "That is corr...Well, also, with the \$10 million dollars Geo Bond Authority, I wasn't going to get 60 votes anyway, 60 or 71 didn't matter."

Black "Well, since we're retrofitting old buses, I don't know if the Majority Leader is still on the Floor, I'll wait to hear from him about this. Thank you."

Speaker Giorgi: "Representative Curran to close. Are you closed?"

Curran: "Yeah, I think, on Second Reading? Yeah, this just takes \$10 million dollars Geo Bond Authority out. Shouldn't be any controversy."

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Speaker Giorgi: "...by saying 'aye', those opposed 'nay. 'Ayes'...'ayes' have it, and the Amendment's adopted. The Bill is back on Third Reading. Does the Gentleman have leave of the House to have it heard for the third time today? Representative Wennlund objects. The Bill is on Third Reading. Representative Mautino, are you ready on House Bill...sorry, Representative Curran? For what reason do you arise?

Currie: "Yeah, I need to...I want the 71 votes to let me hear this Bill now. This shouldn't be controversial. This is a...I just helped Representative Weller do his Bill."

Speaker Giorgi: "So the Gentleman requests to suspend the appropriate rules so it could be heard immediately, is that correct, Mr. Curran?"

Curran: "Yeah."

Speaker Giorgi: "He moves, the Gentleman so moves, and Representative Dunn, we won't need a Second. Is there any discussion on this Motion to waive the temporary rule? Representative Black."

Black: "Thank you very much, Mr. Speaker. I tend to agree with the Gentleman. I don't think it's necessarily controversial, but we just debated a very similar Bill and the Gentleman was gracious enough to support that Bill. Now we're getting into the same kind of ethanol, but this is a retrofit, and there were people on your side of the aisle that had some very serious questions about retrofitting and whether or not Metro East and Chicago was involved and so forth and so on, and whether or not this would improve the air quality or not improve the air quality, and I just wanted to make sure that those people who were very concerned about those issues will...would be able to cast a vote on the Gentleman's Bill, and I think maybe we should set it on the table for a while and let

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them come back."

Speaker Giorgi: "The Gentleman moves to suspend the appropriate rule. All those in favor will signify by voting 'aye', and those opposed by voting 'nay'. This takes 71 votes. Representative Curran to explain his vote."

Curran: "I don't know...it's going to go alright. Thanks."

Speaker Giorgi: "Have all voted who wish? Have all voted who wish? On this question, there are 82 'ayes', 27 'nays', and 2 voting 'present', and the Bill, receiving a Constitutional Majority and the rule is suspended."

Curran: "Majority Leader is irritated that he was off the floor, I told him, 'You snooze, you lose.'"

Speaker Giorgi: "Read the Bill a Third time, Mr. Clerk."

Clerk Leone: "House Bill 2536, a Bill for an Act in relationship to ethanol fuels. Third Reading of the Bill."

Curran: "You've heard the Bill, you just voted for it. It doesn't require anything, it sets up a demonstration grant program, we can get the money we can do it, if we don't have the money, there'll be no money to do this. I think it's a good idea, I think Weller's Bill is a good idea, and I ask for a favorable Roll Call."

Speaker Giorgi: "Representative Kubik on House Bill 2536."

Kubik: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill because I think we ought to recognize, and I would address my comments mainly to the suburban Legislators, I know there's a great push to go to ethanol and all the rest, the bottom line is this is going to increase the problems we have with ozone. That is the bottom line, and if you're concerned about the environment, if you're concerned about what this...these kinds of fuels will do to the ozone layers, or ozone in the Chicagoland and Metro area, you ought to be against this Bill. The Sponsor, I respectfully rise in opposition, I know the

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Sponsor's worked hard on this particular piece of legislation, but you know, before we just start passing these Bills just to accommodate one sector of the society, we ought to realize that this is going to exacerbate the problem we have with air pollution, particularly the ozone problem. So please, if you're a suburban Legislator or a collar county legislator, look at these Bills carefully, because they will impact the environment over the long term. I would respectfully ask for a 'no' vote on this Bill."

Speaker Giorgi: "Representative Weller on House Bill 2536."

Weller: "Would the Gentleman yield for a question of the Sponsor, please?"

Speaker Giorgi: "Indicates he will."

Weller: "Has the Illinois Environmental Council taken a position on this legislation, Representative?"

Curran: "I was just asked that question. I, and I told the other Representative, I assume that they would be strongly in support of this legislation, but I have not talked to anybody about it."

Weller: "Okay. Thank you, Representative. I'd like to address the comments of the previous speaker. The question regarding the impact on the ozone. As a representative of the Illinois Environmental Protection Agency stated during discussion of my legislation, there is no significant impact any different than regular gasoline versus ethanol and its impact on the ozone layer. The Illinois Environmental Council, which represents environmental groups and environmental interests in this state, has generally taken a position in support of ethanol related legislation because ethanol has been proven to reduce vehicle emissions, almost to one-third. That's one of the reasons it should be of great interest to residents of the

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urban and the suburban areas. I think without trying to repeat some of the arguments in favor of my legislation, let's think about this. What are the biggest benefits to the urban and suburban Legislators and the communities that you represent, if we use more oxygenated fuels such as ethanol which reduce vehicle emissions? The biggest benefit, of course, is going to be a reduction in dependence on imported oil, and of course we recently fought a war where oil was one of the issues that came about and was involved and one of the reasons for the war, and we want to reduce our dependence on imported oil, and the use of ethanol which can be made from Illinois renewable resource, eventually we're going to run out of oil, but we can grow corn, time and time again every year, so that's the second benefit, and that is it's going to boost the Illinois economy, which is also going to help our suburban and urban neighbors, and last, think about this, this Bill is a three-for. By voting for this legislation, you can do three good things for the State of Illinois: Reduce our dependence on imported oil, and urging energy independence; help our environment by using ethanol-blended fuels, which reduce vehicle emissions; and third, you're going to help the economy of downstate Illinois, which of course is a major supporter of our urban and suburban neighbors. Ladies and Gentlemen, I ask your support of this legislation, and urge an 'aye' vote."

Speaker Giorgi: "Representative Black on House Bill 2536."

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

Speaker Giorgi: "He indicates he will."

Black: "Yeah. Representative, I wanted to ask you some questions about the cost of retrofit, and also about ozone, but I see that your Bill is very well drafted, and I think the heart

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of the issue is that this program is now totally permissive, correct? Doesn't bother Metro East?"

Curran: "That's right."

Black: "Doesn't necessarily impact the City of Chicago unless they choose to be so impacted."

Curran: "And as you can see, Representative McPike is not even here anymore."

Black: "Well, I tried. I think you have a pretty good Bill here."

Curran: "Thank you."

Speaker Giorgi: "The question is, 'Shall House Bill 2536 pass?' All those in favor will signify by voting 'aye', and those opposed by voting 'nay'. The vot...is open. Have all voted who wish? Have all voted who wish? On this question, there are 102 'ayes', 7 'nays', 1 voting 'present', and this Bill, having received a Constitutional Majority is hereby declared passed. Representative Mautino, do you want to call House Bill 2589 out of the record? Is Representative Capparelli in the room? Representative Santiago, do you want to call 2135? Your Calendar is Consumer Protection Second Hearing on page 6. Representative Schakowsky on House Bill 208. Out of the record. Farley on House Bill 1858. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1858, a Bill for an Act regulating cable television services. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giorgi: "Representative Farley on House Bill 1858. Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giorgi: "Any Floor Amendments?"

Clerk Leone: "There are no Floor Amendments."

Speaker Giorgi: "Third Reading. Third Reading. Representative

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Hartke, is he in the room? Representative McGann, is he in the room? House Bill 370, Representative McGann? Out of the record. Representative Granberg, Representative Granberg on House Bill 2026. Is he in the room? Out of the record. Representative DeLeo on House Bill 2030. Out of the record. Representative Hicks on House Bill 2051, on page 36 of the Calendar. 2051. Representative Giglio on 2576. 2576, Representative Giglio. Mr. Clerk, read House Bill 2576."

Clerk Leone: "House Bill 2576, a Bill for an Act relating to restaurant food disclosure. Third Reading of the Bill."

Speaker Giorgi: "Representative Giglio on House Bill 2576."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a very simple Bill. It's on Short Debate, and what it does, it allows the restaurants to put forth on these salad bars or anyplace where they have food that there's certain ingredients like sodium glutamate that are in the food on the shelves or on the counter there, especially in the restaurants where they have it there all day long and all night. There are a lot of people that have got sick from this, and what we're trying to do is just inform the consumer what chemicals are in ingredients that they spray to make it look fresh, and I would ask for your favorable support."

Speaker Giorgi: "Representative Pullen on House Bill 2576."

Pullen: "Thank you, Mr. Speaker, I'd like to ask the Sponsor a question or two."

Speaker Giorgi: "He'll answer your questions."

Pullen: "You indicated that this allows restaurants to disclose..."

Giglio: "Requires."

Speaker Giorgi: "Requires."

Pullen: "Thank you, that's what I thought it did, it requires

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restaurants. What kind of restaurants?"

Giglio: "The restaurants that have this particular chemical in their food to make it look like it's fresh. You know, some of these people leave that food out there for 2 or 3 days at a time, and they spray and someone comes up to, say, the salad bar and they think they're getting fresh lettuce and vegetables and here they have these chemicals on there. So what we're trying to do is have signs posted that there are chemicals on the food so in case you're allergic to some of these chemicals you'll be aware, whereby preventing people today from getting sick like they have been."

Pullen: "Is there going to be any provision for disclosure of the fact that these chemicals are not harmful unless one is allergic?"

Giglio: "I'm sorry, I couldn't hear you, Representative."

Pullen: "Would there be any provision for including in the disclosure the facts (sic fact) that the chemical is not harmful to persons who are not allergic to them?"

Giglio: "I guess we can put that in there. You just reminded me of something. Mr. Speaker, I gotta take this back out. Thank you, Representative. Take this out of the record..."

Pullen: "Thank you."

Giglio: "...because I was supposed to talk to some people about puttin' an Amendment on it. Take it out of the record..."

Speaker Giorgi: "Mr. Clerk...goes out of the record. Giglio, Representative Giglio approach the podium, please. Is Representative Wyvetter Younge in the room? On House Bill 882? Out of the record. Dunn? Representative Dunn? Is Representative Dunn in the room? Out of the record. Representative Black, for what reason do you arise?"

Black: "Yes. An inquiry of the Chair, Mr. Speaker. What Order...what Special Order are you on now? We just left..."

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Speaker Giorgi: "Economic Development. We moved from Consumer Protection to Economic Development."

Black: "Alright, so now we're on Economic Development, Second Reading?"

Speaker Giorgi: "Yes, Sir."

Black "I just, I was looking down to see if I had to...I wanted to help you move some Bills, and I was going to get the Republican Sponsors on the floor, but I see there aren't any Republican Sponsors on this call, so we'll wait until you get to a call a little later on."

Speaker Giorgi: "I apologize for our inattendance. Frank Giglio takes over."

Speaker Giglio: "We'll find some Republican Sponsors today, Representative Black. We found some yesterday; we'll find some today. We're going to go to Economic Development, Second Reading. Wyvetter Younge, 882. Out of the record. John Dunn, 1021. Homer, Representative Homer, 1624. Representative Morrow, 1876. Representative Morrow? Out of the record. We'll go Economic Development, Third Reading. Excuse me, Representative Morrow? You want to read, Rep... Read the Bill, Mr. Clerk. 1876. Representative Morrow. Second Reading."

Clerk Leone: "House Bill 1876, a Bill for an Act in relationship to skilled workers. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Representative Morrow, this Bill has to remain on Second Reading. It's a fiscal note that's been requested. How 'bout Economic Development, Third Reading? On that Order appears House Bill 812, Representative McNamara. Out of the record. House Bill 875, Representative Obrzut. Representative Obrzut. 875, Economic Development, Third Reading. Wyvetter Younge. Here we go, Representative Tenhouse. Representative

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Sieben, Representative Tenhouse in the chamber? Tenhouse on 1134. Out of the record. Representative Steczo, 1867. Out of the record. Representative Giorgi, do you want to go on 1935? Metro Pier? Out of the record. Representative Granberg, 2362. Out of the record. Representative Balanoff, 2378. Balanoff. Out of the record. We're going to go back to the Order of...Supplemental Calendar #1, the Agreed Bill lists, and we'll try to take the Bills that are on Second and move 'em to Third, and then we'll ask those that have Bills on Third if they want to move 'em back to Second for the purpose of an Amendment, so we can pass these Bills tomorrow with one Roll Call. Okay? And on that Order, House Bill Second Reading, on Supplemental Calendar #1, appears House Bill 624, Representative Hicks. Representative Hicks on House Bill 624? Out of the record. How 'bout Representative Homer, 1951? Out of the record. Alright, now are (sic is) there anybody that has a Bill on Third Reading on this Order that wants to bring it back from Second? To Second for the purpose of an Amendment so we can put it back on today and vote these Bills out tomorrow. Representative Mautino, do you have a Bill on Third Reading on Agreed Bill list that you want to bring back to Second for the purposes of an Amendment? Do you know the Bill number?"

Mautino: "2052."

Speaker Giglio: "House Bill 2052. 2052 Mr. Clerk? Read the Bill. Alright, leave it out of the record. The Amendment has not been distributed. Does anybody else have a Bill on Third Reading on the Agreed Bill list? The yellow Calendar, that wants to bring the Bill back to Second for the purposes of an Amendment? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Would you return to 2052, please? Representative Giglio's Bill? I mean, Mautino's?"

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Speaker Giglio: "...Have the Amendment, alright, Mr. Clerk..."

Wennlund: "Yes."

Speaker Giglio: "...read House Bill 2052."

Wennlund: "Yes, Sir."

Clerk Leone: "House Bill 2052, it's been returned back to Second Reading. A Bill for an Act to amend the Illinois Human Rights Act. Floor Amendment #1 is being offered by Representative Mautino."

Speaker Giglio: "Representative Mautino."

Mautino: "This is the Amendment by the Human Rights Commission for the definition of what appears on an application as it pertains to alcohol. That's all the Amendment does."

Speaker Giglio: "Representative Williams."

Williams: "The Amendment been printed and distributed?"

Speaker Giglio: "The Amendment been printed and distributed, Mr. Clerk? Well, we'll check it. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. This is an agreed on Amendment. It was agreed on in committee, and it's agreed on on this side of the aisle, and we urge the adoption of it."

Speaker Giglio: "Representative Parke."

Parke: "Yes, Mr. Speaker. I would like 743 to be brought back for the purposes of Amendment #1."

Speaker Giglio: "Representative Wennlund, Mautino or Representative Williams, you check in with the Clerk to see if it's been distributed? Representative Williams."

Williams: "There's no objection to it; we just needed to make sure that in fact the Amendment had in fact had an opportunity to be reviewed. Upon further review of the Amendment itself, it seems to be in order, so we move any objection."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed

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'nay'. In the opinion of the Chair, the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. On House Bill 743, Representative Parke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 743, is on the Order of Third Reading."

Speaker Giglio: "Gentleman asks leave to return the Bill back to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing none, leave is granted. The Bill is on Second Reading. Read the Bill, Mr. Clerk."

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

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is a courtesy to CMS to make it more workable so we are changing the effective date of their biannual report from March 1st of '92 to March 1st of 1993. I would ask for approval of this Amendment."

Speaker Giglio: "Any discussion on the Gentleman's 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, and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. On Second Reading appears House Bill 1951, Representative Homer. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 19 of the Regular Calendar. House Bill 1951, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. Floor Amendment #1 is an Amendment that incorporates the provisions of a Bill that passed the House last fall that got stalled in the process. It's non-controversial Amendment. It amends the Juvenile Court Act to provide that administrators of a bonafide student assistance program which has been approved by the Probation and Court Services Department can't...would be allowed access to juvenile court records pertaining to that minor in a juvenile court proceeding. This is to allow programs that help rehabilitate youthful offenders to have access to court records. It would assist them in that rehabilitation method, and I don't believe it has any opposition that is not controversial. I would move its adoption."

Speaker Giglio: "Any discussion 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, and the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Hicks. House Bill 624 is the only Bill left on Second Reading. Are you ready with this? Representative Hicks, George? Hicks."

Hicks: "Mr. Speaker, if you would, we do have an Amendment that is forthcoming in just a few minutes. We expect it at any moment, and if we could go back to it as soon as that Amendment arrives please? If you would, would you read the Bill though a second time?"

Speaker Giglio: "We'll do that. Thank you. Does anybody else have a Bill on Third Reading that they want to bring it

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back to Second for the purpose of an Amendment so tomorrow we can vote on one Roll Call for the Agreed Bills? On the Order of Education and Finance, Second Reading, Representative Lang, House Bill 19? Out. Education Finance Third Reading, Representative Steczko. House Bill 282, Read the Bill, Mr. Clerk."

Clerk Leone: "On page 26 of the Calendar. House Bill 282, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Steczko: "Mr. Speaker, I'd ask leave to bring House Bill 282 back to the Order of Second Reading for the purposes of Amendment, please?"

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill's on Second Reading."

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

Speaker Giglio: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 was worked out with the State Board of Education, and seeks to tie up and make more strict the possibilities under life safety for what...for the purposes of House Bill 282. The Amendment says that if a district is seeking to use life safety funds for repair of sidewalks, playgrounds, parking lots or school bus turnarounds, that they could only do it if they have money left in the life safety fund if there is a substantial risk involved and if they have a public hearing. I would move for the adoption of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? The Lady from Kane, Representative Doederlein."

Doederlein: "Yes, would the Representative yield for a question?"

Speaker Giglio: "Indicatès he will."

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Doederlein: "I believe that every life safety Bond should have a fair hearing, and I believe that we should do that, but what does this...you have in here that you have a public hearing. Does that mean a school board meeting?"

Steczo: "Representative Doederlein, the school board would have to have a public hearing to justify the need to use life safety funds for the purposes specified in House Bill 282."

Doederlein: "Well, I was..."

Steczo: "Because we are seeking to extend their authority, and in order to do that they have to justify it."

Doederlein: "Well, I was just over to the Board of Education this morning, and I think they are having a big contest between the bonding company and the Board of Education. What I understand is they do not have to approve any projects once the levy has been levied, you can continually roll it up to that, and so the projects individually are not being addressed. I think that we need to do some strict requirements in life safety bonding, but I don't see that this does, receives any more strict than what we already have. In fact, this loosens it. This brings more people into the life safety bonding business."

Steczo: "Representative Doederlein, I disagree with you a hundred percent. If you look at the Amendment, right, and you see that the presently school districts can use life safety money for fire prevention and safety projects, those projects still have to be approved by the State Board of Education. We as a...the Legislature have given them the authority to do those projects, yet because of abuses in the past, the State Board of Education has become extremely restrictive on what they will allow those funds to be used for. We have been notified by...school districts that there are some cases where...some situations where a good case could be made, and there's 4 listed in the Bill:

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school sidewalks, playgrounds, parking lots and school bus turnarounds. The original Bill allowed those to be included in the list of things that the State Board had to fund. In that respect it made it more loose. Here, it specifies that you have to have a public hearing, you have to have money that's spent, there has to be a substantial, immediate and otherwise unavoidable threat to help...safety or welfare of pupils. That is extremely tight language and something that will mean that these funds cannot be used for some purpose that's less than savory."

Doederlein: "Do you think it ever is a life safety situation to upgrade a 4-lane cinder track to an 8-lane rubber mat track because people will not come and play with us if we do not have an 8-track rubber mat?"

Steczo: "Representative Doederlein, that has nothing to do with this Bill..."

Doederlein: "It does have something to do with the Bill."

Steczo: "No it does not. In fact, that was a situation that was brought to the attention of the State Board of Education by the Farm Bureau. It is because of that that the State Board of Education has already narrowed the scope of what they will approve for life safety. So that track situation has nothing to do with the provisions of House Bill 282."

Doederlein: "And that is exactly..."

Steczo: "That's what former Representative Skinner said."

Doederlein: "...and that is exactly why I was at the Board of Education this morning because I sat with the Elgin, Gordon Schultz, the Elgin Business Manager, and he said that he had already given the contract...awarded the contract last Monday, for extending just that kind of a track."

Steczo: "Well, my understanding is, that under the current scope of life safety, and what the allowables are based on the rules and regulations of the State Board of Education, that

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that kind of thing has not been allowed for a number of years, now."

Doederlein: "Well, I was sitting in the office, and on the radio speaker they said Elgin would not do this, but I was told this morning that they did. I have some other questions. Do you know the total amount of dollars approved in one year on life safety?"

Steczo: "No, I do not."

Doederlein: "Well, it was 2...last year, from February 1, 1990 to January 31, 1991, 1 year, was \$288 million. \$288,324,210. We need that money in education, and if it's life safety we need to have life safety bonding, but I don't think that we have a blanket thing that we're going to say all...bicycle paths and bus turnarounds and sidewalks, and all of these things should be life safety blanket, and if you don't have the money...if you've already approved the levy was what the Board of Education says...you can go for it. I think we should tighten up life safety bonding, and I would ask you to vote 'no' on this Amendment and 'no' on the Bill."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment, and let me tell you, Ladies and Gentlemen of the House what the real problem is. There are districts throughout this State that have repeatedly tried to get an increase, by referendum, in their building fund rate and cannot get the job done. Not only can they not pass referendums for operations, but they can't do it for the building fund, and there are playgrounds in these school districts that are broken-up concrete, broken-up asphalt, the kids can't even play basketball on, and have other activities and that are totally unsafe. This will allow those school districts,

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who cannot increase their building fund, or who can't get a referendum passed, to make necessary life-saving improvements when there is a substantial, immediate and otherwise unavoidable threat to health, safety and welfare of pupils. It's a good Amendment. It's something the school districts are choking on, and they need this kind of relief and need it now. Thank you."

Speaker Giglio: "The Chair would like to make an announcement that the election task force that was scheduled for 2:00 o'clock has been moved to Room 122-B. 122-B. 2:00 o'clock. Does the Body give leave to the individuals on the task force to go down there while we're in Session? Hearing none, leave is granted. Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment and in support of this Bill, and I would like to ask the Sponsor if he would yield for one simple question, please."

Speaker Giglio: "Proceed."

Cowlshaw: "Thank you, Representative. Let me tell you what I believe this Amendment does, and you just tell me whether I am right or wrong. What this Amendment does is to say that if a school district needs to repair sidewalks, playgrounds, parking lots, or bus turnaround, they can hold a public hearing and only after that public hearing can life safety funds be authorized for those 4 purposes, and in addition to having to hold the public hearing, they have to be able to show that there is, in fact, a danger to the health and safety of the children because of the condition of disrepair of any one of those 4 items that are part of the school property. Is that what this Amendment does?"

Steczo: "That's correct, Representative Cowlshaw."

Cowlshaw: "Well, then, I think, to the Amendment, Mr. Speaker. I think we ought not to get distracted by other issues that

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may have to do with something else, but we ought to concentrate on just what this issue is. Representative Steczo is not attempting to change all of the provisions of life safety funds and their uses. This is a very carefully drawn and very narrow provision. It even includes a public hearing. Now, those of us who've said all along we believed in local control ought to be really in favor of this Amendment and this Bill. This lets the folks back home decide, after a public hearing, how they want to use these funds. I rise in support of this Bill."

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

Satterthwaite: "I, too, rise in support of the Amendment. I think if people are concerned about the possible misuse of life safety funds, that this Amendment definitely ought to be adopted to the Bill because it tightens it, it makes it more restrictive in terms of how local school districts would have authority to expend these funds, and, in fact, would address the issue that some people are concerned about, making it much less likely that these funds would be misused, and for those reasons the Amendment should be adopted."

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

Harris: "Thank you, Mr. Speaker. Question of the Sponsor? So that I am clear here, we are extending beyond what was normally issued in law, what can be levied for life safety purposes?"

Speaker Giglio: "Representative Steczo?"

Steczko: "Representative Harris, no. The levy stays the same."

Harris: "The levy stays the same. The use of the funds we broaden what that levy can be used for, is that correct?"

Steczko: "With certain restrictions. If the district has funds, as the first line of the Amendment says, if they have funds

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they do not need for fire prevention and safety projects then after a public hearing if they have proved substantial and immediate or otherwise avoidable threat to health and safety, one of the things that has been a problem, and one of the things we want to make certain, was that districts could not get the authority. In the four cases we provide here, with regard to sidewalks, playgrounds and parking lots, and just use their life safety funds. That would be an abuse of our intentions. So by forcing those districts to have a public hearing, but by compelling them to prove substantial, immediate or otherwise avoidable threat, we're saying that there are circumstances where the situations involved here do, in fact, pose a threat to public health and safety and welfare. So, we're allowing them to use it based on the restrictions that we've imposed."

Harris: "Okay, I appreciate your directness and, to the Amendment, Mr. Speaker..."

Speaker Giglio: "Proceed."

Steczo: "I would like a recorded Roll Call on the Amendment, please, and I'll tell you my concern on the Amendment. I understand that it does broaden the authority under which they will be used, and I have a concern with that, a genuine concern, and one of the previous speakers, the Gentleman from Will, said that they take these things to referendum, and they don't pass. Well, if the local people are concerned about the sidewalks, the playgrounds, the gymnasiums, and the other things, they're going to pass the referendum, and if they're not concerned, then they're not going to pass the referendum. We shouldn't try to circumvent local control and should not try to circumvent the local voters. I understand there was a public hearing, but public hearing is not the same thing as a public vote. Two very big differences. A school board meeting generally

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is public, and you can sit in and listen to what they're doing, but to give the opportunity to the voters to express their viewpoint via the ballot box is certainly more important than just having a hearing, so I have a real concern, like you to look at it closely, as I say I would like a recorded Roll Call."

Speaker Giglio: "Representative Steczko to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. Just simply in closing, this is not an expanded authority. It's a restriction. Actually, and just to remind the Members of the House that at one point in time before the State Board became restrictive, life safety funds could be used for practically anything. This is just an attempt to legitimize the fact that there are situations beyond what the State Board allows now that are legitimate public safety issues, and with the restrictions that we have in this Amendment really tightens the Bill up, so I would move for the adoption of the Amendment."

Speaker Giglio: "All those in favor of the Amendment signify by voting 'aye', those opposed 'nay'. The voting is open. That's on the Amendment. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 96 voting 'yes', 16 voting 'no', and 2 voting 'present', and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman asks leave for immediate consideration to hear House Bill 282. There's been an objection. Representative Steczko."

Steczko: "Mr. Speaker, then I'll move for immediate consideration, please. I believe it takes 71 votes."

Speaker Giglio: "Gentleman has moved for immediate consideration of House Bill 282. All those in favor signify by voting

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'aye', opposed 'nay'. The voting is open. Have all voted? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 83 voting 'yes', 27 voting 'no', and none voting 'present', and the Bill...the Motion carries. The Bill now is on the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 282, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker. I won't belabor the merits or demerits of the Bill, but just to point out one further thing to the Members of the House. There's been some question as to the validity of a public hearing to determine the substantial and immediate or otherwise avoidable threat to health and safety, but let me just indicate to the Members of the House, that after all the provisions of this Bill happen, and the public hearing happens, the provisions still have to be proven to the regional superintendent and the State Board of Education. The regional superintendent, after all these things take place, still can say no, and the State Board of Education, as they have in the past, still can say no. So, safeguards abound to prevent potential abuses. This Bill is very necessary, and I just ask for your 'aye' votes."

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

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we need to focus on what this Bill is really doing. What the Bill is doing is adding to the purposes for which school boards can use life safety funds to add construction or repair of sidewalks, playgrounds, parking lots, or school bus turnarounds. The important thing to notice about this is that life safety funds are

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permitted school boards as non-referendum taxing authority. So what is being added here are more purposes for which non-referendum taxes can be levied on the property taxpayers of school districts. I urge a 'no' vote."

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

Doederlein: "Yes. I believe in the life safety bonding, but I believe it should be for legitimate projects, and until we get rules and regulations to tighten up these projects, I think we should vote 'no' on any more life safety expansion. It seems to me that I had a good Bill that went down the tubes, and the Board of Education gave me no reason that they were against it, they didn't come and testify against it, but yesterday I found out that one of the reasons was, and if you read the law, it says, tax for fire prevention, safety, energy conservation in schools, security purposes, whenever as a result of a lawful order of any agency other than a school board, you may go for life safety funds. So my detail in my House Bill was that a fire department, a public health department, a police department or other agency having authority to enforce laws designed for the safety of school children, from fires, disease, or violence, enters a lawful order and cites that school that they have a safety problem, then they could go for life safety bonds. I was told that a long time ago, the school...Board of Education got the fire department, the police department, and the EPA out of the schools, the specific agencies who have concern for the safety of our children were gotten out of the schools, and the only one who has authority, or would be by the invitation of the State Superintendent of Schools, or the Regional Superintendent of Schools, to be invited in for these other departments. I believe we do need some tightening up of this life safety bonding company, and also, the bonding

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company does not go along with the Department of Education. They say that the school districts don't need approval. Your approval is only locally. I think that we have to have some rules and regulations, and I would ask that we hold all life safety Bills until we do have some rules and regulations. They are amending the application because on the application form there is nothing that says you have no money. There is nothing that says you have, if you have money in O and M, then you're supposed to spend that money in O and M. If you have it in other funds, and site construction funds, you don't have to spend that money. We have some life safety bonds that went through, the bills are all paid, to the tune of about \$2 million and they have \$5 million sitting in a site construction fund with no plans, no formal plans to do anything with it, they borrow the funds at 6.2, and then they can make 8.2 interest. Schools are now...some schools are now in the banking business. I don't think that's fair for the downstaters. It's only the rich school districts that know how to write proposals to get site and construction funds. We need every, every application for site and construction must be approved. It is not approved at the present time. Only your levy is approved."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I move the previous question."

Speaker Giglio: "Gentleman asks leave to move the previous question. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The question has been moved. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I would just point out to the individuals who...and Members who got up and spoke in

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opposition about lack of rules and regulations, the one point that the Lady brought up about a track, where there was an abuse of life safety funds, happened in 1984. There has been strict rules and regulations by the State Board of Education as to what is allowable and not allowable under life safety since 1984. This is a reasonable thing that we seek to do, to be used only under the direst circumstances, and I would ask for your 'aye' votes."

Speaker Giglio: "The question is, 'Shall House Bill 282 pass?' All those in favor by voting 'aye', opposed 'nay'. The voting is open. This is final action. Representative Harris, one minute to explain your vote."

Harris: "Thank you, Mr. Speaker, and to the Sponsor of the Bill, I probably owe him the courtesy of saying the Amendment which I spoke against was probably a pretty good Amendment. The Bill, unfortunately, I still think is flawed, and I think the Farm Bureau summarizes it more clearly than anyone else, when they talk about House Bill 282. It says the Bill abuses the original purpose of the law and permits additional real estate taxes without referendum. That really capsulizes what we're talking about here. We're talking about what the taxpayers have to pay. This is an additional, could be an additional burden on the taxpayer, I think that's unfair. I think the Bill deserves a 'no' vote."

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

Pedersen: "To explain my vote, I vote 'no' for the same reason. This is a tax increase, a property tax increase without a referendum. So I'd be very careful in my vote on this."

Speaker Giglio: "Further discussion? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 69

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voting 'yes', 43 voting 'no', and 2 voting 'present', and House Bill 282, having received the required Constitutional Majority is hereby declared passed. Representative Satterthwaite on House Bill 827. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 827, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill makes a change in the School Code regarding the reimbursement rate for special education personnel. Currently, the state pays on a flat dollar basis, but, of course, still regulated in regard to the amount appropriated for the line item for reimbursement. This Bill seeks to keep us from having to come back periodically to update a figure and to still provide for a state portion of the funds going to local school districts to help them with the costs of special education teachers and non-certified personnel. This Bill would suggest that instead of having to do this periodic revision, we go with a 26% of the statewide average salaries for the certified personnel, and have a \$100 increase in the non-certified personnel reimbursement rate. This would prevent us from having to come back and change this figure over the years. I remind Members that there would be no fiscal impact for 1992, and even after that, any possible fiscal impact would still be controlled by whatever the Legislature puts into the line item of the budget for this purpose. I'll be happy to answer questions, or otherwise seek your support for passage of House Bill 827."

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

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Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, has this Bill passed in previous years in a similar form?"

Satterthwaite: "Yes, it passed last year in exactly the same form."

Weaver: "And as I understand it, it passed last year without a single 'no' vote, is that correct?"

Satterthwaite: "I believe that it passed without a single 'no' vote in the House at least, and I think, also, in the Senate. I think that's right."

Weaver: "Well, I think what was a good idea last year is probably an even better idea this year. I think we ought to support it."

Satterthwaite: "Thank you."

Speaker Giglio: "This Bill is on Short Debate. Do we have any opposition? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Question of the Sponsor, please."

Speaker Giglio: "Proceed."

Wennlund: "Representative, it's my understanding that this will cost the state an additional \$9 1/2 million in 1992, next fiscal year; \$21.6 million in '93; and \$33.5 million in '94. Now, it's my understanding that one day this week, according to the Comptroller, the State of Illinois had \$8.64 in its checkbook, and here we are talking about spending another \$9 1/2 million which is money we simply don't have, when at the same time we can't pay \$660 million in past due bills. Is there a fiscal impact, or isn't there?"

Satterthwaite: "Representative, as I indicated in my presentation of the Bill, any fiscal impact will be under the control of the Legislative Body, because there is a distinct line item in the budget every year that determines whether or not we

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meet the figure that is already in the statute, and so for purposes of establishing the budget request, this might change that figure for budget requests, but the control of how much is spent is still in the hands of the Legislative Body and the appropriations process."

Wennlund: "But...but doesn't the Bill require that it be a 26% of the year's average statewide special ed teacher salary?"

Satterthwaite: "Yes, Representative, as I explained in the presentation of the Bill, the past experience is, that we have come back periodically to change a dollar figure for reimbursement that is in the statutes. Rather than having to do that on a periodic basis, what we're seeking to do is to put it in as a percentage which would be part of the budget request and preparation for budgeting. However, because it is a distinct line item, just as there is an 80% reimbursement for transportation cost, for instance, that reimbursement rate only occurs when the appropriation matches the amount of money to cover that, and so the real control is what we do here on an annual basis in terms of the amount of money put into that individual line item."

Wennlund: "But...but in fact, isn't what you're doing, when you say...you're creating a mandate saying it must be a 26% so...that..."

Satterthwaite: "No, it's no more of a mandate than is any other categorical program and those categorical programs are funded on the basis of the amount that goes into the Appropriation Bill."

Wennlund: "The...Fiscal Note from the Illinois State Board of Education says that the proposed legislation would require an additional nine million dollars to fully fund the personnel reimbursement program in ...'93."

Satterthwaite: "The...the key phase there is to 'fully fund', and, as you know, the Legislature does not always fully

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fund the categorial line items. We make the decision on the basis of the funds available that year for the particular line items involved."

Wennlund: "Thank you very much."

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

Satterthwaite: "I would simply ask your support of this Bill so that we do not have to continually come back to upgrade this figure. I think that it is only fair that we put it in as a percentage basis in order to try to meet a goal of reimbursing our local school districts in a consistent fashion, recognizing that it is still up to us as a legislative Body to determine how much will actually be appropriated. I solicit your support."

Speaker Giglio: "The question is, 'Shall House Bill 827 pass?' 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? Take the record, Mr. Clerk. On this question there are 109 voting 'yes', 2 voting 'no', and 3 voting 'present'. House Bill 827, having received the required Constitutional Majority is hereby declared passed. Representative Steczko on House Bill 2042. Representative Steczko. Out of the record. Representative Phelan, House Bill 2399. Out of the record. Representative Capparelli on Housing, Second Reading. 1091? Waiting for the Amendment. Representative Davis, House Bill 2003. Move it. Alright, Representative Capparelli, Bill 1091, Mr. Clerk."

Clerk O'Brien: "House Bill 1091, a Bill for an Act to amend the Housing Authority Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Anthony Young. The Gentleman asks to table the Amendment. Representative Williams."

Williams: "The Amendment that we're seeking to table, I'm not a Co-Sponsor of it. I would seek leave though to be able to at least present it...I'll just remove my objection, and they're going to table the Amendment. I had an understanding with the Sponsor."

Speaker Giglio: "Okay. Table Amendment #2...withdraw the Amendment. Withdraw Amendment #2, Mr. Clerk. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Davis, House Bill 2003. Out of the record. On Housing, Third Reading, 278, Anthony Young. Out of the record. Representative Levin. Out of the record. Wyvetter Young. Out of the record."

Speaker Giglio: "Out of the record. Representative Mautino on 1323. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1323, a Bill for an Act to amend the Housing Authorities Act. Third Reading of the Bill."

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

Mautino: "Thank you very much, Mr. Speaker and Members of the House. On the initial proposal, I'd like to relinquish my time to Representative Sieben...Sieben and I have the Amendment. Mr. Speaker, if you may...if I may, I'd like to relinquish the initial part of the presentation to Representative Sieben, who is my Cosponsor on this legislation."

Speaker Giglio: "The Gentleman from Henry, Representative Sieben."

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Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1323 amends the Housing Authorities Act. It makes changes in relation to the focus and priorities of local housing authorities and commissioners' duties and responsibilities. It makes other technical changes and repeals references to obsolete passages. It is essentially a cleanup Bill that was worked out by members of the Illinois Housing Authority and their legislative Committee. Mr. Henry Mueller, who manages the Kewanee Housing Authority in Kewanee, in Henry County, Illinois, was involved in this and brought the legislation and their changes to the attention of Representative Mautino and myself. We presented those; it's been reviewed by the Housing Authority, who made some additional changes. I believe that Representative Mautino...Yes, the Amendment was adopted in committee. The Amendment has been adopted in committee. I believe that there is no opposition to this. It merely brings the statutes into compliance or into conformity with what is currently in practice now in the housing authorities and I would move for the passage of House Bill 1323."

Speaker Giglio: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I concur with my colleague, Representative Sieben. This...the Amendment addresses the concern that was raised as it pertains to another authority within the county of which an existing authority is established. They've worked on the language. I don't believe there was any opposition I know of anywhere with the Amendment on the Bill now, and we are in total support and move for its passage."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1323 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final

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action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question 112 voting 'yes', none voting 'no' and 1 voting 'present'. And House Bill 1323, having received the required Constitutional Majority, is hereby declared passed. House Bill 1615, Representative Monique Davis. Out of the record. Representative Turner, Art Turner? Out of...House Bill...under Government Operations, Second Reading. Appears House Bill 721, Representative Deering. Out of the record. Hicks, 1297, Representative Hicks? Representative Edley. Laurino. Keane. Currie. Churchill. Representative Churchill? House Bill 2078. Out of the record. Representative Black, are you seeking recognition?"

Black: "Oh...yeah. Thank you very much, Mr. Speaker. We appreciate your going right down the list but, I think, Representative Hensel whose name must have been inadvertently overlooked as you're going down the list."

Speaker Giglio: "Yes, I'm sorry."

Black: "Thank you very much."

Speaker Giglio: "I thought it was Hicks...Hensel. Are you ready? Alright, House Bill 1956, Representative Hensel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1956, a Bill for an Act to amend an Act in relation to vehicles. Second Reading of the Bill. No Committee Amendments."

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

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

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

Hensel: "Thank you, Mr. Speaker, Members of the House. Amendment

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#1 amends the Uniform Disposition of Unclean Property Act. What it does, it permits the state to recover abandoned property held out of state or by the federal government, when such property originated in Illinois or was owned by a person whose last known address is in Illinois. It clarifies that the state may bring an action in federal court to enforce the state's Abandoned Property Law. Right now there are two suits pending: one, in New York against the State of New York, and one by the federal government. This clarifies that the Department of Financial Institutions can seek enforcement of the Act in federal court. It also clarifies that abandoned property belonging to Illinois residents is presumed abandoned in Illinois, even if it is being held out of state or by the federal government. It also clarifies that abandoned property of owners with unknown addresses is presumed abandoned in Illinois, if it was issued by an Illinois business or unit of government. If this clarification gets put into the statutes and the...win the law suits we could stand to gain millions of dollars in recovered revenue that we could certainly use in this time of...and I ask for a favorable vote to adopt the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Hensel."

Hensel: "Thank you. Amendment #2 amends the current law to provide for a March 31st expiration date. Presently, it's December 31st for vehicles registered under the

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International Registration Plan which is now in the Bill. It allows registration of the apportionable trailers under the IRP. It provides that estimation of moneys received for purposes of surety bond deposits shall be based on fiscal year rather than calendar year. I know of no opposition to the Amendment and ask for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Deering, House Bill 721. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 721, a Bill for an Act to amend the State Property Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When I introduced this Bill, it was drafted not in a way that I really intended it...for it to be. It was drafted for municipalities to receive free state surplus automobiles and equipment from the Department of Transportation. I had the Bill amended to lower the municipality population from 5,000 down to 2,500 and also including fire protection districts, townships and municipalities."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "The Bill will be held on Second Reading, Representative Deering, because there has been a request for a fiscal note."

Deering: "Okay, thank you, Mr. Speaker."

Speaker Giglio: "House Bill 2032, Representative Currie. Barbara Currie, do you wish to have House Bill 2032 heard? It's on Second Reading, Government Operations. Out of the record. Representative Churchill on 2078. Representative Churchill on 2078, Second Reading. Out of the record. Alright, we'll back up to House Bill 1949, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1949, a Bill for an Act to amend the Fees and Salaries Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Churchill, do you want to hear House Bill 2078? Not today. House Bills...Third Reading. Appears House Bill 12. Representative Stern. Out of the record. Representative LeFlore, 143. Out of the record. Obrzut, House Bill 242, Third Reading. Out of the record. Representative Curran, 452. Out of the record. Representative Edley, 738. Out of the record. Representative Steczo, 841. Out of the record. Representative Schakowsky. Out of the record. Representative Barnes. Out of the record. Representative Ewing, 1186. Tom Ewing. Out of the record. Granberg, 1198. Out of the record. Representative Homer, House Bill 1397, cap on housing fees, Third Reading. Out of the record. Representative Ryder, 1446. Representative Ryder. Out of the record. Representative Pullen, 1506. Is the Lady in the chamber? Out of the record. Representative McGann. Andrew McGann, 1945. Do you wish to have that

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Bill called on Third Reading, Representative McGann? 1945.

Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1945, a Bill for an Act to amend the State Finance Act. Third Reading of the Bill."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. House Bill 1949 (sic - 1945) will give a greater flexibility and increased use of the petty cash fund throughout the state. This is a Legislative Audit Commission initiative. It is supported by the Department of Transportation and others. We feel as though that by increasing the amount of petty cash funds from \$500 to \$1,000, generally, we will be able to do a much better job, not only in accountability but in savings. For example, there have been 17 petty cash funds established for the Illinois Department of Transportation, 1990. A total of \$88,712.84 was paid from these funds representing 7,072 transactions. By doubling the existing limits on petty cash funds transactions, as proposed in House Bill 1945, we would anticipate that the number and dollar amounts in the annual transactions would also double. But, as a result, the number of invoices currently processed through the formal invoice processing system could be reduced by approximately 7,100 transactions, and for this reason we bring before you House Bill 1945. We feel as though that this is a good government Bill, and I would ask for passage. And I will answer any questions."

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

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

Speaker Giglio: "He indicates he will."

Klemm: "Representative, what safeguards, perhaps, do we have that

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the \$1,000 that we're having in this petty cash will be spent properly and receipts and documentations to verify those expenses? What safeguards would we have..."

McGann: "I think we have the same safeguards that we have presently relative to the accountability of those petty cash receipts...that are built into the system presently, and they have been working well."

Klemm: "What are those safeguards now, for the record?"

McGann: "I can get that information for you. I don't have it before me here."

Klemm: "Then how would you know if they're good?"

McGann: "Well, because we've had them as far as some of our audits before the Audit Commission. We have not had too many problems as far as the accountability of these petty cash funds. And in the request for my information on this House Bill from the Audit Commission, they seemed to support my remarks."

Klemm: "Well, as you know, in the Committee we didn't have a problem with raising it from 500 to 1000, but there was concern expressed afterwards that we should probably have those amounts at least be subject to audit or something, because they are public funds, they are in our safeguard. And..."

McGann: "They are sub..."

Klemm: "...we don't want any petty thievery on this because..."

McGann: "Representative, they are, as all state agencies, subject to audit."

Klemm: "Well, it appears as if the Bill requires internal audits of funds receiving...that are more than \$5,000 annually. So, I was just curious about the language then. It did seem like the..."

McGann: "Well, when the Auditor Gen...Excuse me, Representative. When the Auditor General goes into these agencies, they

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take samples of everything that's involved relative to their operation, and they report to the Audit Commission. And, in my experience on the Audit Commission, we have not had any real drastic disparities about the petty cash..."

Klemm: "Maybe, since we don't have a real problem. Maybe, you would look at it though, maybe if there does seem to be an opening there that some indiscretions could occur or auditing should be required, then maybe you could address that in the Senate. Would you do that for us?"

McGann: "I would be very, very happy to, Representative."

Klemm: "Thank you very much."

Speaker Giglio: "Further discussion? The Gentleman from Cook, Representative McGann to close."

McGann: "I believe I've explained fairly accurately what we're trying to do here. I think it's a step in the right direction, and I would ask for your support of House Bill 1945, and I will answer Representative Klemm's questions as we go down the road between here and the Senate, if this is successful out of the House."

Speaker Giglio: "The question is, 'Shall House Bill 1945 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Representative Keane. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 114 voting 'yes', none voting 'no' and none voting 'present'. And House Bill 1495, (sic - 1945) having received the required...1945 having received the Constitutional Majority, is hereby declared passed. Representative Keane in the Chair."

Speaker Keane: "Representative Steczo on House Bill 841. Out of the record. Ronan on 19...Representative Ronan on 1960. Out of the record. Representative Giorgi. Out of the record. Representative Steczo, 2309. Out of the record."

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House Bill 2349, Representative McGuire. Out of the record. House Bill 2364, Representative Edley. Out of the record. House Bill 2512, Representative Harris. Representative Harris, do you wish to call this Bill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2512, a Bill for an Act to amend the Military Code of Illinois. Third Reading of the Bill."

Speaker Keane: "Representative Harris."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2512 makes two changes to the Illinois Military Code. The first change removes archaic language dealing with where the Adjutant General and the Assistant Adjutant Generals must live. It specifically states that they must reside quote, at the capital'. That's a bit archaic. It was written long, the code was written long before we had modern telecommunications capabilities. It is the only state director that suffers under that restriction of living at the capital'. So, it removes that archaic language. And, then it also makes a change in terms of the qualifications for the Assistant Adjutant General for air. Currently, that person must be a qualified Air Force pilot. The change is that the person would be a qualified Air Force 'air crew officer'. The difference is that in a two seater aircraft you may have a person who has as many flying hours as the pilot, such as a navigator, and he's rated by the Air Force but he's not a pilot. The Department supports both of these changes. The Department feels that they are in line, and it is appropriate to make them, and I ask for your support of the Bill."

Speaker Keane: "Any discussion? Any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is

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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', none voting 'present', and
House Bill 2512, having received the required
Constitutional Majority, is hereby declared passed. We'll
go back to House Bill 2048, Representative Giorgi. Mr.
Clerk, read the Bill."

Clerk O'Brien: "House Bill 2048, a Bill for an Act to amend the
Illinois Purchasing Act. Third Reading of the Bill."

Speaker Keane: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 2048 amends the Illinois
Purchasing Act and sets forth the criteria for determining
whether the entity is a responsible bidder for the purpose
of rewarding contracts from state agencies. I know of no
opposition to the Bill, and a fiscal note was requested and
the cost, and it's an estimated cost which I disagree with,
is a minimum of \$20,000 per year for the first two years.
And they say this cost would vary based upon the cost of
printing, mailing, travel and personal services, but I
disagree with that. I urge the adoption of the Bill."

Speaker Keane: "Representative Klemm."

Klemm: "Um...Mr. Speaker, it's not on the Bill. It's on a point
of parliamentary inquiry on it. And my point of inquiry is
that I've noticed you have skipped over some Bills when
Sponsors have been here, I would like to know if you would
go back and pick them up after this Bill is finished?"

Speaker Keane: "Since it is a parliamentary inquiry, we'll wait
until the Parliamentarian gets back, and I'll get back to
you."

Klemm: "Well, the rules are pretty clear that we go in the Order,
and I notice that you have been always following that rule,
and I see we're on some other subjects, perhaps, after we
finish we could go back and pick up Representative Ryder's

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Bill on this."

Speaker Keane: "I appreciate you helping me out and standing up for Representative Ryder because it's difficult for him to protect himself."

Klemm: "Well, we all have to stick together on our side."

Speaker Keane: "There you go. Any further...any questions or any comments on House...Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "Representative Giorgi, in order to qualify to bid under the Illinois Purchasing Act, does this Bill require that the employer maintain health and welfare and medical insurance benefits for its employees and dependents at...and dependents at a prevailing limit for the area?"

Giorgi: "That is correct."

Wennlund: "So, if you have a business in Illinois, and you don't maintain health insurance..."

Giorgi: "You're dealing with state agencies now, dealing with state agencies."

Wennlund: "I'm sorry, I couldn't hear"

Giorgi: "You're dealing with state agencies."

Wennlund: "Who...what...what employers does this...or entities does this Bill apply to?"

Giorgi: "This applies to people dealing with state agencies. They want to become a qualified bidder."

Wennlund: "A road contractor bidding with the Illinois Department of Transportation would be covered under the provisions of this Act?"

Giorgi: "That is correct. That is correct."

Wennlund: "And if that particular contractor...What about his subcontractors, do they all have to..."

Giorgi: "It doesn't cover the subcontractor, I don't believe."

Wennlund: "But the general contractor who is doing the bidding,

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if he doesn't maintain health insurance that covers dependents, he can't bid on the state job then. Is that correct?"

Giorgi: "That...that's...when he goes in to be pre-qualified, he has to comply with this Bill that's up before us now. See, you have to be pre-qualified to bid on state contracts."

Wennlund: "Well, I understand that but...but he...he couldn't...a contractor could not pre-qualify unless he, in fact, met the criteria set forth in your Bill. Isn't that correct?"

Giorgi: "Very correct."

Wennlund: "Well, not all contractors in Illinois maintain dependent coverage on their employees."

Giorgi: "Well, when they're dealing with state...state...contracts, I feel that they should be."

Wennlund: "To the Bill, Mr. Speaker. It appears that what this Bill really does is requires any contractor in the State of Illinois who wants to bid on any public contract, whether it be a highway contract or any other type of contract, would have to be a full union contractor. What you're going to do by passing this is you're going to raise the cost of all public works projects in the State of Illinois. You're going to raise the cost because they would not...they would either have to carry insurance and dependent coverage, medical insurance benefits at the prevailing limit for an area or he would not be able to bid. What it's going to do is it's going to increase the cost of doing business with the State of Illinois. And it's going to limit the amount of projects that can be done because of the increased costs. I think we have to take a careful look at what this Bill really does and how it's going to increase the cost of doing business in Illinois, and how it's going to get less 'bang for the buck' because it's going to increase the cost of the bids on public works

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projects in this state. And it's going to limit those people in your district who depend on bidding on state contracts, whether it be a road construction contract or a building contract any other type of contract or even a purchasing contract. If you have businesses in your district that deal with the State of Illinois, you better take a good hard look at this Bill."

Speaker Keane: "Representative Giorgi to close."

Giorgi: "Mr. Speaker, I think the Speaker alluded to a union, there's no...there's no union...no...no...mention of union in any of the...items put in this Act. All this does is it sets out...sets forth what a responsible bidder must present to become a responsible bidder on state contracts in the State of Illinois. It's a good Bill, and I urge the support of all the Members because there is no opposition to it."

Speaker Keane: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Representative Black, for what purpose do you rise?"

Black: "Just to explain my vote, Mr. Speaker."

Speaker Keane: "Proceed."

Black: "Thank you very much. Ladies and Gentlemen of the House, this Bill goes far beyond public works construction projects that most of us are familiar with. If you have a small bidder in your district that wants to just sell towels to the Department of Corrections or shoelaces to the Department of Central Management Services; if you have a small business man or woman that wants to sell individually wrapped packets of sugar to a state entity, then they have to have insurance on their dependents. I don't think this is very good public policy. It's really aimed at a small...at a segment of the small business society that all of us rely on. This doesn't cover simply large public

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works construction projects that we're familiar with. They already have that wherewithal. You're expanding the...some things here that I don't think you really want to get into and go home and explain. You're going to impact a business that maybe only has one or two employees who just want to sell a particular product to a state agency, and I don't think you want to make them go through all of this. I think a 'no' or 'present' vote would be appropriate, and, Mr. Speaker, should the Bill get the requisite number of votes for passage, I would request a verification."

Speaker Keane: "Representative Leitch."

Leitch: "Mr. Speaker, Ladies and Gentlemen of the House. To explain my vote, when this Bill came to us in an Executive Committee, I think many of us agreed that if there's a Bill to be deemed the worst Bill for small...small business of the year, that this certainly is the leading candidate. This Bill is absolutely devastating to anyone who is trying to start a small business or begin to put together a program and build a business and is a measure that should be soundly rejected. Thank you."

Speaker Keane: "Representative Mautino, you wish to explain your vote?"

Mautino: "...My question was to Representative Giorgi. Whether that the provisions established in this law would be taking away the bidder qualifications, et cetera that are already established by rules and regulations, for example, by DOT? It seems to me that that's what this legislation does. I'm not certain why the change is necessary and needed, but I haven't had any argument that I can see that we should be establishing by law the variables for qualifications, rather they pertain to contractors or architects or engineers. I just don't know why it's necessary, and I would like to have somebody explain that to me. For that

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reason, I'm voting 'no'."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill, there are 57 voting 'aye', 52 voting 'no', and 4 voting 'present', and Representative Giorgi requests Postponed Consideration, is there leave? And the Bill will be placed on the Order of Postponed Consideration. We'll go back to House Bill 1446, Representative Ryder. Representative Klemm, I'd like you to note your influence. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1446, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. And with due consideration to speaker Klemm for his help in having this Bill called, I would like leave of the House to return it to Second Reading for purposes of two Amendments."

Speaker Keane: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purpose of Amendments. Is there leave? Leave, and the Bill is on Second Reading..."

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

Speaker Keane: "Representative Cronin on Floor Amendment 1."

Cronin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I offer Amendment #1 to House Bill 1446, and the reason that this Amendment is offered is in response to a problem that's happening in a number of municipalities throughout the state. As many of you know, municipalities place stops signs in communities or neighborhoods in response to concerns from parents and...citizens about safety. And when they place these stop signs in these roads, in these neighborhood streets, they do it sometimes not exactly in accordance with the code and specifications

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under state law. This Amendment seeks to amend state law in such a manner that would only have an impact on the local and...local roads. It does not have any impact on state highways. And, what it does is, it simply says that the traffic control device may be located on a highway in a neighborhood whose residents have requested the local authorities to place the device in the neighborhood for safety reasons. It's a very modest change. It's for good reasons, and I urge you to vote 'aye'."

Speaker Keane: "Any discussion? Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Just to indicate that, although the Bill is important, the explanation may exceed its importance. But I do accept the Amendment."

Speaker Keane: "Question is, 'Shall the House adopt the Amendment #1 to House Bill 1446?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments? Floor Amendment #2 offered by Representative Ryder. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The underlying Bill allows for the Secretary of State, on the reverse of the driver's license, to offer a place for the licensee to indicate that the person has a living will in existence. It's been brought to my attention that it would additionally be helpful to medical personnel to indicate that the licensee also has a durable power of attorney for health care purposes in existence. I'm told that in times of emergency and injury the driver's license is a source of information and these two bits of information might be helpful to medical personnel. I would ask approval of Amendment #2."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. The Gentleman asks leave to hear the Bill on the Order of Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1446, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker, and not to delay the proceedings, the explanation of Amendment #1 and Amendment #2, along with the underlying design...opportunity to indicate a living will being in existence on a driver's license now become the Bill. I would be happy to answer any questions, move for the adoption of House Bill 1446."

Speaker Keane: "On that, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. Would the Sponsors of the Amendments yield?"

Speaker Keane: "The Sponsor of the Bill will yield."

Hartke: "Okay, will the Sponsor of the Bill yield?"

Speaker Keane: "He indicates he will."

Hartke: "On Amendment #1 you talked about safety control devices being placed on roads, on state roads or is just local roads?"

Ryder: "The Amendment #1 dealt only in localities not on state roads. Obviously, the state has the ability to put traffic control devices on state roads."

Hartke: "Okay, if...if...and this would not apply if...neighbors in a subdivision, who live off of a state road, requested a lower speed limit and so forth because their slowing down to turn...that would not apply because it's in a rural area or whatever."

Ryder: "Representative, the current rules apply. If it's a state road the state rules apply. The Department of Transportation has rules and regulations, and, I'm sure, if

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you are indicating a specific incident, they've been very receptive to me, and I know that they would be receptive to you."

Hartke: "Okay, so the...it's a mandate then that the local traffic would...or the local authority would have to put up these or it's permissive?"

Ryder: "It's not a mandatory situation. It simply authorizes the locals to be able to do this if so requested."

Hartke: "Okay, on the second Amendment then, if you put in the living will and the emergency medical authorization, will that be done as the driver's license are renewed or is it?"

Ryder: "Yes, we would...we don't expect any additional expense, as new drivers' licenses are printed, those spaces would be provided, so that when you have to renew your licenses, as some of us have to do fairly quickly now, you would be able to indicate on those drivers' licenses, just as you do for organ donations."

Hartke: "Thank you."

Ryder: "Thank you."

Speaker Keane: "Any further discussion? Being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? McGann, 'aye'. 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...and House Bill 1446, having received the required Constitutional Majority, is hereby declared passed. House Bill 2538, Representative Cowlshaw. Representative Cowlshaw. Out of the record. Return to Government Operations, Second Reading. House Bill 721. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 721, this Bill's been read a second time previously. Amendment #1 was adopted, and the Bill

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was held for a fiscal note."

Speaker Keane: "Has the fiscal note been filed?"

Clerk O'Brien: "Fiscal note is now filed."

Speaker Keane: "Third Reading. We will now go to Third Reading, Insurance, on the top of the next page. ...First Bill appearing on that Order of Business is out of the records. House Bill 133, Representative Stern. Out of the record. House Bill 1141, Representative Santiago. Out of the record. House Bill 1204, Representative Mautino. Out of the record. House Bill 1407, Representative Bugielski. Out of the record. House Bill 1603, Representative Mautino. Out of the record. House Bill 1618, Representative Granberg. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1618, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Keane: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 618 (sic - 1618) simply expands the coverage that we passed last year, that insurance companies would provide information only to additional home owners for coverage in communities south in southern Illinois including: Adams, Bond and Clark, Clay, Clinton, Edgar, Green, Jasper, Macoupin, Marion, Monroe and Scott Counties. It would simply ask the insurance companies to provide information for earthquake insurance to those residents, and I would appreciate your support."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 110 voting 'aye', none voting 'no', and none voting 'present', and House Bill 1618, having

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received the required Constitutional Majority, is hereby declared passed. House Bill 1204, Representative Mautino. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1204, a Bill for an Act relating to payment rates. Third Reading of the Bill."

Speaker Keane: "Representative Mautino."

Mautino: "Excuse me, Mr. Clerk, was the Amendment adopted that was filed on 1204?"

Clerk O'Brien: "Amendment #1 has been adopted."

Mautino: "Has been adopted?"

Clerk O'Brien: "Amendment #1 has been adopted."

Mautino: "Thank you very much, Mr. Speaker and Members of the House. Amendment #1 to 1204 specifically becomes...becomes the Bill. The initial thrust of the legislation provides that the dental services and the insurance covering that must be disclosed to the insured and to the Department of Insurance. That disclosure provision had to do with the methodology used to determine the usual customary and reasonable fee for the procedure. There was opposition by the insurance industry as it pertains to how to arrive at the usual and customary fees charged for specific dental practices. Therefore, the Amendment, which I believe corrected that problem, is that it clarifies that the dental insurers disclose the maximum percentile of the usual, customary and reasonable fee that they would be reimbursed if such usual, customary and reasonable fee is computed by taking a sample of fees of these selected dental providers in that given area. That, basically, becomes the Bill. I'd be happy to answer any questions."

Speaker Keane: "Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "Representative Mautino, does this...is this Bill

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limited with respect to the determination of a reasonable...usual and customary and reasonable fee to dental procedures only?"

Mautino: "Yes."

Wennlund: "Thank you."

Mautino: "And the Amendment addresses the percentile as opposed to the usual and customary, if you look at the Amendment."

Speaker Keane: "Representative Wennlund."

Wennlund: "The percentile? I'm sorry, I missed that."

Mautino: "Yes, the maximum percentile of the usual customary...the breakdown completely of the percentage. Like for example, if it's 70% of...if it's a 100 bucks..."

Wennlund: "A root canal?"

Mautino: "...to pull a tooth and they pay 70, that's the 70th percentile for the area in which that dentist operates and other dentists operate within that..."

Wennlund: "It's my understanding that the Illinois State Dental Society is a proponent?"

Mautino: "Yes, and this is their Amendment in conjunction with the insurance industry."

Wennlund: "Ah...the insurance industry is also agreed?"

Mautino: "Well, I don't know if they have also agreed. The Amendment was drawn at their request to do the percentile rather than the usual and customary fees. This is being proposed, the Bill itself and this Amendment, by the Illinois Dental Society, yes."

Wennlund: "Thank you."

Speaker Keane: "Rep...any further...Representative Wojcik."

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

Speaker Keane: "He indicates he will."

Wojcik: "Representative, is the AEI still in opposition to this with Amendment?"

Mautino: "They haven't notified me that they were in opposition

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to it."

Wojcik: "You haven't heard to the contrary?"

Mautino: "They...they were originally in favor of the Bill, and I would assume that the Amendment wouldn't change any of that."

Wojcik: "It would not change anything?"

Mautino: "No."

Wojcik: "Okay, thank you."

Mautino: "It would make it stronger if anything."

Wojcik: "Okay, thanks."

Speaker Keane: "Representative Mautino to close."

Mautino: "Well, that's basically what the legislation does is establishes the percentile of a given area for reimbursement to dentists under the usual and customary practices. I move for its passage."

Speaker Keane: "The question is, 'Shall this Bill pass?' 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', none voting 'present', and the House Bill 1204, having received the required Constitutional Majority, is hereby declared passed. House Bill 1603, Representative Mautino. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1603, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Keane: "Representative Mautino. Do you want the Bill out of the record?"

Mautino: "Yeah, that's our vehicle Bill for the rewrite. We have to hold on to that, Sir."

Speaker Keane: "Alright, out of the record. We will go back to the previous Order of Business and pick up House Bill 2538, Representative Cowlshaw. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2538, a Bill for an Act in relation to Fiscal Responsibility Report Act. Third Reading of the Bill."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill came out of the Executive Committee on a vote of 13 to nothing. It creates the Fiscal Responsibility Report Card Act. It is patterned after the report that we require school districts to issue annually, so that the taxpayers know the sources and the uses of the revenues of our school districts. This simply requires that all other taxing bodies throughout the state prepare an annual report that would be very, very simple. The standardized forms to be prepared by the Auditor General. They would only have to have one copy, because it would have to be filed only with the county clerk within the jurisdiction where the report card needed to be filed and where their jurisdiction corresponds with that county. And, therefore, the taxpayers, the media, all of these people would have this information in understandable form in a local location, rather than having all of that information here in Springfield, and I move for the adoption of this Bill, and I would be glad to answer any questions."

Speaker Keane: "Do we have any discussion? Representative Wennlund."

Wennlund: "Would the Sponsor yield?"

Speaker Keane: "She indicates she will."

Wennlund: "Thank you. Representative Cowlshaw, does this create a mandate under the Mandates' Act? Would it require the State of Illinois to reimburse municipalities, the 5,000 or so taxing municipalities and districts in Illinois, for the

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cost of the preparation of this report card?"

Cowlshaw: "No, Mr. Wennlund, it would not. The reason for that is because there are much more extensive fiscal reports that are already required of all of these units of local government, that have to be filed here in Springfield. All this does is to provide a much simpler and much smaller reporting form, simply to be filed with the county clerk. They only have to prepare one. They already have the numbers, all they have to do is fill in the blanks, file it with the county clerk."

Wennlund: "Okay, thank you very much, I think it's a good idea with respect to the Bill, and I think it's time that the taxpayers did have some accountability. It's an excellent idea, particularly in these times of particularly high property taxes. I think it's an excellent idea. Thank you."

Speaker Keane: "Representative Cowlshaw to close."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I think this is a sound idea. I think that the school report cards that we have already had for five years set an excellent precedent for this, and I move for the adoption of House Bill 2538."

Speaker Keane: "The question is, 'Shall this Bill pass?' 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's 114 voting 'aye', none voting 'no', none voting 'present', and House Bill 2538, having received the required Constitutional Majority, is hereby declared passed. Representative Mautino on House Bill 1692. Out of the record. We will now return to Human Services. House Bill 739, Representative White. 739."

Clerk Leone: "House Bill 739, a Bill for an Act to amend the

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Illinois Public Aid Code. Third Reading of the Bill."

Speaker Keane: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 739 is a...Bill that has been negotiated by the Legal Assistance Foundation and the Illinois Public Aid Department. It primarily deals with a toll-free hotline and directing recipients in the area of whatever their needs may be. Again this is not a controversial Bill. It's a simple one, and it is agreed to by all the parties involved."

Speaker Keane: "Representative White, was it your intention to adopt Amendment #4?"

White: "We had..."

Speaker Keane: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purposes of Amendment. Is there leave? Leave, and the Bill is on Second Reading. Mr. Clerk...Representative White."

White: "I'd like to proceed on Amendment #4."

Speaker Keane: "Yes, we're doing that now. Mr. Clerk, is there..."

Clerk Leone: "Floor Amendment #4 is being offered by Representative White."

Speaker Keane: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 is a technical one. It helps to clarify all that we wish to do within this Bill, and I move for its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #4?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and Amendment #4 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading."

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Speaker Keane: "The Gentleman now asks leave to hear the Bill on the Order of Third Reading. Is there leave? Representative Homer, for what purpose do you rise?"

Homer: "Mr. Speaker, I would like to acknowledge the presence of our distinguished former colleague, Representative Cal Sutker on the floor."

Speaker Keane: "Welcome to our colleague, Representative Sutker. Leave to hear the Bill on Third Reading is, by the use of the Attendance Roll Call is granted, and Representative White on House Bill 739."

Clerk Leone: "House Bill 739, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I think I've explained the Bill, and I move for its adoption."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' Representative McCracken."

McCracken: "I can't believe, if this is a Legal Assistance Foundation Bill, that someone can't be against it. Why are they involved in a telephone program?"

White: "Well, they sat down with the Illinois Public Aid Department. And the Illinois Public Aid Department agreed wholeheartedly with this concept. They realized that there was a need for it, and they agreed with it. There is no opposition."

McCracken: "What is the Legal Assistance Foundation doing lobbying on legislation? Their job is to represent the indigent in court. What are they doing lobbying?"

White: "May I have that question again, Sir."

McCracken: "In effect, they were lobbying. They went to the Department and asked for legislation. Is that correct?"

White: "No, these Bills were introduced by 'yours truly' and a number of other Representatives, and they were assisting us in helping to clarify what we attempted to do."

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McCracken: "Okay. Is there a legal issue or something raised in this Bill that they helped you with? I mean, what is their involvement?"

White: "No, they just wanted to help clarify what we wanted to do and that was the extent of it, and I think that if there is something else..."

McCracken: "Alright, my concern isn't directly with you or the Bill, I think. I...I...think it is wrong for them to lobby. I don't think the law authorizes their lobbying but they insist on doing it. So, that's the reason for my inquiry."

White: "Well, they assisted...they did not...this was not their thought...not their idea, because there are six Amendments that make up this Bill."

McCracken: "Okay, thank you."

Speaker Keane: "Question is, 'Shall this Bill pass?' 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 106 voting 'aye', 3 voting 'no', 2 voting 'present', and House Bill 739, having received the required Constitutional Majority, is hereby declared passed. House Bill 2293, Representative White. 2293. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2293, a Bill for an Act to create the Podiatrist Scholarship and Residency Act. Third Reading of the Bill."

Speaker Keane: "Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a...provides scholarships for individuals who go into the field of podiatric medicine. This Bill does not cost the State of Illinois a dime at this time, and this seeks to provide the people of the State of Illinois with

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doctors in areas where they are underserved. So, that's basically the gist of the Bill, and I move for its adoption."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 110 voting 'aye', none voting 'no', 1 voting 'present', and House Bill 2293, having received the required Constitutional Majority, is hereby declared...Representative Ropp votes 'aye'. This Bill having received 111 'ayes', no 'nos', 1 voting 'present'. House Bill 2293, having received the required Constitutional Majority, is hereby declared passed. If a Member...rather than going through this...through the Calendar, the Special Calendar, if there's a Bill that has to be amended or if you want to call them Bills, come up to the podium and see the Parliamentarian, and we'll try to assist you if possible. We will now go back to...we're on Insurance, Order of Third Reading. On 16...2105, Representative Balanoff. Out of the record...the next Order of Business is Municipal, County and Conservation Law. The first four Bills, Representative Lang. Out of the record. House Bill 833, Representative Brunsvold. Out of the record. House Bill 867, Representative Noland. Out of the record. House Bill 1173, Representative Giglio. Out of the record. House Bill 1188, Representative Giorgi. Representative Giorgi, do you want this Bill called? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1188."

Speaker Keane: "I'm sorry, 1173. Take it out of the record. House Bill 1537, Representative Marinaro. Out of the

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record. Wyvetter Younge. Out of the record. House Bill 2149, Representative McGann. Out of the record. Third Reading. Municipal, County and Conservation Law. House Bill 408, Representative Peterson. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 408, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Keane: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker. House Bill 408 allows the township government to pay for construction projects over a five year period. They currently have the ability to pay for real estate over a 20 year period and personal property over a ten year period. I know of no opposition to this Bill. Be happy to take any questions, and I ask for your support of House Bill 408 as amended."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 104 voting 'aye', 1 voting...On this Bill, there are 100...Is someone cackling back there? Representative Turner, 'aye'. On this Bill, there are 105 voting 'aye', 1 voting 'no', 1 voting 'present', and House Bill 408, having received the required Constitutional Majority, is hereby declared passed. House Bill 528, Representative Brunsvold. Representative Jones would have wanted to show that she would have been voted 'aye' on House Bill 528...on House Bill 408. Representative Brunsvold on 528. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 528, a Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

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Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. 528, has a number of Bills in it that were discussed and agreed on in committee. The number pocket for vote registrations was considered by Representative Klemm. It's another section on sail...the safety belts on sail boards by Representative Johnson was considered and approved by the committee and Conservation. And a large section dealing with mufflers and motor boats, also one of Klemm's pieces of legislation is included in this Bill. And I know of no opponents and would try to answer any questions. I move for the passage of House Bill 528."

Speaker Keane: "Representative Wennlund."

Wennlund: "Thank you, would the Sponsor yield?"

Speaker Keane: "He indicates he will."

Wennlund: "What type of muffler requirements are provided for in the Bill?"

Brunsvold: "Pardon, I didn't hear it...I didn't hear that."

Wennlund: "What type of muffler requirements are provided for in this Bill?"

Brunsvold: "Why don't I yield to Representative Klemm and let him answer some of those questions...this...this Bill was represented...was basically sponsored by some of the manufacturers associations, boat manufacturers, OMC, trying to designate noise levels for some of these hotrod boats. The Bill indicates 90 decibels as a noise level, and looking that over, I would agree with that that...that noise level I think would be appropriate. Maybe, Representative Klemm can add something to that but...basically that section of the Bill is trying to address the loud, obnoxious, hotrod boat situation without any mufflers on them."

Wennlund: "What I'm concerned about is...inboard ski boats that do not have mufflers on them. They're made that way and

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they come without mufflers. The exhausts exits underneath the waterline. I'm wondering rather or not this would prevent or require the use of or the installation of mufflers on these types of..."

Brunsvold: "Did you say they muffler underneath the water?"

Wennlund: "They have no mufflers on them."

Brunsvold: "But they muffle underneath the water?"

Wennlund: "Correct."

Brunsvold: "Which would basically is a muffler situation. Yes. You're not going to get 90 decibels if they're exhausted under the water."

Wennlund: "Well...I'm going to have to put some mufflers on my boat then...because the average voice is at 65 decibels and, if you add just a few more on to that, it doesn't take much to get over 90."

Brunsvold: "With my discussions with Conservation this noise level in the boats that are being manufactured now, other than the altered hotrod type boats, are going to meet these qualifications."

Wennlund: "Alright, thank you."

Speaker Keane: "Representative Mautino."

Mautino: "Will the Gentlemen yield?"

Speaker Keane: "He indicates he will."

Mautino: "Alright, Joel, what does this do to the National Outboard Motorboat races that are held every year in De Pue, Illinois? That decibel level is certainly over 90 degrees but it also brings in about 70,000 people into an area. Do you eliminate that regatta?"

Brunsvold: "They're exempt...they're exempt, Representative."

Mautino: "How are they...where are they exempted in the Bill?"

Brunsvold: "Those are the ones that run 120 miles an hour or better. Well, this Bill does not address those type of races. That's a specific event. No, that is not included

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in this Bill."

Mautino: "Alright, there's no intention that would jeopardize that national outboard race?"

Brunsvold: "None...None."

Mautino: "Thank you."

Speaker Keane: "Representative Klemm. Representative Klemm? Representative Klemm?"

Klemm: "Thank you, Mr. Speaker. I, unfortunately, didn't have all my rationale here on the Motor Boat Muffler Act, but let me give you a little genesis of where this came about. In my area, which is the Chain of Lakes-Fox River, which is probably one of the largest boating areas in Illinois in the United States, had some concerns by a number of property owners that were saying that we have so many problems with trying to have some peace and tranquility along the lakes and rivers, because of some uncaring, unthinking boat owners that we needed some regulations. So, we talked to the industry, we talked to the sheriff associations, we talked to the people that were involved: the Chain of Lakes-Fox River Water Management Agency, and we had a series of meetings where we ended up trying to meet some compromises and some restrictions that would allow both the enjoyment of the property owners' land and yet allow all the boat owners to be able to use their boats in normally the way they are produced now. The industry has assured us that all provisions of this legislation, which they helped draft, are currently available. Most boaters already meet these requirements. It requires both either a muffler or an underwater system which would take care of one of the Representatives who asked that question earlier. So, those areas are addressed. What it does for law enforcement is allows them a measurement of how to record and measure the decibels that are there. We went to

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90 decibels, which is quite loud actually, and as an average sound level, and it seemed like it met everybody's concerns as a reasonable attempt to have two factions be able to live within what we wish the boating activities and the homeowners to have that enjoyment. So, we think it's worked out pretty well, and I'm sorry I didn't bring all my other documentation with me at the time. But I'll answer any questions you have on that phase of it if you wish to help Representative Brunsvold."

Speaker Keane: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I've got no major problem with the Bill, and I think Representative Klemm is attempting to deal with a local problem, but I think where the problem may arise is the 90 decibel limit. It's been pointed out to me that, if you'll remember some new car advertisements, many of them are bragging that it's as quiet as 65 to 70 decibels inside the new car with the windows rolled up. I think 90 decibels may be a bit aggressive. We may end up getting all the speed boats off of all the lakes until this message is cleared up. So, I think 90 decibels is maybe...we may need to re-think that one before we put it in the statutes."

Speaker Keane: "Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. To answer a question Representative Mautino asked in Section E-1. Representative Mautino, your questions asked as far as races and regattas are exempt from the Bill. This language, Ladies and Gentlemen, came from the manufacturers of boat motors and comes from legislation Sponsored by Representative Klemm, and so it really tries to address a problem of the hotrod type situation, and you see the cars on the streets and how loud they are. Well, this is simply

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that situation on water. I'm going to ask for your 'aye' vote on House Bill 528."

Speaker Keane: "The question is, 'Shall this Bill pass?' 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 110 voting 'aye', none voting 'no', 5 voting 'present', and House Bill 528, having received the required Constitutional Majority, is hereby declared passed. House Bill 579, Representative Brunsvold. Out of the record. House Bill 592, Representative Mulcahey. Representative Mulcahey. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 592, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker Keane: "Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. House Bill 592 removes the requirement that deputy sheriffs and special policemen must be residents of the State of Illinois for one year before they're eligible for positions. The reason for this, of course, is alot of the smaller counties around the state are having difficulty hiring qualified personnel, and this simply removes that resident requirement. I know of no opposition. It's endorsed by the Illinois Sheriffs Association, and I would move for the adoption of the measure."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' 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', none voting 'no', none voting 'present'. And House Bill 592, having received the required Constitutional Majority, is

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hereby declared passed. House Bill 705, Representative Steczo. Out of the record. House Bill 746. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 746, a Bill for an Act to amend the Highway Code. Third Reading of the Bill."

Speaker Keane: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 746 with Amendment #1 becomes the Bill and deletes the Bill, then becomes the Bill. Changes provisions governing the refund for impact fees to make it 70% of prime. I'd be happy to answer any questions you may have."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 'no', none vote...114 voting 'aye', none voting 'no', and none voting 'present'. And House Bill 746, having received the required Constitutional Majority, is here...Representative Parcells votes 'aye'. 115 voting 'aye', none voting 'no', none voting 'present'. House Bill 746, having received the required Constitutional Majority, is hereby declared passed. On 740...on 791 is there somebody handling this Bill for Representative Flinn? Mr. Clerk, put 791 on the board. Representative Hoffman on House Bill 791. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 791, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker Keane: "Representative Hoffman."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. Representative Flinn, because of his illness, asked me to handle this Bill. Essentially, what it does is it allows

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the County of St. Clair..."

Speaker Keane: "Mr...Representative Hoffman, there's an Amendment 2..."

Hoffman: "Oh, excuse me, I'd like to have leave to move it to Second Reading to adopt the Amendment."

Speaker Keane: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purposes of an Amendment. Is there leave? Leave, by the use of the Attendance Roll Call, is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Floor Amendment #2 offered by Representatives Flinn and J. Hoffman."

Speaker Keane: "Representative Hoffman."

Hoffman: "I'd like to move for adoption of Amendment #2. What this essentially does is it makes the Bill applicable to St. Clair County."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #2?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. The Gentleman asks leave of the House to hear the Bill on Third Reading, Immediate Consideration. Is there leave by the use of the Attendance Roll Call? Leave has been granted. The Bill is on Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 791, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker Keane: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. As I indicated before, Representative Flinn asked me to handle this Bill. Essentially, we have some opportunities in St. Clair

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County. This would clear up any ambiguity that presently exists concerning the building of industrial parks which counties presently can build. Would allow public building commissions...the public building commission in St. Clair County to do the same things that counties already have the power to do. I ask for a favorable passage of this Bill."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 111 voting 'aye', none voting 'no', and none voting 'present', and House Bill 791, having received the required Constitutional Majority, is hereby declared passed. Representative Brunsvold on House Bill 794. Out of the record. 795. 796. 797. 796? Okay, House Bill 797. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 797, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Committee Bill. It has one just one provision on it; it adds snipe and woodcock to the migratory game birds. Snipe and woodcock..."

Speaker Keane: "Is there any discussion?"

Brunsvold: "...And their Latin names are also included there but I'm not going to pronounce those."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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

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none voting 'present', and House Bill 797, having received the required Constitutional Majority, is hereby declared passed. House Bill 872, Representative Turner, 872. Mr...Out of the record. House Bill 921, would you put, Mr. Clerk, put that on the Roof Bill. Representative Brunsvold, would you like to handle 921 for Representative Flinn? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 921, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. House Bill 921 is Representative Monroe Flinn's Bill, and we thought it'd be no more appropriate that he would have a Bill dealing with handicap hunting. This Bill simply would liberalize some of the provisions that Conservation has, for what they would consider handicapped, as far as using a bow is concerned in deer hunting. There are provisions now for handicapped hunting of deer with crossbow and this simply would liberalize that section a little bit to include people who do have upper body weakness that cannot draw a regular conventional bow, and I'd ask for adoption of House Bill 921."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' 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. There are 111 voting 'aye', none voting 'no', none voting 'present', and House Bill 921, having received the required Constitutional Majority, is hereby declared passed. House Bill 1304, Representative Sieben. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1304, a Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the

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Bill."

Speaker Keane: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is designed to allow the Department of Conservation to enforce registration and safety equipment requirements appropriately, and I would move for the passage of House Bill 1304."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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', none voting 'no', and none voting 'present', and House Bill 1304, having received the required Constitutional Majority, is hereby declared passed. House Bill 1369, Representative Sieben. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1369, a Bill for an Act to amend an Act in relationship to boat registration and safety. Third Reading of the Bill."

Speaker Keane: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1369 is a Department of Conservation Bill, and it provides that all water craft theft shall be reported to the Department of State Police rather than to the Department of Conservation. It also establishes an automatic 150 foot no-weight zone at every public beach launch ramp, and I would move for the passage of House Bill 1369."

Speaker Keane: "Is there any discussion? There being none, the question is...Oh, Representative Weaver."

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

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Speaker Keane: "He indicates he will."

Weaver: "Does this establish any different blood alcohol levels than are currently in effect for motor vehicles?"

Sieben: "No, it doesn't."

Weaver: "It's exactly the same? We're not sneaking in a .08 here, are we?"

Sieben: "No, we're not."

Weaver: "Okay, thank you."

Speaker Keane: "The question is, 'Shall this Bill pass?' All 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 109 voting 'aye', none voting 'no', 3 voting 'present', and House Bill 1369, having received the required Constitutional Majority, is hereby declared passed. House Bill 1383, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1383, a Bill for an Act to amend the Clerks of the Courts Act. Third Reading of the Bill."

Speaker Keane: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1383 is a Bill that deals with court fees, and the Bill itself, in its present form, establishes regional training programs and establishes that groups of counties...from certain counties can be, you know, lumped together for the purposes of addressing a different fee schedule. The purpose, however, of this legislation is to attempt to try to come up with, at some point during the course of this Session, an answer as it relates to the great confusion over different fees that are charged for a number of items through the court system. So, Mr. Speaker, I would ask for an affirmative vote on this Bill in the hope that, during the course of this Session, some answers

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can be provided by us through our negotiations and discussions."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 105 voting 'aye', 4 voting 'no', 4 voting...5 voting 'present', and House Bill 1383, having received the required Constitutional Majority, is hereby declared passed. House Bill 1431, Representative Sieben. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1431, a Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the Bill."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1431 amends the Boat Registration and Safety Act and deals with personal watercraft or jet skis which have not in the past been defined under the Act, and they are becoming increasingly popular in recent years. The Department of Conservation feels that they need this language dealing with personal craft jet skis defined in the Act. Also...has some sections dealing with the placement of...of decals on documented vehicles, and I would move for the passage of House Bill 1431."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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 ...Representative Sieben...109 voting 'aye', none voting 'no', 3 voting 'present', and House Bill 1431, having received the required Constitutional Majority, is hereby

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declared passed. House Bill 1440...1433. Mr. Clerk, read the rec...read the Bill. House Bill 1433."

Clerk Leone: "House Bill 1433, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill does three things: Number one, it increases to 14 the days that Conservation may use, that's may use, for deer hunting, and increases the fee from \$10 to \$15 for put-and-take hunting areas in...in the Department of Conservation to help keep two sites open, and the last item it addresses wondering elk and maybe moose that Conservation needs to answer Representative Mulcahey's concerns on one of his pieces of legislation. I ask for the adoption of House Bill 1433."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' 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', none voting 'no', and none voting 'present', and House Bill 1433, having received the required Constitutional Majority, is hereby declared passed. House Bill 1478, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1478, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Keane: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1478 makes a change in the Park District Code with relation to the submission of petitions to dissolve a park district. Presently in the Act...in the law the voters equaling 2/3 of the votes cast in the last preceding

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district election for commissioner may submit petitions to dissolve the park district. We, in the Legislature, over the last few years have been trying as...as best we could to take the formulas and try to standardize or equalize those. House Bill 1478 says that in addition to the previous requirement it should be not less than 20% of the legal voters in the district, and so that's what the Bill does. I'd be happy to answer any questions, and if not, would ask for an 'aye' vote."

Speaker Keane: "Any discussion? There being none, the question...Representative McCracken."

McCracken: "Does this lower the number of signatures required to submit this to the voters? Does it lower the number of signatures?"

Steczo: "I couldn't hear what you were saying."

McCracken: "Is it now 2/3, and this reduces it to 20%, is that it?"

Steczo: "No, the present...the present requirement is 2/3 of the number of people who voted for commissioner in the last election. This just simply says that or not less than 20% of the registered voters in the district. In some cases it could be an increase, some cases a decrease."

McCracken: "Well, it's...it's...well, is the effect to make it more difficult to petition for the dissolution of a park district?"

Steczo: "Well, the effect, Representative McCracken, was to standardize as we have attempted to do in other types of...of matters like this. There had been a couple...a couple cases in downstate where small park districts have been...have been created and the votes were close to create the district, and they keep on bouncing around back and forth to have dissolution motions constantly before the...before the district has even got the chance to...to

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get a hold, but generally...generally the thought is to...to provide some consistency."

McCracken: "You know, you've been very good to me in the past on these types of issues, and I appreciate that, but I wonder if maybe this answer shouldn't be rather than a percentage state an absolute vote total or maybe one of three alternatives: an absolute vote total as a threshold, a percentage as a threshold, or this current 2/3 rule of voters voting in the last district-wide election. You know, they...the practical effect of this, I think, as to large or urban park districts would be to make their dissolution more difficult than it might be now."

Steczko: "Representative McCracken, while it...it...it attempts to standardize, it still in this process is far easier to dissolve a park district or to call for the question of dissolution of a park district than it is for many other local governments. There are some that have 50% requirements, and I think...I think four...fire protection districts have 75% requirement for petition signatures, so...so while perhaps it may be looked upon here as making it a little bit more difficult, it's saner to do it this way, I believe, especially since the amount...the votes for commissioner depending on the...on the nature of the race may be way high or way low."

McCracken: "You know, I...I...I apologize. I'm going deaf. I couldn't hear a word you said."

Speaker Keane: "One moment, please. Ladies and Gentlemen. Ladies and Gentlemen. Keep the noise down. Break up the conferences. Take them off the floor. We're conducting business. Representative McCracken."

McCracken: "That's one tough speaker, Mr. Speaker. Thank you."

Speaker Keane: "Representative McCracken."

McCracken: "This was not important enough to quiet everyone down."

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Hush, hush. I just couldn't hear my friend, Representative Steczo."

Speaker Keane: "For a cameo by Representative McCracken, we should listen."

McCracken: "Could you repeat that, Representative Steczo?"

Steczko: "Could you repeat the question, Representative McCracken? Could you repeat the question? It's been such a long time."

McCracken: "I think I forgot the question. You know, I...I..."

Steczko: "Mr. Speaker, I believe Representative McCracken posed the question about three alternatives."

McCracken: "Yes. It seems to me we recently had this type of issue come up, and the resolution was to account for small districts by putting in an absolute vote threshold for the small districts. Now, I understand the desirability generally of a standardized referendum requirement, or petition requirement, but I think in trying to help the little districts you may make it unduly difficult to reconsider the question in urban areas, and I...I personally don't think that is a good idea. I think it should be easy to dissolve these districts, or easy to put the vote."

Steczko: "Representative McCracken, in response to your question, I agree with you. I agree with you that it should not be difficult to call for the dissolution of any district. Right now, the...the...the...the erratic nature of using the formula that's in the current statute with numbers of votes and other things for commissioner, is that may...that may change based on the...based on the number of votes and the kind of election that you have. I...I had mentioned in my previous response to you that still the 20% threshold, while seeking to standardize the number of votes necessary to...to call for the question of dissolution of

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a...of a local government, which I should add should always be done in a serious manner, never taken lightly, still is far lower than the number required for many other units of local government, and my memory suggests that in some cases there's a 50% registered voter requirement, and I believe in the case of fire protection districts that voter requirement is up to 75%, so I consider that far too high. This gives everybody a shot, I believe, at attempting to dissolve."

McCracken: "Alright. Maybe...maybe...maybe I see a solution here. This vote that is the 20% requirement is for commissioner. Would that normally be a...a...a lesser vote than say a controversial bond referendum for a park district? Would that type of election bring out larger numbers? Is this a modest number of electors in a typical park district commissioner election?"

Steczo: "Well, there...there are...you would expect a modest number of electors but you would also in those...in those heated type of elections, you would have a...a greater number of...of people voting. So in this case the 20% might, in fact, provide less."

McCracken: "Okay. Well, maybe I over...think this. I...I think maybe I'll just defer to the wisdom of your judgment. It's always helped me in the past."

Speaker Keane: "The question is, 'Shall this Bill pass?' 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 88...89 voting 'aye', 20 voting 'no', 3 voting 'present', and House Bill 1478, having received the required Constitutional Majority, is hereby declared passed. House Bill 1479, Representative Steczo. Out of the record. House Bill 1827,

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

Clerk Leone: "House Bill 1827, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker Keane: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill simply would allow to county auditors to have a chief deputy in counties that have chief deputies to have the succession of that individual on a temporary basis until the county board have (sic has) an opportunity to appoint when there's a vacancy. It's kind of a technical thing. It's...other county officials, the succession is spelled out. In this case it is not, and I'm asking the support of...of my colleagues on this issue."

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

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

Speaker Keane: "He indicates he will."

Black: "Yes, thank you. Representative, in...in Committee Amendment #1, amending the Counties Code, you said that if the...the Amendment says that if the auditor is temporarily unable to perform his or her duties, the deputy auditor, assuming that there is one, shall assume the duties, et cetera. Anywhere in the Bill, do you define the word 'temporarily'?"

Rotello: "No. It's...It...It would be when an individual, you know, either leaves office...I had the case myself where I had to resign my position to take this position, and there was a period of 60 days that the county board would have to make an appointment on it. So there was no one that had the legal responsibilities of the department covered during the interim period."

Black: "Well, wouldn't...wouldn't that responsibility rest as it does now, with the presiding officer of the county board in

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question? Wouldn't that presiding officer appoint someone to that position if the auditor was incapacitated?"

Rotello: "The appointment is on a permanent basis, Representative. The...the county board would appoint the replacement to fill out a term on a vacancy."

Black: "You're right. You're right. I'm sorry."

Rotello: "This would be simply the period of time between the vacancy and the...and the appointment by the board. So it could be as short as one day or as long as 60 days."

Black: "Is...is that spelled out in the Bill? I mean, do you have an actual time parameter?"

Rotello: "It's spelled out in...in another statute that there's...the county board has 60 days to replace."

Black: "Alright. But...but, in your case if we were asking the deputy auditor to assume the duties, is there a specified period of time after which, say, the deputy auditor would not be able to continue? So either a...either an election would be held or a permanent successor chosen."

Rotello: "That is not spelled out in the Bill, but the other statute says that the board has 60 days to appoint the replacement to fill out the term. So I would assume that the 60 days is what you're asking."

Black: "Okay. Thank you."

Speaker Keane: "Representative Weaver."

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

Speaker Keane: "He indicates he will."

Weaver: "Our analysis indicates that the Cook County Board is opposed to this. Right here behind you. Our...our analysis indicates that the Cook County Board is opposed to this. Is that your understanding?"

Rotello: "This...this to my knowledge is not going to affect Cook County so I...I..."

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Weaver: "Well, that's...that was the reason for my question. Why would the Cook County Board be opposed to this if they are unaffected?"

Rotello: "I'm...I'm from Winnebago County. You'd have to ask someone from Cook."

Weaver: "So, as far as you know it's okee-dokee with the Cook County Board?"

Rotello: "I...I have no knowledge of where Cook County Board stands on the issue."

Weaver: "Oh, okay. Thank you."

Rotello: "First of all, it's an...it's an elected auditor and Cook County has an appointed auditor so it's kind of a moot issue."

Speaker Keane: "Representative Burzynski."

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

Speaker Keane: "He indicates he will."

Burzynski: "Why doesn't this apply to Cook County?"

Rotello: "Cook...because Cook County has an...an appointed auditor."

Burzynski: "Why does Cook County have an appointed auditor rather than an elected auditor?"

Rotello: "That's probably a decision that was made by a previous Assembly."

Burzynski: "Well, I see. I...I understand. I...I miss...a little bit confused there. Will this lead to counties establishing the office of deputy director or deputy auditor?"

Rotello: "The Bill specifies that it only affects counties that have chief deputy auditors in place."

Burzynski: "Oh, but this wouldn't encourage the...the...the establishment of that office?"

Rotello: "I wouldn't necessarily think it would."

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Burzynski: "Okay. Who appoints the deputy auditor?"

Rotello: "The elected auditor does."

Burzynski: "The elected auditor appoints the deputy auditor. Thank you. Well, would this then, this Bill preclude the appointment of someone other than the deputy auditor to fill that position?"

Rotello: "No, no, it wouldn't."

Burzynski: "Well, I'm...I'm concerned because this doesn't affect every county in the state, and I think Cook should probably be included as well. Thank you."

Speaker Keane: "Representative Giorgi."

Giorgi: "Mr. Speaker, we provide in the law now for the appointment of a deputy county clerk because of this succession problem, and we also appoint...provide for a deputy treasurer because of the...of the occurrence of a death, illness, or resignation of office. He's trying to conform to the other Constitutional Officers."

Rotello: "That's correct."

Speaker Keane: "Representative Rotello to close."

Rotello: "Representative Giorgi is absolutely correct that this is spelled out for the other offices of elected county officials, and I think it also should apply where county auditors are elected, and I'd ask the Body for this passage."

Speaker Keane: "The question is, 'Shall this Bill pass?' 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 84 voting 'aye', 28 voting 'no', none voting 'present', and House Bill 1827, having received the required Constitutional Majority, is hereby declared passed. House Bill 1920, Representative Giorgi. 1920. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 1920, a Bill for an Act to amend the North Shore Sanitary District Act. Third Reading of the Bill."

Speaker Keane: "Representative Giorgi."

Giorgi: "Mr. Speaker, I think there...there was an Amendment but I don't believe that...Did you have an Amendment on this Bill, Lang? Alright, the Bill's on Third Reading, so we'll ignore the Amendment because he...he's going to withdraw it, anyway. Mr. Speaker, all this Bill does is grants a thousand dollar raise to the trustees of the North Shore Sanitary District. That's all it does. A thousand dollar raise. I urge your support of this Bill."

Speaker Keane: "Is there any discussion? Representative Black. Out of the record. Being no discussion, the question is 'Shall this Bill pass?' 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? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 59 voting 'aye', 43 voting 'no', 10 voting 'present'. Representative...Mr. Clerk, Representative Obrzut vote 'no'. On this Bill...change Representative Marinaro from 'present' to 'yes'. Representative Pedersen. Representative Pedersen votes 'aye'. Representative Sieben votes 'no'. Any other changes of votes? We're recording the votes. Representative McAfee votes 'no'. Representative Balanoff votes 'no'. Representative Robert Olson, safe at home. Any further changes? Representative Brunsvold, 'no'. Representative Edley, 'no'. Representative Woolard, 'no'. Representative Novak, 'no'. Let's just dump this Roll. There are so many changes. Mr. Clerk, Mr. Clerk, dump the Roll Call. Take the Bill out of the record. Representative Giorgi, for what purpose do you rise?"

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Giorgi: "Mr. Speaker, I prefer Postponed Consideration."

Speaker Keane: "Okay. The Sponsor requests the Bill be put on the Order of Postponed Consideration. Is there leave? Leave, and the Bill is on the Order of Postponed Consideration. House Bill 1932, Representative Brunsvold. Out of the record. House Bill 2463, Representative Walsh. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2463, a Bill for an Act in relationship to issuing hunting and fishing licenses. Third Reading of the Bill."

Speaker Keane: "Representative Walsh."

Walsh: "What this Bill does, Mr. Speaker and Members of the House, is amends the Fish and Wildlife Code and provides the Department of Conservation that they may authorize non-for-profit organizations to issue licenses for both the...both the court...oh...oh...okay"

Speaker Keane: "2463. Proceed Representative Walsh."

Walsh: "This amends the Fish and Wildlife Codes and provides for the Department of Conservation that they may authorize the nonprofit conservation organizations throughout the State of Illinois to issue both the licenses and to charge a fee of up to \$2.00 through their organizations where they make contact with their organizations by mail and so forth. It also, through the Amendment process, does make some changes in relationship through the persons who have obtained a lifetime fishing license and hunting license and sportsman combination licenses. Before a particular stamp was required by law for having to obtain a particular stamp. It exempts them from that requirement of having that stamp, and we did change the definition to a conservation organization being nonprofit. So that clarified that, and the zebra mussel task force was also established under this, and they will be establishing and reporting back to

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the General Assembly by September 1st of 1992. I'd be happy to answer any questions."

Speaker Keane: "Is there any discussion? There being none, the question is 'Shall this Bill pass?' 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 113 voting 'aye', none voting 'no', none voting 'present', and House Bill 2463, having received the required Constitutional Majority, is hereby declared passed. Good job. We will now return to the Order of Insurance, and on that Order is House Bill 606, Representative Wennlund. I'm sorry, that was Representative Woolard. Take the Bill out of the record. House Bill 1407, Representative Bugielski. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1407...On page 33 of the Calendar, House Bill 1407, a Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill."

Speaker Keane: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker and Members of the House. House Bill 1407 amends the State Employees Group Insurance Act of 1971, provides that a covered member who is eligible to be covered as a dependent may obtain that coverage regardless of waiting periods and preexisting conditions. What 1407 would do would authorize a state employee who is on extended leave of absence to elect coverage under the state employees group insurance plan as a dependent of another state employee. For instance, if a husband and wife is working for the state, and the wife goes on a extended maternity leave or a family responsibility leave, she has to pay her own insurance on her own rather than being claimed as a dependent on her husband's insurance,

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and what it is, it's a double payment that the employee is paying, and so what we're doing is, it's a benefit to the employee. I mean to the state employees whereby the husband, or the spouse, would be able to pick up the wife as a dependent on the...his insurance rather than paying double both for the children and her. I ask your favorable Roll Call, and if anyone has any questions, I'd be happy to answer them."

Speaker Keane: "Is there any discussion? Representative Pedersen."

Pedersen: "Will the...Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Pedersen: "The dependent...Does the dependent...Does the employee pay for the insurance on the dependent?"

Bugielski: "The emp...Well, the...what it is is he's paying on the dependents right now. For instance, if he has children, he would be paying \$150.00, you know, for his dependent coverage. While the wife is on the extended...or the family responsibility leave, she cannot be put on as a dependent. She has to pay her own insurance, which would be an additional \$150.00. If they allowed her, you know, the husband to pick her up as a dependent, it would only be \$170.00 payment that he would be making a month versus over \$300.00 a month. CMS...I talked to CMS, and CMS is in favor of the Bill."

Pedersen: "Is she included in...in with the children?"

Bugielski: "The...the children are on the father's coverage already. It's just the...in this case what we're...the case that I'm using as an example, the wife would be able to be claimed as a dependent on the husband's insurance, on his medical insurance."

Pedersen: "So...so, they would...he would...he would pay for the insurance for the wife?"

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Bugielski: "Correct."

Pedersen: "Okay. Thank you."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Thank you. Representative, is the Department of Central Management Services, have they agreed with this Bill?"

Bugielski: "Yes. They indicate that there is a cost factor involved, and they came to me and they said that they were in favor of the Bill."

Black: "I...I wanted to get that on the record. Also, would...if your Bill passes, would this...would this, in fact, not help an employee who was faced with a permanent layoff keep insurance coverage by being able to go on as a dependent rather than having pay the full freight as a former employee?"

Bugielski: "Well, if the spouse is a state employee..."

Black: "Right. Right."

Bugielski: "...then he would be put on as a dependent."

Black: "Thank you very much, Representative, for your patience. Ladies and Gentlemen of the House, to the Bill. I think the Gentleman has crafted a...a Bill that we may need in the next year. The Department of Central Management Services is in favor of the Gentleman's Bill. It's simply the humane thing to do, given the fact that we may be facing some rather hefty layoffs. I'm pleased to support the Gentleman's Bill."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On...on this Bill there are 115 voting 'aye', none voting 'no', and none voting

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'present', and House Bill 1407, having received the required Constitutional Majority, is hereby declared passed. House Bill 1692, Representative Black. While we're waiting for Representative Black, we'll go to the Regular Calendar on Insurance. House Bill 1606, Representative Woolard. I'm sorry, 606. Pardon me, 606. The Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 606, a Bill for an Act in relationship to clinical social workers. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Keane: "Representative Woolard."

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representatives Cowlshaw and Woolard."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment was filed both in my name and Representative Woolard's. It has been worked out with the cooperation of a good many people who have been very helpful to us, and with the adoption of this Amendment all discord over what the provisions of this Bill are are removed. There is no longer any opposition to the Bill. If you would like a detailed explanation of the Amendment, I would be glad to give it, but I think as long as you understand that this is something that's all agreed to, and it removes all opposition, I would simply move for the adoption of Floor Amendment #2 to House Bill 606."

Speaker Keane: "Representative Levin."

Levin: "Since my wife is a social worker, can you go into a little bit of detail in terms of what the legislation does?"

Cowlshaw: "I'm sorry, Mr. Speaker. I could not hear what he said."

Speaker Keane: "Representative Levin, repeat your question."

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Levin: "Yes, would the Gentle...the Lady yield for a question?"

Speaker Keane: "She indicates she will."

Levin: "I saying that, since my wife is a social worker, can you go into a little bit of detail in terms of what the Amendment does and what the Bill does?"

Cowlshaw: "Fine, thank you very much, Mr. Speaker. What this Amendment does is first of all it provides a definition for what a qualified examiner is. Previously there was no definition of that, and that was causing a problem because there would be, of course, a lot of uncertainty. The other thing, and it only does these two things...the other thing that it does is that it removes an inconsistency that was involved in...in the way this Bill was drafted in the first place, so that that is purely a technical kind of...of a..."

Levin: "Alright. So it's a cleanup for what we passed last year?"

Cowlshaw: "That is correct...exactly what it is."

Levin: "Thank you."

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker. There...I have an inquiry of the Clerk. There's some question as to whether this Amendment is in order. First question is, 'Has Amendment 1 been adopted?'"

Cowlshaw: "Yes."

Speaker Keane: "Mr. Clerk, has Amendment #1..."

Cowlshaw: "Amendment #1 was adopted in committee."

Clerk Leone: "Amendment #1 is on the Bill presently."

Speaker Keane: "Representative Lang, Amendment #1 has been adopted. Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. It has...it appears that the potential problem we had with this Amendment can be

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corrected very simply. I would move to correct Amendment #2 on its face by, in line 3 after the first word in that line, the word, 'section', change the following number which is 9 to 8. If we do that, then everything is in accord, and the Amendments all fit together with the section numbers of the Bill."

Speaker Keane: "Is there leave to make the technical Amendment on the face of the Amendment? Leave. By the use of the Attendance Roll Call, and the change has been made."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I move the adoption of Floor Amendment #2 as amended on its face."

Speaker Keane: "Is there any discussion? Being none, the question is, 'Shall the House adopt Amendment #2?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Is there leave by the use of the Attendance Roll Call to put the Bill back on Consent Calendar? Leave, and the Bill will be returned to the Consent Calendar. We will now go to House Bill 1692, Representative Black. Mr. Clerk, read 1692. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1692, a Bill for an Act to amend an Act relating to Local Government Health Insurance Reserve Fund. Third Reading of the Bill."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This Bill changes...makes some changes regarding the Local Government Health Plan as suggested by Central Management Services. It provides that income from fund investments be deposited into the fund on a quarterly

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basis. I would point out to you that there are no state revenues in this fund. It receives income only from participating employers. We think the...the Bill addresses some concerns. It was suggested by CMS. I would ask your favorable consideration of House Bill 1692."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All 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 House Bill 1692, having received the required Constitutional Majority, is hereby declared passed. We'll go back...we'll go to the Order of Second Reading, Municipal, County and Conservation Law, House Bill 1173, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1173, a Bill for an Act to create the Wastewater Treatment Plan Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Giorgi."

Giorgi: "Mr. Speaker, Amendment #2 is the Bill. What this Bill provides...this Bill creates the Wastewater Treatment Plant and Billing Enforcement Act, and it excludes municipalities that are home rule units. It grants wastewater treatment operators the power to require a water utility to cease providing water services to the premises of a user who is delinquent in the payment of his wastewater treatment, and it also provides due process, and is endorsed by the

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Illinois Municipal League and the Association of Water Associations except for one lone waterworks operator, and I urge adoption of the Amendment."

Speaker Keane: "The...there was a question. The Amendment has been printed and distributed. Representative Leitch."

Leitch: "Will the Gentleman yield?"

Speaker Keane: "He indicates he'll yield."

Leitch: "Who is the...I attended a reception of the water companies, and they were all very much opposed to this Amendment. Who...who is the one that's opposed?"

Giorgi: "The...the Association of Water Users Association except for one little group in East St. Louis, Illinois."

Leitch: "Well, the...the water companies indicated that they thought it was unjust for them to be put into the..."

Giorgi: "I can't hear you. Wennlund."

Leitch: "...collection business, and that they should not be caused to have to do this."

Giorgi: "Wennlund. Is it Wennlund?"

Leitch: "Why...why should the water companies have to...have to perform the collection for..."

Giorgi: "Well, the...the..."

Leitch: "...municipalities?"

Giorgi: "Why, it's easier to cut off...cut off water than it is to go in and dig up a sewer and stop the sewer usage. You only have a water valve on the property, but you...if the sanitary sewer people had to go in and cut out the sewer, they'd have to dig up the sewer and plug it up."

Leitch: "Okay."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Amendment be adopted? All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

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

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Giorgi."

Speaker Keane: "Representative Giorgi."

Giorgi: "This is the provision that allows...that doesn't preempt home rule. It eliminates the home rule section. It's a simple Amendment."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Amendment be adopted? All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #2...Amendment #3 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Floor Amendment #4 deals with the appointment of an attorney for the Metropolitan Water Reclamation District. Currently, the attorney for the Water Reclamation District is appointed by a general superintendent, and that attorney is subject...is under the supervision of that general superintendent. In my review of the law, this seems to be the only elected board where a non-elected official makes these decisions, and, accordingly, what Amendment 4 does is puts this power back in the hands of the board. It requires the Board of Commissioners to choose and hire the chief attorney and puts that chief attorney under the supervision of that board. It's simply an Amendment that is the...the effort is which to make this board hire their attorney in the same way any other elected body does, and I ask the adoption of Amendment #4."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. I...I...I realize that you had indicated that Amendments 2 and 3 had been printed and distributed. We don't have them. We certainly don't have this Amendment,

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and haven't even seen it."

Speaker Keane: "The...you ought to talk to your Pages. Some of your Members seem to have them. I don't know what happened, but they tell us they've been distributed."

Black: "Okay."

Speaker Keane: "Any further discussion? Representative Lang."

Lang: "I am willing to take the Amendment out of the record. The Sponsor's willing to take the Bill out of the record, if Mr. Black wants to read the Amendments first."

Speaker Keane: "Take the Bill out of the record. We will now, to clean-up Supplemental #1, show that everything is ready for tomorrow. We'll go back to Supplemental 1, the Agreed Bill list, to House Bill 624, Representative Hicks. Mr. Clerk, read the Bill. Representative Lang, for what purpose do you rise?"

Lang: "There's an Amendment coming to that Bill that I discussed with Representative Hicks that's my Amendment. It's on my desk, but it's improperly prepared. I have to send it back to LRB. If you want to take this Bill off of the Agreed Bill list, I'm certain that's alright."

Speaker Keane: "Alright. The Bill...the Bill is taken...has been previously taken off, I've been informed. House Bill 2281, Representative McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2281 has been moved to Third Reading."

Speaker Keane: "Representative McGann."

McGann: "Return House Bill 2281 to Second Reading for the purpose of an Amendment."

Speaker Keane: "The Gentleman asks leave to return the Bill to Second Reading for purpose of amendment. Is there leave? Leave. Leave being granted, the Amendment, or the Bill is on Second Reading. Mr. Clerk, any further Amendments?"

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

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Speaker Keane: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Amendment #1 to House Bill 2281 provides for just technical changes to the original language in the Bill. This language in this technical Amendment was developed by the Illinois State Board of Education and the Illinois Planning Council and Developmental Disabilities, and with this they will support House Bill 2281 and I'd ask for adoption of Amendment #1 to House Bill 2281."

Speaker Keane: "The Gentleman has moved for the adoption of Amendment #1. Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #1?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill on State and Local Government, House Bill 1000. Mr. Clerk, read the Bill. Representative Homer."

Homer: "Mr. Speaker, I'd ask leave to return the Bill to the Order of Second Reading for the purpose of an Amendment."

Speaker Keane: "The Gentleman asks leave to return the Bill to the Order of Second...the Bill to the Order of Second Reading for purpose of an Amendment. Is there leave? Leave. The Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1000, a Bill for an Act to amend an Act relating to payment of hospital services. This Bill's been read a second time previously. Floor Amendment #1, offered by Representative Homer."

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I'd ask to withdraw Amendment #1."

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Speaker Keane: "The Gentleman asks to...leave to withdraw Amendment #1. Is there leave? Leaving being granted, Amendment #1 is withdrawn."

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

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This...the Bill is the...is a major initiative that...is advocated by the Illinois hospitals throughout the State of Illinois to reform the Medicaid reimbursement system that is presently utilized to...to reimburse hospitals for serving the medically indigent who are eligible for Medicaid. The cost of the underlying Bill has been projected to be \$300 million in order to implement reform. The Federal Government will provide half of that amount, and so the question remains, 'Who will come up with the other \$150 million in a tight budget year?' Floor Amendment #2 answers that question. The answer is, Under Floor Amendment 2 that the hospitals themselves who will benefit from the Bill will provide the funds necessary for the state to procure the federal match. So that you have a no lose situation for the taxpayers of Illinois, and what the effect of this Amendment would be is to leverage \$150 million of federal money that would come into Illinois for the purpose of reimbursing and reforming the Medicaid system that...that goes to hospitals in this state so that health providers will benefit. All people who rely upon health care of hospitals will benefit, not simply the poor, but private pay patients who are now having to absorb that cost, and the price tag to the people of the State of Illinois under this Amendment will be zero because the hospitals for the next two years will...will agree to an assessment to be applied to them which will generate the

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\$150 million required to fund the state's share of the reform package. So I would answer questions and urge overwhelming consent for this Amendment. I would point out in closing, that the Senate committee that is hearing the companion Bill, Senate Bill 500, unanimously passed out an identical Amendment out of committee today."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I...I really applaud the Sponsor's intent on this, and I'm not sure we oppose this Amendment at all, and obviously you have the votes to put the Amendment on the Bill. The only thing I would ask of the Speaker and the Sponsor, if you want to put this Amendment on, fine. Let's do so, but would you please hold the Bill on Third so we can at least see what's in the Amendment? I don't...I don't want to jack...I think we...we applaud what he's trying to do. I hope we can support it, but this is a major Amendment filed about an hour ago. If you want to put the Amendment on, fine. We'll join you, but we would ask for some time to take a look at it so that when you're asking us to vote on Third tomorrow or something that...that we have a little better idea of what it does now."

Homer: "That's...that's completely satisfactory. The Bill had been on Third Reading. We moved it back to Second."

Black: "I understand that."

Homer: "Our plan is just to return it to Third Reading."

Black: "Alright. We...we appreciate your cooperation. We'd just like to look at it, and we...we think we can agree with you, but we'd like some time to make sure."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #2?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment #2 is adopted. Any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. We're going back to the Supplemental Calendar of the Agreed Bill list, House Bill 1951, Representative Homer. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1951, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Representative Homer."

Homer: "...Speaker, I...I guess I'm confused. I...I could have sworn that an hour or so ago this Bill was called, and I had an Amendment #1 adopted, and I don't understand how there could be no Floor Amendments. I thought the Bill at that time was amended and moved to Third Reading."

Speaker Keane: "Alright. Amendment #1 has been adopted. The Bill has gone to Third Reading."

Homer: "Thank you."

Speaker Keane: "Let's go now to the...picking up on the Calendar again, we'll go to Public Utilities, Second Reading. Appears House Bill 990, Representative Deering. Mr. Clerk...out of the record. House Bill 1392, Representative McNamara. Out of the record. House Bill 2057, Representative Giorgi. Public Utilities, House Bill 2057. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2057, a Bill for an Act to amend an Act in relation to Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #1 is an effort to put

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the telephone company in the same position that the gas and electric utilities are in relative to advertising. Currently the gas and electric utilities cannot include in their rate base when they go to the ICC for a rate increase, noncompetitive goodwill advertising. Currently under the law the telephone company can do that, and it's a very simple Bill. It will merely say that the telephone company when it has noncompetitive kind of advertising..."

Speaker Keane: "Representative Giorgi."

Giorgi: "Mr. Speaker, this Bill is going to carry a few items, so I'd like to pull it out of the record."

Speaker Keane: "Out of the record. House Bill 2643. Alright, we'll go back to House Bill 990, Representative Deering."

Clerk O'Brien: "House Bill 990, a Bill for an Act to amend the Public Utilities Act. This Bill's been read a second time previously. Amendments 1, 2 and 3 were withdrawn. Floor Amendment #4, offered by Representative Currie."

Speaker Keane: "Representative...withdraw Amendment #4."

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

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #5 is the same Amendment that I was trying to explain on the other Bill a few moments ago. Let's start over. Currently electric utilities and gas utilities cannot charge consumers in their rate base the amount for advertising for goodwill advertising. Seems to be totally inappropriate that when we look on our TV or listen on our radio and we see and hear advertising that has no purpose other than to puff the utility company, we shouldn't be paying for that advertising, and yet the telephone utilities are not held to this same standard under the law. This Bill will require the telephone utilities to be held under that same

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standard, and, you know, we heard much in this House and much in committee about the 15¢ surcharge so that some could have phone service. Currently, tax...rate payers in the State of Illinois are paying \$62 million for telephone advertising. Sixty-two million dollars for telephone advertising that doesn't say anything except, 'Why don't you call your grandmother?' or something of that order. We should not be paying this as rate payers. We should be paying only for phone service or for administration of the telephone company or if we're going to pay for phone advertising, certainly only for phone advertising that's educational. For instance, in the case where the suburban areas around Chicago went to a 708 area code. No one objects to paying for that, but when we're paying \$62 million now for unnecessary advertising, it's wrong, and the telephone company should be held to the same standard as the gas and electric utilities. Their stockholders, their investors should be footing this bill, and I urge the adoption of Amendment #5."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Thank you. Representative, Amendment #5 is a Bill that you...you filed in Consumer...or in the Utilities Commission...Committee? Is that correct?"

Lang: "That's correct."

Black: "This was House Bill 618?"

Lang: "That's correct."

Black: "And...and it failed in that Committee on a vote of 4-5-2?"

Lang: "It failed by two votes. That's correct."

Black: "Alright. So, what...what I want to establish is that it

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did have a hearing?"

Lang: "Yes, it had a hearing."

Black: "Okay. It did have a hearing. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Gentleman's Amendment. I don't think anyone can quarrel with the intent of what he trying to do, but when you want to compare telephone companies to gas and electric companies, let's take a look. Gas and electric companies don't have, for all intent and purposes, any competition in that area. The telephone company, via the federal order, has been deregulated to the point where you have MCI, you have Sprint, you have various local service operating companies. So there's some...some measure of competition in the telephone industry, and I don't know what the Gentleman's intent is with this, but I don't think that MCI, AT&T, Sprint, and all of the other companies that have been able to get into telecommunications ostensibly to save us money, us being the consumer, would favor the Gentleman's Amendment, and I don't really think that's what he wants to do with this Amendment. I would suggest that the Bill had a fair hearing. It did not pass, and because of the way it's drafted, he may very well knock out the ability of competing telecommunications companies to get a message out to the consumer that we can save you money if you call your grandmother, if you sign up with our service, and I don't think that's what any of us want to do here. I would suggest that the Gentleman rethink the Bill and try it again next year, and I would ask for a Roll Call on the Amendment, Mr. Speaker."

Speaker Young: "Anthony Young in the Chair. The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in strong support of Representative Lang's

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Amendment. Contrary to some of the comments that were made by the previous speaker, this Bill...this Amendment when it becomes adopted, will enable those of us who use telephone utilities not to have to pay an additional profit that the utility company makes from its own advertising. We shouldn't be subsidizing its advertising and at the same time allowing them to maintain all the profits. This is a good Amendment, and, in fact, the...the electric company and the gas company, of course, have competition. They're in strong competition with one another, and so this is what...what they live by; the telephone companies should also have to live by, and this is a good Amendment."

Speaker McPike: "Representative McPike in the Chair. Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. This Amendment may be well-intentioned but I really believe that if we want to start regulating the utilities by amendment process in this House, we should first do away with the Commerce Commission. I'm sure many of you would vote for that, but...but until you take that action, this is a matter that should be left to the preview of the Commerce Commission, people who are there to examine the budgets, the rate making, of the different utilities to see that they are fair and equitable. I think a 'no' vote on this Amendment is the best vote."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it's important that...that all Members of the House realize that this is the year for the rewrite of the Telecommunications Act. During that process, it's a process of negotiation, and so that we'll come out with an agreed new rewrite of the Telecommunications Act. It's not the right manner of attacking phone companies and the way

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that they're advertising and their rate structure by piecemeal legislation. That's the reason we have a comprehensive rewrite of the Telecommunications Act, and that's the time when these types of problems can be addressed."

McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in strong support of Amendment #5. We do have currently on the books regulation of advertising for gas and electric, and I would point out as we explore the rewrite of the Telecommunications Act, we have discovered that 96% of the service provided by the local telephone company is classified as noncompetitive. Only four percent, according to the legal definitions, is competitive. So the Gentleman's Amendment is very, very appropriate because the overwhelming majority of the service is provided by the local telephone company, you can't go anywhere else for that basic service. There is no competition under the law, and why should we pay as rate payers for image advertising? If it's a gas company and you have a choice of gas companies, you can go to Texaco, you can go to Shell, and if you think one of them is going to do a better job on the environment, that's going to influence your choice, but in terms of basic telephone service, you don't have a choice. You can't go to a different company if you're, particularly, a residential customer. I think this is a good Amendment, and I urge its adoption."

Speaker MCPike: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. There have been some red herrings from the other side of the aisle that really need to be addressed. First of all, the issue that we shouldn't handle is in the amendment process, doesn't make much

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sense. We already have a statute on the books that says that the gas utilities and the electric utilities cannot do this. It doesn't make any sense for us to have to wait for the telecommunications rewrite which could take God knows how long for us to do this. If it's fair for the gas utility, if it's fair for the electric utility, it's fair for the telephone utility. Also, relative to some other comments that were made, Sprint and MCI and all of that have nothing to do with this. Long distance service has nothing to do with this Bill. This Bill talks about local telephone service and what Illinois Bell does relative to the expenditure for advertising, and I would submit to you that there's \$62 million that we are paying now for telephone advertising that accomplishes nothing except puts \$62 million in the pockets of the Illinois Bell investors and the Illinois Bell stockholders. It should not be the function of this General Assembly to make sure that the Illinois Bell stockholders have a large dividend this year, and I would submit to you that \$62 million of our money is a substantially large dividend. Please vote 'aye'."

Speaker McPike: "The question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed 'no'. All in favor vote 'aye', opposed vote 'no'. Representative Balthis to explain his vote."

Balthis: "Mr. Speaker, I'm having a little difficulty with my red button. It doesn't seem to work. Could I be recorded as a 'no' vote?"

Speaker McPike: "Yes, Mr. Clerk, record him as 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 56 'ayes' and 43 'nos', and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Curran."

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Speaker McPike: "Representative Curran. Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6 I don't think is very controversial. It's the elected Commerce Commission Amendment that you've all been waiting for. As you know in this state we have all been reeling from the activity of an appointed Commerce Commission for the last several months when they simply decided they were going add 15¢ to everybody's phone bill, and you had to pay it, and there was no...and there was no appeal. The appointed Commerce Commission has failed us time and again in this state. In the northern part of the state we have the highest rates in the nation, utility rates. With an elected Commerce Commission, I believe in Illinois will do is allow the citizens of this state to have some handle on the cost of utility bills which they will pay and on the..."

Speaker McPike: "Excuse me..."

Curran: "Yes."

Speaker McPike: "Excuse me, Mr. Curran. Representative Lang would like to take the Bill out of the record. So the Bill will be taken out of the record."

Curran: "Thank you."

Speaker McPike: "I'm sorry. Representative Deering would like to take the Bill out of the record. It's out of the record. State and Local Government, Third Reading. Appears House Bill 276, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 276, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill 276 as amended is now cited as the Product Liability Court Record Sealing Act. It is important to

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remember under Section 2 of the Bill, and I quote, 'This Act applies only to actions for personal injury or death arising out of product liability action.' As amended, House Bill 276 does not apply to court cases related to divorce. It does not apply to court cases related to adoption. It does not apply to court cases related to contracts. It does not apply to professional negligence, and in other words, it does not apply to court cases involving medical malpractice. It does not apply to court cases related to personal injury or to property damage. Under Section 10 of the Bill, no court order or opinions...or opinion issued in the adjudication of a product liability action may be sealed unless specifically authorized by law. Other court records and product liability actions are presumed to be open to the general public and may be sealed only upon a showing that the seal...sealing will not have a probable adverse effect on the health and safety of the general public. The...Section 15 of the Bill defines court records, 'all documents of any nature filed in connection with any product liability action before any court', and then it has two exceptions, documents filed with a court in camera solely for obtaining a rule on the discoverability of documents, documents in court files to which access is otherwise restricted by law, also, court records or settlement agreements in product liability actions. The amount of compensation may be kept confidential upon motion of a party with good cause. Also discovery in product liability actions not filed of record concerning matters in which any third party may have a legitimate interest, except, and this is an important exception, a trade act...trade secrets or other intangible property rights. The Bill also sets out procedures whereby a party seeking to seal a file or parts of a file may post

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public notice stating that a hearing will be held on a motion to seal. A court hearing would allow any interested person to participate concerning the motion held within 14 days of that posting of notice. Ladies and Gentlemen of the House, this Bill is very important for the public health and safety, and I think all of you have read about those cases involving product liability that if the courts held in secrecy would have a detrimental effect on the public. Let me cite one that is important to me in my district, and that is the matter of asbestos and asbestosis. For...for 45 years because of a court matter secrecy that was held in wraps because a...a...an agreement was made, a confidential settlement where an attorney had to refrain from being involved in other asbestosis lawsuits. Now there are other examples, Ladies and Gentlemen, but I will be available for questions. I would urge your vote in behalf of openness so that we can protect the public's health and safety. Thank you."

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

Klemm: "Well, thank you, Mr. Speaker. Sometimes probably when we look at Bills such as this we forget really what the impact is outside of maybe the lawyers who are fighting this case. We should maybe look at it to what it does in the real world of what we're talking about. Now in the course of pretrial discovery, particularly in product liability cases, I think, defendants are frequently are...are...have to disclose trade secrets, and it seems that the rules of the federal rules of civil procedure in corresponding states rules empower courts to show a good cause to expose or to reveal trade secrets, and when those good causes are not apparent, protective orders can be given to protect those trade secrets, and in my opinion, House Bill 276 really reverses that whole procedure. You know, trade

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secret, the owners of those have legitimate reasons why they must keep those. If...if...for example, a case were to be brought about of somebody who has an artificial sweetener and says that it causes brain cancer or brain damage, that manufacturer of that patented, if you will, registered trademark and everything else, has all the documents above the animal testing and everything else involved, and that information now becomes in the public domain, and rather than a pretrial agreement it would seem to me where the judge can determine whether, in fact, that is appropriate or not, as the case is now settled or determined in the current law, what this would do would allow competition to get in there, even on frivolous lawsuits, to find out what trade secrets are, and this certainly is not the intent of what we think of...of product liability cases, and when you look at the Bill, we would call product liability actions, and I really don't even know what that really means as yet under the interpretation under the Bill. I'm really nervous about what in the world this will do. As I can see it, it seems as if it certainly will allow lawyers to share trade secret information between themselves. It certainly will allow competitors who know nothing about what that product is and would like to find out to easily go through the courts and end up having trade secrets being supposedly put in the public domain. That's not right. That's not good business. That's not good public policy, and for those reasons and others, I think this is well-intended of trying to open up the procedures to show that the public is well protected has gone really too far in this issue, and I think all those who are responsible of trying to keep our products on the market and keep manufacturers and producers to...to have these new ideas and patents and trade secrets

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to be able to be theirs as...as the laws allow now that you would vote against this proposal."

Speaker McPike: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I think the argument is similar to the last contested Amendment. Do we want to take all of the ability away from the courts to judge whether a file should be closed or not? That's what we're doing here. Why don't we take over and hear all the cases here in the General Assembly? This is a matter of judgment for the courts. It should be left there. Those cases that are open and should be open, they have the opportunity to leave them open as public record. Those, which is to the benefit of the public to close, they should close. We should not interfere. We should vote 'no' on this Bill."

Speaker McPike: "Representative Matijeich to close."

Matijeich: "I appreciate your vote. In quick response to Representative Klemm, trade secrets are exempted under the Bill. Also, hearings on whether they...a matter should be sealed, can be closed on motion so all the documents can be...can be in secret until the judge has made a determination. So there are protections in the Bill. Ladies and Gentlemen of the House, protective orders and secret agreements protect wrongdoers and should be open to public scrutiny. I appreciate your vote. Let's get 'em rolling."

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

Preston: "Thank you, Mr. Speaker. I rise in support of this Bill. There...there are untold injuries and illnesses that could be compensated for and, in fact, avoided altogether if there was some publicity given to dangers that are

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inherent in some of the products that have been the subject of meaningful lawsuits. By being able to seal these records, in effect, what has taken place is the public has been prohibited from knowing about dangerous conditions that exist in products that are on the market, and therefore, people have been injured, both with the...with products like the Dalcon shield and other products where had there been a...a public notice and public information available, people would have been able to avoid injury. I...I urge your 'aye' vote."

Speaker McPike: "Representative Preston. I'm sorry, Representative Lang."

Lang: "What an insult, Mr. Speaker. Thank you, Mr. Speaker, an explanation of my vote. Others have talked about injury to the public. There are some other issues here that need to be discussed and the first is that, you know, the public has a right to open files. Court house...for instance, in the Circuit Court of Cook County there is thousands and thousands of files. They're open to the public. The court system's open to the public. The court rooms are open to the public. Why are we drawing a line and saying that now records have to be sealed and not open to the public? One of the premises upon which our legal system is based is the importance of open court proceedings, and I think if we fail to recognize that in this vote, I think we're making a mistake. Secondly, there's several protections in this Bill for people who feel they're aggrieved. This Bill is a dramatically scaled down version of the original. Many had complaints that the original version of this Bill went far too far and...and heaped much too much problem on manufacturers, et cetera. This Bill does not do that. This Bill's a scaled down version. There's protections. It requires a written court order, and a judge will

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determine whether the records will or won't be sealed. There's nothing automatic about this. We're leaving it to a judge and his or her discretion to make that decision, and that's an important distinction. Rethink your position on this and vote 'aye'."

Speaker McPike: "Representative Black."

Black: "Thank...thank you very much, Mr. Speaker. I...I wish we could have had a little more debate on the Bill, but...but the hour grows late. I...I just want everybody to vote their own switch. We will request..."

Speaker McPike: "Excuse me, Representative Black, but there was no one on the Republican aisle seeking recognition."

Black: "I'm sorry. I had two of my Members said that their...their lights were on...that their...wrong...we apologize. Thank you. Let me...let me just go on, Mr. Speaker, I...you know, given...given the Verdoilly Act decision and everything else, sometimes I wonder if the attorneys in this chamber should vote on an issue of this import. You know, I...I really think that maybe the trial lawyers who want this Bill when every other group I've heard from is opposed to it, maybe you people that are attorneys should not vote for this Bill given the Verdoilly Act...the case decision, but if you persist in that, fine. So be it, but vote your own switch. We will verify this to get the prerequisite number of votes."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. I, too, rise in support of this legislation because I believe with all of the different chemicals and all the different products on the market today, the public does have a right to know how this has affected other people. I'm very concerned when we have Legislators who think that this should be hidden from the public. I think

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the public does have a right to know, and I vote 'aye'."

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

Klemm: "My reason to arise is, my name was used in the closing debate of the Sponsor, and I'd like to respond."

Speaker McPike: "The Gentleman rises on a point of personal privilege. Proceed, Sir."

Klemm: "Thank you, Mr. Speaker. The reason I rise is because in closing the Representative had indicated that that this does not contain any provisions about trade secrets and really the fact is is that it applies for trade secrets in only a very limited, narrow aspect of the Bill. So really it does affect trade secrets, and, in fact, every single document that's going to be probably introduced is going to be debated on every single document and whether it should be introduced or not. Can you imagine what will happen in both pretrial and when product liability cases when every single thing has to be documented whether it's going to be entered in evidence or whether it's going to be secret, whether it can be protected or not? This is a ridiculous approach. This is a wrong Bill. Thank you."

Speaker McPike: "Have all voted? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I rise in opposition. Also, I want to explain my vote. What this Bill leaves intact, although there were many things taken out of it, what it leaves intact most importantly is a products liability case, a products liability case which has potential for a personal injury lawyer of untold fees. The law already is that court records can be sealed only for good cause. The judge has to make that decision. This Bill is not discretionary as it applies to product liability actions, it is a requirement, that in that case the court not be allowed to seal those records under any circumstances.

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That's what this Bill says as amended. It goes on to say that other cases may be sealed if good cause is...or...will be presumed to be public unless a lack of threat to safety or health is demonstrated. So this is not discretionary as to product liability actions, and it should not be voted on that premise. It is a change in the law which serves no public purpose that is not already embodied in the law. Courts' records cannot be sealed unless good cause is shown. They are presumed to be open under current law. There's no need for this based on a public policy of concern for health or safety."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Matijevecich to explain his vote."

Matijevecich: "Mr. Speaker, Ladies and Gentlemen of the House. Let me tell you that this is a...a matter of public importance. You know, we mentioned the asbestosis case. I...I had Manville Corporation in my district, and I saw people suffer for many years. I saw good friends of mine who suffered with asbestosis, didn't know for many years that all of the...this asbestosis was in their lungs for all that years and could not come out of their lungs. Let me tell you another personal matter. This one's tough for me. I had a young brother-in-law at 18 years old who lost his life in a Corvair for only one reason, because that was a defective car. That car at not a high speed, shimmied, and he lost his life. Many, many lost their lives in cars like that, in cars like the Pinto which was also held in secrecy for...for some time. The Pinto was finally taken off the market, but there were those who lost their lives. There are those who were injured severely. It is a matter of public interest, public importance, public health and safety that we allow these matters so that those who might

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suffer will not suffer, and if that's 60, you're all right because this does protect all of the people. Are the 60 here? Everybody was here when we started, but let...let me just continue briefly...let me continue briefly. You probably...you probably also have heard of the...the...the drug that had arthritic side effects. That, too, there were matters where there because of secrecy agreements that was not available to the public. Many of the public took this drug, Zomax, not realizing that it had these detrimental side effects. So what happened? Because of the secrecy agreement, the manufacturer was allowed to use up all of the drug that it had on its hand...on hand. It did...it wasn't interested in protecting the public. After it used up all of the drugs on hand, then, then it took that dangerous drug off the market, and...and we can go on with other cases. How about...how about the lawnmower? You...all of us know about the lawnmower, how dangerous. There are more people losing their toes than cutting grass. Now, one...one of our...one of our Members here...when I...well...well, one of our Members here when I was going around looking for votes on this Bill, he said that he had a personal friend whose child was killed in Schaumburg with the...who was killed with one of these folding tables, and all of us know that this does...cause lives to be lost. In the discovery on that case it was found that in...in other parts of the country six others lost their lives. So this can be a very dangerous thing, and we don't protect the public, if we allow these defective products to be protected by secrecy. We ought to allow them to be opened so that others are protected by it. Now those who say that...those who say this is a good Bill are right."

Speaker McPike: "Representative...Representative Lang on a point of personal privilege."

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Lang: "Thank you, Mr. Speaker. You know, last week on the floor of this House a freshman Member on the Democratic side of the aisle was attacked for having some sort of conflict of interest dealing with her husband, and we all...know that was a disgrace, and now today the lawyers on this floor on both sides of the aisle are being attacked just because this Bill has something to do with the court system and that is surely a disgrace. If everything we do on this floor is going to lead to an accusation of a conflict of interest, then let's not vote on...let's not have the farmers vote on ag Bills, and let's not have the insurance people vote on insurance Bills, and let's not have the pharmacists vote on pharmacy Bills, and let have...let's not have the teachers vote on education Bills, and let's have none of us vote on tax Bills because we all pay taxes. It's a disgrace. The comment was outrageous, and everybody in this General Assembly should be insulted at the allegation that there are lawyers on this floor or anybody on this floor who would not have the best interests of this state at heart when they vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 61 'ayes', 44 'nos'. Representative Black has asked for a verification. Representative Matijevich asks for a poll of those not voting."

Clerk O'Brien: "Poll of those not voting. Shirley Jones, McAfee, and Morrow."

Speaker McPike: "Proceed with a Poll of the Affirmative, Mr. Clerk."

Clerk O'Brien: "Balanoff. Brunsvold. Bugielski. Burke. Capparelli. Croin. Curran. Currie. Davis. Deering. DeJaegher. Dunn. Farley. Flowers. Giglio. Giorgi. Hannig. Harris. Hartke. Hicks. Jay Hoffman. Homer.

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Hultgren. Keane. Kirkland. Lang. Laurino. LeFlore.
Levin. Marinaro. Martinez. Matijevich. McGann.
McGuire. McPike. Mulcahey. Munizzi. Novak. Obrzut.
Persico. Phelan. Phelps. Preston. Rice. Richmond.
Saltsman. Satterthwaite. Schakowsky. Schoenberg. Shaw.
Steczo. Stepan. Stern. Trotter. Walsh. White.
Williams. Wolf. Anthony Young. Wyvetter Younge and Mr.
Speaker."

Speaker McPike: "Mr. Black, questions of the affirmative."

Black: "Yeah, thank you very much, Mr. Speaker. We have looked at the list repeatedly. I congratulate you on having all of your Members in the chambers. I have no questions."

Speaker McPike: "Thank you very much. Representative McAfee would like to be recorded as voting 'no'. Representative Morrow, did you wish to be recorded?"

Morrow: "Yes."

Speaker McPike: "Do you wish to be recorded 'aye'?"

Morrow: "No, wait a minute, wait a minute, wait a minute."

Speaker McPike: "How do you wish..."

Morrow: "Wait a minute, Mr. Speaker."

Speaker McPike: "Yes, Sir. How do you wish to be recorded, Sir?"

Morrow: "I want to explain my vote. Yes, before I make my decision on the vote since the Bill is passing I wanted to rise to just state that, you know, I've been here for five years and it seems like there's always a Bill that's real important to a lot of the people in this chambers, and it seems to me that the Bill that's the most important to the people in this chambers are not the Bill that's real important to the people of this state and especially of the 32nd District that I happen to come from. The Bill that we should be looking at and talking about and arms being pulled and twisted and phone calls that should be made, are not a Bill like House Bill 276. The Bill that we should be

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looking at is the Bill that we're going to be voting on at the end of June. The Bill that deals with all those budget cuts. \$51 million to...\$54 million in the REAPP program that goes to allow senior citizens to have some heat during the wintertime. That's the Bill we should be arguing about. The Bill that cuts the \$5 million from the parole agents. That's the Bill that we should be arguing about, not House Bill 276, because the people in my district don't give a damn about House Bill 276. No one in my district is going to benefit from this Bill, but yet I hear it's the most important Bill in this Session. I don't care if it's trial lawyers, big business, the business we should be down here taking care of is the business of the people. I thought we were elected by the business of the people. Not by the bankers, not by the trial lawyers, not by big bus..."

Speaker McPike: "Bring your remarks to a close, Sir."

Morrow: "Sooner or later the people of this state are going to get smart to us. We lost many colleagues last election because they forgot the business of their district, and I think we should have learned from that. I will vote 'aye' since this Bill has passed."

Speaker McPike: "The Gentleman votes 'aye'."

Morrow: "Wait a minute."

Speaker McPike: "On this Bill..."

Morrow: "I will vote 'aye', but, but heed my words, heed my words, heed my words. Many of you will not be here in two years because this was your most important Bill."

Speaker McPike: "On this Bill there are 62 'ayes' and 45 'nos'. House Bill 276, having received the Constitutional Majority, is hereby declared passed. House Bill 1776, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1776, a Bill for an Act to amend the

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Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1776 is known as the Illinois Labor Equity Act. It says that to prevent state and local governments, as well as school districts, from providing or transacting business with private sector employees which engage in specific strike-breaking practices. By this legislation we send the message to a small but increasing minority of employers that Illinois governments are not going to in effect underwrite this strike breaking behavior of this minority, and also by this legislation we may achieve important benefits to society without spending any taxpayers' dollars. This Bill has been amended once. The underlying Bill simply says that if you're a private employer and you engage in the hiring of permanent strike breakers, state government, local government and school districts cannot enter into contracts with you, cannot give you loans or grants, or provide assistance for you. That's the underlying Bill. The Amendment to that Bill also provides an exclusion that says that public employ...that in public employment, strike breakers...the hiring of permanent strike breakers is not allowed. What this Bill does is to provide balance in Illinois between employer and employee. I think that balance is extremely important. I think it builds moderation into the resulting negotiations between business and labor, between employer and employee, and that moderation from...from that moderation comes a more stable workforce, more productivity and more stable employment factor in communities so that companies don't enter into long strikes with very negative effects on the community because the company might happen to leave that community. This Bill is one of the most important Bills to

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Labor this year. I'm not suggesting to you that it is not controversial, but I am suggesting to you that it is needed in Illinois. I ask for a favorable vote, and I'll be glad to try to answer any questions."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this Bill does is try to replace the negotiating process because collective bargaining is out the window if this Bill passes, and this applies to anybody doing, doing business with the state. Employers basically rarely use replacement workers anyway, and in 1990 workers were used only in 17% of labor disputes. The cost of hiring and training replacement workers is...is punishment enough to ensure that employers use them only as a last resort. The second part of the Bill describes a list that the employer's name will be placed on a 'black list,' and what makes this Bill any different from black...from a black-listing Bill? I think it's bad precedent in Illinois to tell employers to tell people who are doing business with the state that we're going...we're going to enter into your labor contract and we're going to prevent you from doing what you may want to do. We're going to tell you how to run your business. We're going to tell you how to negotiate your collective bargaining agreement. It virtually destroys the collective bargaining process and starts with the State of Illinois. In addition to the cost factor, the Department of Labor says that it will cost \$75,000 just the first year alone, in a time when the State of Illinois can't pay \$660 million worth of its bills to health care providers. It's time that the General Assembly stop interfering in the collective bargaining process and stop taking a lead in this state in demanding from employers that they follow the standards set up by this

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General Assembly. It's bad precedent, and the Bill should be defeated."

Speaker McPike: "Representative Curran to close."

Curran: "Thank you, Mr. Speaker. The Gentleman was speaking about another Bill. This Bill does not say that you cannot hire replacement workers. That isn't what this Bill does. What this Bill says, for private employment, is that if you hire permanent strike breakers, that is if you fire the people, which you're not allowed to do, and hiring a permanent strike breaker is the equivalent of firing somebody, it says if you hire the permanent strike breaker, not the temporary strike breaker that the Gentleman is talking about; he's talking about another Bill. That's not this Bill, but if you hire a permanent strike breaker, then the State of Illinois or school boards or local governments shall not enter into contracts with you, shall not buy your securities, shall not issue bonds on your behalf, shall not give you loans or grants. That's what this Bill does. The Gentleman made a fine speech, but it was about some other Bill. This is about labor equity in Illinois. Thank you very much. I ask for an 'aye' vote."

Speaker McPike: "Mr. Clerk, read the Bill a third time."

Clerk O'Brien: "House Bill 1776, a Bill for an Act in relation to create the Illinois Labor Equity Act. Third Reading of the Bill."

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

McCracken: "Thank you, Mr. Speaker. To explain my vote, I rise in opposition. It is, it is not against the law to hire permanent replacements. President Reagan did it when he fired the traffic controllers during his term as president, an action overwhelmingly supported by the nation. It is

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not against the law to do that. This would change us from...from controlling federal labor law. We would penalize an employer who could properly invoke his rights under federal labor law by passing this Bill, and what an onerous penalty it will be. Not only the state but every unit, every local unit of government is also prohibited. That's justice, that's equity. I say it's neither. If you can act under federal law consistent with rights that we seek to penalize, that cannot be justice. You force the choice between compliance with federal law or living with your consequences in your own state. If you want to drive business away, vote for the Bill. If you want to get your workers and have them all lose their jobs because there's no employer, vote for the Bill."

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

Giorgi: "Mr. Speaker, this Bill will ensure that some employees that have given the best years of their life to a plant, some of them, many of them started with apprenticeship programs, coop courses out of high school, you'd end up...plant, and because of the exer...because of the exporting of jobs to foreign nations, these people are...are terrified at the thought of losing their job. So then they get into economic conditions where there's buy-outs, there's leveraged buy-outs, there's...the executives take and go with parachute exits, and these are employees are concerned about their employment because now in Illinois we've lost 500,000 manufacturing jobs in the last ten years. They're worried about their work. They have to go out on strike once in a while, and it isn't fair to the employee that's given the best of years of his life to a plant to be, to be replaced by a scab. That's what this Bill is all about. It's about management that doesn't care about the employees and today that recession is really

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a depression. No one will admit it, and it's going to get worse instead of better because the economic cornerstones of our marketplace is the automotive industry and today the big three are only manufacturing 55% of the jobs, so, 55% of the cars. I say that this is a very good Bill, long overdue."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 71 'ayes', 43 'nos'. House Bill 1776, having received the Constitutional Majority, is hereby declared passed. On the Supplemental Calendar, page 4. Is anyone have any Bills on the Supplemental on Third Reading that they wish to return to Second Reading for amendment? This Calendar will be this Calendar will be passed tomorrow. Representative, Representative Monique Davis, what is your Bill?"

Davis: "Thank you, Mr. Speaker. It's House Bill 1615 we'd like to have brought back to Second Reading."

Speaker McPike: "House Bill 1615 on the Supplemental Calendar?"

Davis: "Yes. Yes, Sir. Oh, no, I'm sorry, it's on the..."

Speaker McPike: "No, we're just doing the Supplemental. Representative Dunn. Mr. Dunn, House Bill 1390. The Gentleman have leave to return it to Second Reading? No objection, leave is granted. The Bill is on Second Reading. House Bill 1390, Mr. Clerk. Are there any Amendments?"

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

Speaker McPike: "Are there any Amendments, Mr. Clerk? Amendment #1, Representative Shaw."

Shaw: "Withdraw Amendment #1."

Speaker McPike: "The Gentleman withdraws Amendment #1."

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

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Speaker McPike: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is an Amendment that would create...would set up the mechanism where that the Auditor General would be required to take the census for the State of Illinois and this arises out of the fact of the undercount that was reported by the National Census Bureau and, I believe that we in Illinois here should set up this type of mechanism where the, we could get a count and certainly we would be in a better position to inform the Census Bureau what the count in Illinois was, and in the year 2001, and I'm asking for the adoption of this Amendment."

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

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

Speaker McPike: "Yes."

Wennlund: "Representative Shaw, does this duplicate the efforts of the U.S. Census Bureau which conducts the census every decennial?"

Shaw: "I beg your pardon."

Wennlund: "So that under the terms of your Amendment would both the U.S. Bureau of Census and the Auditor General of Illinois be conducting a census of this state?"

Shaw: "Yes, and this is not without precedent. If you go back to the original Constitution of this state in 1818 up until 1848, we used to conduct that all the time on a regular basis every five years."

Wennlund: "And what would this cost the people..."

Shaw: "This will not circumvent the Federal Constitution. As you know, we cannot, this Body cannot circumvent the Federal Constitution. Certainly they have priority in this matter, but certainly we should be informed enough in this state and progressive enough to count our own people."

Wennlund: "And...and what will this cost the taxpayers of

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Illinois to conduct the census, and it duplicates the federal census every ten years?"

Shaw: "There's no fiscal impact until the year 2000."

Wennlund: "And what will it cost in the year 2000?"

Shaw: "Well...well...I'm not prepared to tell you what the cost is in the year 2000. If it took place today, we'd have some figures here somewhere between...to use information that we already have, it would cost somewhere between \$100,000 and \$200,000."

Wennlund: "And, if...if...the census disagrees with the federal census, what happens at that point in time?"

Shaw: "Well, certainly being a lawyer you know that that would give you a basis to go in and argue with the census people and to make your case and point out how we have obtained our data in order to change theirs."

Wennlund: "Would...would...would the agencies involved in the State of Illinois have to hire additional people to go around and conduct this census for a year?"

Shaw: "We, we would just be using their database material to accomplish our objective here."

Wennlund: "So...this Bill...this Amendment does not...does not call for a special, separate sentence, census by the State of Illinois?"

Shaw: "Yes...yes...yes it does, and in cooperation with all state departments."

Wennlund: "Okay. Thank you. To the Amendment. Ladies and Gentlemen of the House, I think this would be a first in all 50 states that would be conducting its own special census every ten years to duplicate the efforts of the U.S. Census Bureau which is the ultimate decision on reapportionment. I don't think the people of Illinois should be saddled with the expense, which is a duplicate expense, of conducting their own special census every ten

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years. It's a bad Amendment, and I would question the Chair as to whether or not this Amendment is germane."

Speaker McPike: "Mr. Wennlund, yes. The Amendment is germane."

Wennlund: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Mr. Shaw, there's been a request for a fiscal note. The Bill stays on Second Reading. Pardon? Representative Shaw, did you hear the Chair? Mr. Shaw. Yes."

Shaw: "I have it right here."

Speaker McPike: "Oh, would you file it, please? Mr. Clerk, is the fiscal note filed?"

Clerk O'Brien: "The fiscal note's filed."

Speaker McPike: "Third Reading. Representative Black."

Black: "An inquiry of the Chair, Mr. Speaker."

Speaker McPike: "Yes."

Black: "As, as this Bill is now amended, what procedures might we inquire as to the Chair as to how we can now take it off the Agreed Bill list?"

Speaker McPike: "I...I think that Representative Daniels can knock any Bill off the Agreed list that he wishes to knock off."

Black: "Thank you very much."

Speaker McPike: "Page 41 of the Calendar. Wait a minute, Mr. Clerk. Wait a minute, Mr. Clerk. Back on the Supplemental Calendar. On Supplemental Calendar, Representative McAuliffe, House Bill 811. The Gentleman asks leave to return it to Second Reading. Does the Gentleman have leave? Leave is granted. Mr. Clerk, the Bill's on Second

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Reading. Are there any Amendments?"

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

Speaker McPike: "Mr. McAuliffe."

McAuliffe: "Thank you, Mr. Speaker. Floor Amendment #1 changes three words. It adds 'to make campaign contributions' to the Bill. That's all it does."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Page 41 of the Calendar. Yes, page 40 of the Calendar, Consent Calendar, Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1695, a Bill for an Act to create the Farm Family Assistance Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Page 41 of the Calendar under Speaker's Table appears House Resolution 138, Representative Flowers. Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. House Resolution 138 is my commemorative statue to farmers of the State of Illinois, and I would just urge for its adoption and its passage of House Resolution 138."

Speaker McPike: "Is there any discussion? Being none, the question is, 'Shall House Resolution 138 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Resolution is adopted. Alright, returning to Municipal, County and Conservation Law, appears House Bill...on Second Reading appears House Bill 1173. Mr.

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Clerk, read the Bill."

Clerk O'Brien: "House Bill 1173, a Bill for an Act to create the Wastewater Treatment Plan...Plant Act. This Bill's been read a second time previously. Amendments #1, 2 and 3 were adopted. Floor Amendment #4, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I had explained Amendment #4 when we took it out of the record. Briefly, this concerns the hiring of a chief attorney by the Metropolitan Water Reclamation District. As I explained earlier, this is the only elected body where some person who is not an elected official makes a decision as to who the chief attorney should be. The Act currently says that a general superintendent is going to choose the attorney and that the chief attorney is under that person's supervision and control. That shouldn't be the way it is. In every other elected body the elected people make those decisions, and the chief attorney is under the supervision of the elected body. I ask your 'aye' vote."

Speaker McPike: "Representative Wennlund."

Wennlund: "A question of the Sponsor."

Speaker McPike: "Yes."

Wennlund: "Does the Amendment become the Bill?"

Lang: "The Amendment...no, the Amendment does not gut the Bill."

Wennlund: "It...what's...what's left? It's a pretty comprehensive Amendment. What's left from the original Bill? It appears to gut the Bill. Doesn't it?"

Lang: "I don't see where this deletes anything prior to Amendment #4 in the Bill."

Wennlund: "Okay, thank you very much. We think it's a good Amendment and should pass."

Lang: "Thank you."

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Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Agreed Resolutions."

Clerk O'Brien: "House Resolution 437, offered by Representative Bernard Pedersen; 445, McPike; 446, Black; 447, Bob Olson; 448, Keane; 449, Woolard; 451, Giglio; 452 Noland; 453, Shirley Jones; 454 through 476, Balanoff; 467..."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, these are all congratulatory. I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolutions are adopted. We'll be in at 10:00 a.m. tomorrow. General Resolutions."

Clerk O'Brien: "House Resolution 450, offered by Representative Mautino, and House Joint Resolution 42, offered by Representative Stepan."

Speaker McPike: "Committee on Assignment. Representative Matijevich now moves that the House stand Adjourned until tomorrow at 10:00 a.m., allowing the Clerk Perfunctory time for Introduction and First Reading of Bills. All in favor of the Gentleman's Motion say 'aye', opposed 'no'. The 'ayes' have it, and the House stands Adjourned until tomorrow at the hour of 10:00 a.m. First Special Session is now, will now come to order. Roll Call for the Regular Session will be used as the Attendance Roll Call for the First Special Session. Representative Matijevich now moves that the First Special Session stands Adjourned until tomorrow at the hour of 10:05 a.m. All in favor say 'aye', opposed 'no'. The 'ayes' have it, and the House stands

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Adjourned."

Clerk O'Brien: "The House Perfunctory Session, Introduction and First Reading of Bills. House Bill 2646, offered by Representative Cronin, a Bill for an Act concerning county auditors amending named Acts. First Reading of the Bill. There being no further business, the House now stands Adjourned.

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