

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

48th Legislative Day

May 10, 1991

Speaker Keane: "The House will come to order. Members be in your seats. The Chaplain for today is Pastor William C. Schroeder of the Trinity Evangelical Lutheran Church in Springfield. Pastor Schroeder is a guest of Representative Doederlein. Our guests in the gallery may wish to rise for the invocation."

Pastor William Schroeder: "Let us pray. Dear God, Heavenly Father, you are the Lord of all the worlds. To be a lawmaker is an awesome task. Thus we ask that You grant to each person here a rich measure of Your mind and Your heart. Your mind so that they may legislate with full wisdom, correctly perceiving what is true and what is right. Your heart, so that each law they pass will be saturated with mercy, Your heart so that their laws will not be voted upon for mere political expediency, but rather so that each law will be just and right, full of compassion, an honest attempt to be fair to all involved. Oh, Lord, as more and more demands are made on ever decreasing resources, we ask that these leaders truly be leaders, examples to all of us of selfless giving and dedicated service, for our greatest resource is people who are ready to reach out and give a neighbor a helping hand. We lift up each person here, grant to each a sense of calling, a sense of purpose and mission. Give them all that they need physically, mentally, and spiritually to carry out their tasks with faithfulness and full integrity. We pray Your blessing upon their homes; may they be havens from the pressures of the world, places where they can relax, share love and be renewed in the ideals which first caused them to step forward to serve. Protect them and their families from the destructive attacks of the evil in the world. Give them that spiritual foundation which is

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not only able to resist the evil, but also able to overcome it with all that is right and good. Together we join our hearts and beseeching Your mercy for the Kurds in Iraq and the people of Bangladesh. We ask that You would cause a worldwide outpouring of compassion and aid to these people. We ask that You would preserve our Union, in a way that it will continue to be an example to the world for democracy and for the spirit of neighbor helping neighbor, regardless of race, creed or social condition. We pray Your blessing upon President Bush, Governor Edgar and all our federal, state and local authorities. We ask that You continue to bless us, and that we be of that heart and that mind which continues to reach out and bless others. As we just celebrated Jesus' Ascension to Your right hand, we ask that the world may know that He now rules heaven and earth for the sake of distributing Your forgiveness and life to all peoples. May they all know You as the compassionate and forgiving God, through Jesus Christ your Son, our Lord, who lives and rules with You and the Holy Spirit, ever one God, for ever and ever. Amen."

Speaker Keane: "We'll 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 Keane: "Roll Call for Attendance. Representative Matijevich for excused absences."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, let the record reflect the excused absence of Monroe Flinn due to his injuries and Representative Granberg and McNamara on official business."

Speaker Keane: "Representative Kubik, excused absences?"

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Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Representative Barnes is excused today due to the illness."

Speaker Keane: "114 Members voting 'present', a quorum is present. Mr. Clerk, take the record. Mr. Clerk, would you read the Bills on House Supplemental Calendar, the Agreed Bill list for a third time?"

Clerk O'Brien: "Supplemental Calendar #1, Agreed Bill list. House Bill 3, a Bill for an Act to amend the Wrongs to Children Act. Third Reading of the Bill. House Bill 97, a Bill for an Act to Amend the School Code. Third Reading of the Bill. House Bill 240, a Bill for an Act in relation to Midwestern higher education compact. Third Reading of the Bill. House Bill 431, a Bill for an Act to amend the Uniform Commercial Code. Third Reading of the Bill. House Bill 434, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 466, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 475, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 526, a Bill for an Act in relation to the use of private funds for public purposes. Third Reading of the Bill. House Bill 601, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 605, a Bill for an Act relating to school districts. Third Reading of the Bill. House Bill 743, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. House Bill 751, a Bill for an Act relating to community based family services. Third Reading of the Bill. House Bill 786, a Bill for an Act to amend the Privacy of Child Victims of Criminal Sexual Offense Act. Third Reading of the Bill. House Bill 811, a Bill for an Act concerning political rights. Third Reading of the Bill. House Bill 840, a Bill for an Act to

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amend the Criminal Code. Third Reading of the Bill. House Bill 843, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 878, a Bill for an Act to amend the Jury Act. Third Reading of the Bill. House Bill 919, a Bill for an Act to amend the Human Rights Act. Third Reading of the Bill. House Bill 1040, a Bill for an Act in relation to licensed physical therapists. Third Reading of the Bill. House Bill 1053, a Bill for an Act to amend the Probate Act. Third Reading of the Bill. House Bill 1108, a Bill for an Act to amend an Act to authorize State's Attorneys to appoint investigators. Third Reading of the Bill. House Bill 1139, a Bill for an Act to amend the Infant Mortality Reduction Act. Third Reading of the Bill. House Bill 1228, a Bill for an Act to amend the Vehicle Code. Third Reading of the Bill. House Bill 1249, a Bill for an Act to amend the Board of Higher Education Act. Third Reading of the Bill. House Bill 1285, a Bill for an Act to amend an Act concerning advocacy for minors. Third Reading of the Bill. House Bill 1303, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill. House Bill 1540, a Bill for an Act to amend the Title Insurance Act. Third Reading of the Bill. House Bill 1461, a Bill for an Act to amend the Crippled Children Service Act. Third Reading of the Bill. House Bill 1463, a Bill for an Act to amend an Act concerning confidentiality of the location of the parents of school children. Third Reading of the Bill. House Bill 1481, a Bill for an Act to amend the Illinois Dental Practice Act. Third Reading of the Bill. House Bill 1483, a Bill for an Act to amend the Illinois Architecture Practice Act. Third Reading of the Bill. House Bill 1573, a Bill for an Act to amend the Board of Higher Education Act. Third Reading of the Bill. House Bill 1594, a Bill for an Act to amend the

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Illinois Dental Practice Act. Third Reading of the Bill. House Bill 1609, a Bill for an Act to amend the Illinois Domestic Violence Act. Third Reading of the Bill. House Bill 1629, a Bill for an Act concerning children. Third Reading of the Bill. House Bill 1688, a Bill for an Act to amend the Carnival Amusement Rides Act. Third Reading of the Bill. House Bill 1951, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. House Bill 1955, a Bill for an Act in relation to antibiotic (sic anabolic) steroids. Third Reading of the Bill. House Bill 2005, a Bill for an Act to amend the Adoption Act. Third Reading of the Bill. House Bill 2013, a Bill for an Act to amend an Act concerning abandonment and adoption of babies. Third Reading of the Bill. House Bill 2106, a Bill for an Act to amend the Illinois Securities Law. Third Reading of the Bill. House Bill 2201, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2206, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill. House Bill 2208, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 2211, a Bill for an Act to amend the Mechanic's Lien Act. Third Reading of the Bill. House Bill 2240, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill. House Bill 2281, a Bill for an Act to amend an Act concerning the special education of certain students. Third Reading of the Bill. House Bill 2307, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 2314, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill. House Bill 2358, a Bill for an Act to amend the Trust and Trustees Act. Third Reading of the Bill. House Bill 2410, a Bill for an Act to amend the

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Corporate Judiciary Act. Third Reading of the Bill. House Bill 2423, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2468, a Bill for an Act to amend the Children and Family Services Act. Third Reading of the Bill. House Bill 2578, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. House Bill 2605, a Bill for an Act to amend the Adoption Act. Third reading of the Bill.

Speaker Keane: "The...what we're going to do on this Roll Call is vote for all the Bills. If you wish to vote differently than 'aye' on any of the Bills, come up to the Clerk's desk and file an objection, a Consent Calendar objection to that Bill or number of Bills, and you will be removed as an 'aye' vote from the...from that Bill. Once again, let me run through that procedure, especially for the new Members. If you do not wish to vote 'aye' on all of the Bills on the Consent Calendar, come up to the well and receive one of these forms from the Clerk and fill in the, on that form the vote, the Bill or Bills that you do not wish to be recorded 'aye' on. Alright, so right now the question is, 'Shall these Bills pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Take the record. On these Bills...The Roll Call will be announced after the tabulation of all of the votes. Again, if you want to be voted other than 'aye' on any of these Bills, come up to the well and get one of these yellow forms. We will begin by, with Second Readings. On State and Local at the top of the day's Special Order Calendar, House Bill 17, Representative Lang. Out of the record. Representative Giglio in the Chair."

Speaker Giglio: "State and Local Government, Second Reading. Representative Wolf, 391. Out of the record. LeFlore, 495, Bob LeFlore? Representative LeFlore? Second Reading,

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State and Local Government, 495. Do you wish to proceed with that? Read the Bill, Mr. Speaker...Mr. Clerk."

Clerk O'Brien: "House Bill 495, a Bill for an Act concerning respirator care. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "The Gentleman from Cook, Representative LeFlore, on Amendment #3."

LeFlore: "Thank you, Mr. Speaker. Amendment #3 is an Amendment that was agreed on with the respiratory therapies and the nurses, and it just make (sic makes) a technical change. I would like for that Amendment to be adopted."

Speaker Giglio: "Any discussion on the Gentleman's Motion? Hearing none, excuse me, the Gentleman from Vermilion, Representative Black. Amendment #3."

Black: "I didn't know if we had the Amendment, but it's here."

Speaker Giglio: "It's been distributed, yes. Okay, any other discussion? 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 O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Brunsvold. Representative Brunsvold in the chamber? Representative Marinaro, 1538. Out of the record. Representative Lou Jones. Lou Jones. Representative Morrow. Representative Morrow in the chamber? Out of the record. Representative Keane, House Bill 1715. Representative Keane. Out of the record. Representative Bugielski, 2040. Mr. Clerk, read

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the Bill."

Clerk O'Brien: "House Bill 2040, a Bill for an Act to amend the Illinois Public Aid Code. This Bill has been read a Second time previously. Amendment #1 was adopted."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman asks leave for immediate consideration on House Bill 2040. Does the Gentleman have leave? Leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "House Bill 2040, a Bill for an Act to amend the Illinois Public Aid Code, Third Reading of the Bill."

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

Bugielski: "Thank you, Mr. Speaker, Members of the House. This Bill began as a technical change vehicle for the long-term care community. The Amendment that was added this week was put on to keep the Bill alive for us later on when our nursing homes negotiate the payment of over \$200 million on the old Bill, and this is something that we are going to send to the Senate. It also...this legislation has...what we're trying to do is when they sit down for negotiations, since no rates have been set, that it's just that we're asking that when we sit down with the negotiations with the department, that we can agree to what has been deemed fair by the Governor's Office and the department to pay the nursing homes, and I ask for your 'aye' vote."

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

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. It's designed to help replace the gap that currently exists in Medicaid



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funding for those in nursing homes and the elderly in Illinois, because there's currently a gap of about \$38 a day. Hopefully, we will be able to maintain at least the 1990 levels. It will keep the door open for negotiations, and I ask for a favorable vote."

Speaker Giglio: "Representative Bugielski to close."

Bugielski: "Thank you, Mr. Speaker. I just ask you, we heard the debate, and I just ask for a favorable Roll Call."

Speaker Giglio: "Question is, 'Shall House Bill 2040 pass?' All those in favor signify by voting 'aye', opposed 'nay', the voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 112 voting 'yes', none voting 'no', and House Bill 2040, having received the required Constitutional Majority is hereby declared passed. Representative McAfee, for what purpose do you rise?"

McAfee: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just would like to rise and introduce to you some of the distinguished band members from Conratti Junior High School in my district, and they're in the upper gallery wearing those black and yellow T-shirts. They'll be down in the rotunda playing also. Like a round of applause, please. Thank you, Mr. Speaker."

Speaker Giglio: "You're welcome. Alright on, Representative Morrow on 1645." Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1645, a Bill for an Act to amend the Facilities Requiring Smoke Detectors Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Gentleman from Vermilion, Representative Black."

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Black: "Yeah, thank you very much, Mr. Speaker. The Sponsor has an Amendment that's much better than mine, withdraw this one."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Representative Morrow on Amendment #2."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What Floor Amendment #2 does to House Bill 1645, it would exempt day care homes, group day care homes and foster family homes from the Bill. This was an Amendment that was brought to me by Representative Curran and Representative Black, and I move that we adopt Amendment #2 to House Bill 1645."

Speaker Giglio: "Any discussion? 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 O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Keane, House Bill 1715. Do you wish to proceed? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1715, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments and no Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 1947, Representative Keane."

Keane: "An inquiry of the Clerk. Has a fiscal note been filed on 1947?"

Clerk O'Brien: "Fiscal note is not filed."

Speaker Giglio: "Out of the record. Representative Trotter on House Bill 2186. Representative Trotter in the chamber? House Bill 2186, Representative Trotter? Out of the

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record. Alright, on the Order of Labor, Second Reading, appears House Bill 824, Representative Mautino. Representative Mautino in the chamber? 824? Out of the record. Alright, continuing on that Order under Labor, Third Reading, appears House Bill 589, Representative Curran. Third Reading, Labor. 585. 589. Out of the record. Representative Rotello, 595. Do you wish to have that Bill called? It's on Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 595, a Bill for an Act in relation to employer provided health care benefits. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Winnebago, Representative Rotello."

Rotello: "Thank you, Mr. Speaker. I'd ask waive to move this back to Second Reading for purposes of Amendments."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave? Representative Wennlund. Representative Rotello."

Rotello: "Amendment #1, Sir, will be a leave to Representative Lang."

Speaker Giglio: "The Bill's on Third Reading, Representative Rotello."

Rotello: "Leave to move back."

Speaker Giglio: "No, there has been a objection by Representative Wennlund to move it back."

Rotello: "I make a Motion to move it back to Second Reading, then."

Speaker Giglio: "Gentleman asks leave to move the...bring House Bill 595 back to the Order of Second Reading, and there's been objection, so all those to suspend the appropriate rule to bring it back, all those in favor of bringing it back vote 'aye', opposed 'nay'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 66 voting 'yes', and 43 voting 'no', and the Motion carries. The Bill's now on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 595, this Bill's been read a second time previously. Floor Amendment #2, offered by Representative Lang."

Speaker Giglio: "Representative Lang."

Lang: "Withdraw."

Speaker Giglio: "Withdraw Amendment #2. Are there further Amendments?"

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

Speaker Giglio: "Representative Lang on Amendment #3."

Lang: "Thank you, Mr. Speaker. Amendment #3 is a fairly simple Amendment. It deals with the subject of health insurance. Many of my constituents receive notices many times throughout the year about increases in their health insurance premium. Amendment #3 would allow no more than one health insurance premium in each 6 month period. I've had many constituents come to me and say every 2 months, or every 3 months they're receiving an increase in their health insurance. This would alleviate that problem. This Amendment in no way, in no way attempts to control premiums or tell insurance companies how much they may charge, or what their premium should be. It simply is a method to allow your constituents and mine to budget for their health insurance. We know it's a major dollar expenditure for our constituents; we know it costs a lot of money to pay for health insurance. The purpose of this is to allow our people, particularly our senior citizens who are on fixed incomes, to at least budget for a 6 month period for their

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health insurance. If the health insurance carrier wishes to raise the premium after 6 months to any figure they wish, there's nothing in the Bill to prohibit them from doing that. This is merely a way to help our people budget for health insurance, and I would ask for your support."

Speaker Giglio: "Any discussion on the Gentleman's Motion? On that, the Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker. On the face of this Amendment, it sounds almost reasonable, but quite frankly, what we have here is that it is again government telling free enterprise, telling business, how they can operate in this state. I don't know how much longer we can keep thinking that we have all the answers in government. Quite frankly, people have the opportunity to shop. They have competition. If they feel that there is something unfair, they have the ability to seek out another insurance company, and quite frankly, this is a frivolous Bill, and a frivolous Amendment, and I would ask this Body to not support this legislation, and keep this Amendment off this Bill."

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

Pedersen, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have considered this legislation a number of times in the last few years. It's just another attempt to micromanage the private sector. More government, more interference, and true this, what it would really do, is cause the insurance companies to increase the premiums quicker. So instead of gettin' the, a later notice of additional premium, they'd get it on the earlier side. Every little governmental action has its ripple effect. This would be detrimental; it would hurt the people that we're trying to help. I urge a 'no' vote."

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Speaker Giglio: "Gentleman from McHenry, Representative Klemm."

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

Speaker Giglio: "He indicates he will."

Klemm: "Representative Lang, I guess I look at it from a different perspective, maybe as the previous speakers but, this, you said, would not restrict the insurance companies from raising premiums to whatever level they want, but they could only do it once every six months? Would that be correct?"

Lang: "Frankly, I can't hear you, Representative. Mr. Speaker, could we quiet it down in here just a little bit?"

Klemm: "My question is, apparently the Amendment would allow insurance companies to raise their premiums to any level they wish, as long as they only do it once every six months. Is that correct?"

Lang: "That's correct."

Klemm: "Some time ago, we had some price controls put on during some periods of our economy in the United States. I think Nixon or somebody was president at that time, and what I found in the business world is that all my suppliers started to raise their prices above what they really needed because they didn't know what the future would hold for them. So what I'm fearful about your Amendment, as well intended as it is, and I certainly have no problems with it, but I'm wondering if in the real world, I'm going to be an insurance company, and I'm going to say that I don't know what health care costs will be, because I'm not of (sic in) control of that. I'm an insurance carrier. I don't know what hospitals and doctors or legislative changes could do for my costing, and I'm wondering if in fact, if I were there to establish premiums, wouldn't I say that I can't lose money, that's not what I'm in the business for, wouldn't I then end up inflating some costs

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to all those people that have my policies, just so that I could cover myself in case increases were to come down the road?"

Lang: "I think it's a good question. My view is that most insurance companies have substantial amounts of reserves, and so when they set their premiums, they could probably sustain a one or two, six month period after we pass this Bill, whereby maybe their figures would be slightly out of whack, but shortly thereafter, after the adjustments were made, with all of the people insurance companies hire to study the future of health care costs, their actuaries, everybody else, it seems to me that after a 1 or 2, 1 or 2 times where these insurance premiums were adjusted, it seems to me they'd be able to put them in line and able to control the costs properly."

Klemm: "Well, if they could do what you said, then they would do it, but you're suggesting that they're raising premiums more than twice a year, so apparently that's not happening again in the real world, even though you would like to see that happen. It's not doing it, and they could do that now. The other point that I have some concern, Mr. Speaker and Ladies and Gentlemen of the House, is what the Sponsor had said that we have the reserves and we can use those reserves that really are supposed to cover the health premiums, the catastrophies, the financial pinning up of a program so that if, in fact, we have a number of say brain tumor cancers that cost tremendous amount of dollars that reserve is there for the insurance company to meet its financial, medical obligations. Now, if, in fact, we're going to start taking that money away for premiums and adjustments, I don't know if that's really what is in the best interest of the health consumer, and as well as I think the Amendment is trying to address a problem, I'm

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wondering if in reality it's going to cause more serious problems by raising premiums unnecessarily for six months that my seniors and poor people are ill afford, can ill afford to have that happen, and so for that reason, I really feel a cautious vote would be required on this Amendment, and probably a 'present' vote would even be better."

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

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

Speaker Giglio: "Indicates he will."

Regan: "Representative, this does ring a familiar bell. This was heard in committee last year, in the Insurance Committee?"

Lang: "That's correct."

Regan: "It wasn't heard this year in the Insurance Committee, though."

Lang: "That's also correct."

Regan: "So it was defeated a year ago, and it wasn't called this year, and now you want to do this as an Amendment. To the Bill, this was soundly defeated in the Insurance Committee, and the reasoning being many. First of all, health insurance costs do not go up once every six months. Health insurance costs soar throughout the year, far and far above inflationary costs. We're working on trying to hold those figures down, it seems almost impossible. New techniques, new equipment, hospitals replacing old equipment, that goes on every day, not once every six months. Insurance companies must adjust premiums as they see fit, or they go out of the health insurance business completely. Number two. Individual health insurance is issued as a class of policies, and that class has a number on it. That class of policies that cannot raise rates for an individual in that class, because he or she has had illnesses and a lot of



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expenses. If you have to raise rates, you have to raise it for the whole class, and that can be done only to the whole class. You may buy, purchase a policy in a new class of health insurance, and two months later the whole class has to have their rates increased. Now it may be unfortunate for the person who just purchased it, but it's in the whole class when the rates go up. I'd urge a 'no' vote."

Speaker Giglio: "Further discussion? The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, it's always nice to refresh the memory of the two insurance men on the floor of the House, Parke and Regan, of the time we passed a workmen's comp Bill down here, and we're told we're tampering with the insurance-rate setting laws, we find out that they gouge us so bad, they went into court and proved that the insurance companies charge over a billion dollars in premiums, a billion dollars more than was necessary to run workmen's comp. A billion dollars. The judge ruled they had to pay that back over a period of 5 years. A billion dollars. Can you imagine that? You honest working guys."

Speaker Giglio: "Further discussion? Representative Lang to close."

Lang: "Thank you, Mr. Speaker. You know, it just breaks my heart to hear people talking about what poor shape the insurance companies are in. It's really sad when such an industry has so much trouble making ends meet. Seriously, this Bill has nothing to do with hurting insurance companies, has nothing to do with setting their rates, has very little to do with government regulation, it has to do with what your constituents need to do on a yearly basis, or monthly basis when they pay their bills. Nobody's saying the insurance companies can't recover their costs. All we're saying is let's let our people know what their health insurance

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premium's going to be on a six-month basis. I didn't say yearly, I didn't say every two years, simply every six months. I don't think that's fair. I ask for your 'aye' vote."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye'...Representative Parke."

Parke: "Yes. Mr. Speaker, I rise in a point of personal privilege. My name was used in debate. What was that?"

Speaker Giglio: "Well, we're not on that...on a Roll Call or something you can speak on...we're taking a vote."

Parke: "We would like a vote."

Speaker Giglio: "All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Roll Call. All those in favor vote 'aye'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Lang."

Speaker Giglio: "Representative Parke."

Parke: "Yes, I would very much like the Chair to grant certain courtesies that everybody and every Member of this Body deserves. I asked for recognition, and I deserve it as a Member of this House. Now, my name was used in debate, and I would simply like to point out, that when you're going to use a negative, and use my name in the negative, that I think that's uncalled for. Thank you."

Speaker Giglio: "Are there further Amendments, Mr. Clerk?"

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

Speaker Giglio: "Representative Lang, on Amendment #4."

Lang: "Thank you, Mr. Speaker. House Amendment #4 is a provision that we talked about before on the House floor, and answering some questions in advance, yes, it was defeated

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in committee on more than one occasion, but we've also tacked it onto Bills on the House floor as an Amendment on more than one occasion. This Amendment talks about policy simplification. The Amendment says two things: It first says that the director of insurance is to create rules and regulations for determination as to whether a policy is in the kind of form that people can read and understand. The Bill goes on, the Amendment goes on to talk about the provisions that would allow anybody to read their insurance policy and know what it says. I know I talked to my constituents, and, in fact, I talked to some clients who come to me, and they don't know what their insurance policies say. They don't know how to make a claim, they don't know their policy limits, they don't know what they're covered for, and it seems to me that we owe them at least the simple courtesy, in this General Assembly, of making sure that those of our constituents that have insurance, and they all do to some extent, can read and understand their policy. Some of the responses to this have been in the past, well, they have an insurance agent who can read them their policy and tell them what it says. Well, that may be, but when we sign a contract as individuals, we want to know what it says. Insurance policies are written in legalese, they're written in language that the people can't understand, they don't know what to do to make a claim. It should be a simple procedure; it should be a document that they can read and understand, and fill out a claim form without hiring a lawyer, which I'm sure will please some of you, without having necessarily to go to your insurance agent. It's a very important measure so that people can deal with their own financial lives and their own financial futures, without going to anybody else. To those that say that

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there's certain minimum requirements that need to be on an insurance policy, and some of those need to be in legalese, I say that's not true because I know that in the practice of law, many of us specifically write contracts for clients without legalese. A contract can be written without legalese, a contract can be written so that people can understand what it means, what it says, and what its intention is, and we owe it to our constituents to make sure they understand their insurance policies. I ask your support."

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm confused. On one hand, we have the Sponsor of this Amendment saying that we shouldn't have...we should have it so it's readable so people can understand it, and the other hand one must remember that this happens to be a legal document, a promise of some sort to the consumer, this person who has taken time, in good faith to buy a product. That contract is a document that must be able to be held up in court. It is very interesting, isn't it, that here on one hand we are asking for something to be readable, but on the other hand because it's a legal document and can be litigated in court, because certain things are not in that legal document, will make the insurance company or that individual win or lose certain things that will require litigation. Now, it just seems to me that this creates more jobs for lawyers, and, in fact, that's what this Amendment's going to do. It's going to make it so simple that people are going to say well, it never said this in this legal document, and therefore I'm going to court. So it has the opposite effect of my colleague, and I think he's confused. He continues to

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offer this. We continue to beat this idea because it just does not have valid, it must be a legal document and must be legal, and it must be something that is easy enough to read. I may also point out respectfully to everybody here that we're talking about the needs of consumers. Do you know how many of these policies are written on a standard form, literally every insurance type of policy is a legal document that has certain forms that are in it. You are going to now require all of the insurance industry those thousands of documents to rewrite those forms, which will cost hundreds of thousands of dollars that will be passed on to you and to me and the people that you represent in your districts. This is counterproductive, and it is not necessary, and I would ask that this Body do not approve this. In addition, Mr. Speaker, I would ask for a Roll Call on this Amendment."

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

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor is correct. We sure have seen this Bill a lot of times in committee, on Amendments, on the floor, for several years, and it's just another IPAC Bill to satisfy their itch to micromanage the world. It's no question that whenever you write a contract, and there's a phrase or something in that contract about which the person presenting the claim and the insurance company disagree, it ends up in court. Every time you change the language, and there's a question, you end up in court. You can't avoid it. The industry itself has gone to great lengths in recent years to simplify the policies by people who know what they're doin'. All this is more government interference, it'll cost a lot of money and it'll make a lot of bucks for lawyers. I urge a 'no' vote."

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

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

Speaker Giglio: "He indicates he will."

Mautino: "Representative Lang, what is the standard, and who will implement whatever standard it is for this so-called simplicity provision in the insurance contract?"

Lang: "Are you asking how those rules would be implemented?"

Mautino: "Who's going to decide the elimination of legalese and the simplicity of the contract? Who's going to do that?"

Lang: "The Director of Insurance is the party indicated in the Bill who will make those decisions."

Mautino: "And what has he got for a standard? Or she, whoever the Department of Insurance...?"

Lang: "I can't hear you."

Mautino: "And what is the standard the Director will be using to make the changes that will be a binding contract between a company and a policyholder?"

Lang: "The Bill leaves it up to the Director to make those decisions. I assume Department of Insurance attorneys will help him draft simple language contracts."

Mautino: "Does the Director of the Department of Insurance support your concept, giving him this authority and this very important matter?"

Lang: "Frankly, I have not heard from the Director of Insurance one way or the other."

Mautino: "What happens if the Director of Insurance establishes this standard for the guideline on what is simple and understandable, and then he or she is no longer there four years down the road? Does the next insurance director also then make and establish his or her standards for simplicity as well?"

Lang: "It seems to me, Representative, that every director of every department of this state gets replaced from time to

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time, and when a new director comes in, they create new rules and regulations. This would be among them."

Mautino: "That means that any insurance company doing business in the State of Illinois would have to adhere by the language established by the Director of Department of Insurance for understandability and simplicity."

Lang: "Yes, but they also have to adhere to many other rules and regulations the Department of Insurance sets up for them to use."

Mautino: "Representative Lang, you're a very, very intelligent and sharp attorney. Do you really believe that would occur?"

Lang: "Do I believe it will what?"

Mautino: "Do you really believe that that will occur?"

Lang: "I believe that this is a good proposal. I believe that insurance policies, like any other contract, can be written in a way that people can understand them."

Mautino: "Thank you, I'll take back that original statement that you are a very intelligent, understanding attorney. I stand in opposition to this crazy Amendment."

Speaker Giglio: "Further discussion, the Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. To this Amendment, let's see, Amendment #3; IPAC, #4, IPAC, #5 coming up, IPAC; I don't know how many more we have. They were here a year ago, they were turned down a year ago, they weren't even pulled in committee this year, I guess we're going to put all of these on this Bill. However, to clarify some points, the Insurance Department and the Director of Insurance is totally opposed to this Amendment. Not only that, it's going to take \$60,000 to GRF to take care of the simplicity language from the General Revenue Fund when we need money very desperately. Number 3,

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simplified contracts, is there such a thing? The Sponsor of this Amendment said that he draws, as a lawyer, simplified contracts. Members of the House, if that's the kind of contracts that this lawyer draws, I would never hire him. Vote 'no'."

Speaker Giglio: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. There is no legal document in this world that can't be drawn in a way that people can understand it. I do that every day in my practice when I'm there practicing. I dare say other Members of this House that are attorneys do the same. There is no reason in the world that a contract can't be written in English and that's all we're asking here, and I think we have a responsibility to help our people understand all of the financial aspects of their life. Insurance is one of those aspects, and I think that it's time that this House stood up and told our people that we want them to be able to understand their insurance policies, we want them to be able to make their claims without having to hire lawyers, without having to go to their insurance agent. I ask for your support."

Speaker Giglio: "There has been a request for a Roll Call. All those in favor on the Amendment vote 'aye', opposed 'no'. The voting is open. This is 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 there are 57 voting 'yes' and 45 voting 'no', and the Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Lang on Amendment #5."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #5 deals with the consumer guide. This is an Amendment



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that's been discussed before, and has received sufficient votes on the House floor, but has been on bad Bills, which Bills haven't gone anywhere. This Bill would require the Department of Insurance to annually publish a guide listing all insurance companies that sell different types of insurance in the state and what the premiums would be at selected coverages for selected liability, et cetera. Simple Bill, and I ask your support."

Speaker Giglio: "Any question on the Amendment? The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, on the face of it, this sounds like a good idea, but quite frankly, there's any number of books in libraries that are for sale that are available through the Department of Insurance already that can be purchased. Best Review once a year comes out with a magazine that reviews many of the insurance companies and gives you ideas on how their rates are figured and what are good rates to purchase. The Department of Insurance has that kind of information already available which consumers who are truly interested in getting comparisons have that opportunity. There is another report, called the Best Report, that is available that's at libraries, and those people who are truly interested in trying to do a comparison, to try and come up with an idea of what is good in terms of rates, is available. But I also may want to point out to all of you, that rates change very often, and what's put in a book over a 12-month period can go out of date really quick, 'cause the cost of health care goes up, the cost of car repairs goes up, the cost of how many cars are stolen goes up very rapidly, and insurance companies must reflect that in their premiums. So, somebody going out and thinking that they're buying a good policy, could very well, after 9 or 10

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months, be buying a policy that's not very competitive, and a neighboring policy with another company could save them anywhere from 10, 15, 20% on the premiums. I might also point out to you that if we required the Department of Insurance to do this, we are talking a price tag of approximately \$400,000 a year annually. \$400,000 a year. Now, a couple days ago we were talking about something really that was a good idea that one of the new freshmen Legislators had that was going to cost \$35,000, a worthwhile idea, and at that point, I respectfully pointed out that we are making some very critical decisions on how we are going to spend the taxpayers' money now and in the future in the next six weeks. I would ask you that this is not a good allocation of taxpayer's money; this is repetitious, not necessary, and I would ask the Body not to support this legislation."

Speaker Giglio: "Further discussion? Representative Pedersen. Gentleman from Cook."

Pedersen B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the kind of legislation that IPAC has been carrying on about for several years. The marketplace is very competitive in this state, and the provisions of policies vary somewhat. A company will be talking about why theirs is better, and it's very hard to keep on top of it, even those who are right on the firing line everyday, who understand the coverages as well as anyone around, have a constant battle in trying to keep up on what the costs and coverages are. This is just a boondoggle that'll cost a lot of money. It'll be shuffling a lot of papers. As the previous Representative mentioned, we have consumer reports, we have consumer research, we have all kinds of private institutions out there measuring these things today. This is just another way to create jobs for

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bureaucrats. It's another IPAC Bill. They want to micromanage the world, and I recommend a 'no' vote."

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

Lang: "Thank you, Mr. Speaker. You know, some of the arguments on the other side on these kind of things really should be canned and taped and just passed out to the Members. Who cares if it's an IPAC Bill? They care. Someone over there cares. The fact is this has nothing to do with IPAC, has nothing to do with somebody's agenda; this has to do with what's right for consumers. It has to do with what's good for consumers. This is a good consumer Bill. Currently, the Illinois Health Care Cost Containment Council prints costs for hospitals of what a private room costs, what a gall-bladder surgery costs, what certain drugs cost, what different procedures cost. Why shouldn't we help our consumers to get the same information on their health insurance? Why shouldn't we give them some basis of having an informed choice? Give me a green vote on this."

Speaker Giglio: "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: "There's been a request for a fiscal note. The Bill will remain on Second Reading. Gentleman from Coles, Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. Watching how we conduct business today is a group from the Marshall High School Business Club in the gallery, and I'd like you all to welcome 'em here today, please."

Speaker Giglio: "House Bill 741, Representative Curran. Out of the record. House Bill 2017, Representative Trotter. Read

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the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2017, a Bill for an Act to amend the Act in relationship to child labor. Third Reading of the Bill."

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

Trotter: "Yes. Good morning, good afternoon, Mr. Speaker. I'd like to bring this Bill back to Second for amending it."

Speaker Giglio: "You heard the Gentleman's request. Does he have leave to bring it back? Hearing none, leave is granted. The Bill is on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2017, Floor Amendment #2 is being offered by Representatives Klemm, Black and Trotter."

Speaker Giglio: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Will you withdraw Amendment #2, please?"

Speaker Giglio: "Representative Trotter wishes to withdraw Amendment #2."

Klemm: "I wish to withdraw Amendment #2."

Speaker Giglio: "I'm sorry. Withdraw Amendment #2. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representatives Klemm, Black and Trotter."

Speaker Giglio: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Amendment #3 corrects, I think, an oversight that we have in the Bill because of Amendment #1. What it does is it allows a minor to be able to work on Saturday and Sunday as a part-time job as long as they're not attending, I mean while they're attending school during the weekdays to have a job. Because of the six-day law in Illinois, school days are counted as workdays for school people, so if a child were to not have

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a part-time job during the school days, those would be 5 working days, and if they work Saturday, that would be the sixth day, and they could not work part-time on a Sunday. It seems to us that because, if they're not working during school days, that many of our young people do work short hours, or part-time on Saturday and Sunday to help finance both their education and their family, as long as they're not working on school days. So, the Amendment was to be clarified so that they would allow them those short periods of time, would allow them to be able to then support and help their education by at least having those few hours that they would be allowed to do. We did put in the Bill, in the Amendment, that the work for outside school in any week does not exceed 24 hours so we have it as a safeguard. We have agreement on all, and I'll answer any questions, and I do move its adoption."

Speaker Giglio: "Further discussion? Gentleman from Will, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I rise in support of the Amendment and just to bring everyone's attention that in the law, and this doesn't change that, that paper boys are excluded from the 7 a.m. limitation. I urge its adoption."

Speaker Giglio: "Further discussion? Hearing none, the question is 'Shall the Amendment be adopted?' All those in favor 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. Gentleman asks leave of by the Attendance Roll Call for immediate consideration. Hearing none, leave is granted. Bill's on Third Reading. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 2017, a Bill for an Act in relationship to child labor. Third Reading of the Bill."

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

Trotter: "Thank you very much, Mr. Speaker, Members of the House. House Bill 2017 was given to me by the Illinois Council on Children, and what they're trying to do with this Amendment, with the Bill, was to achieve, to enforce, achieve more power in enforcing existing child labor laws, and it specifically it does that by requiring the department to promulgate and publish all the necessary rules for the enforcement of this Act within 60 days and increases the maximum civil penalty of employers who violate provisions of this Act, from \$1,000 to \$5,000. It also creates the Child Labor Enforcement Fund for the deposit of all penalties of the Act recovered by the department. Moneys from that fund shall be subject to appropriation for activities for purpose related to enforcement of the Act. It's a great Bill. It's been made stronger by the Amendments that you've just heard. It's had bipartisan support from the beginning, and I would like a favorable Roll Call by the chamber."

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

Klemm: "Well, thank you, Mr. Speaker. I just want to add my support to Representative Trotter's Bill. It's a good Bill. I appreciate them allowing us enough to put the Amendments, make an even better Bill, and we stand in support of the Bill. Thank you."

Speaker Giglio: "Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Trotter: "Yes."

Speaker Giglio: "Indicates he will."

Hultgren: "Representative Trotter, I perhaps need to apologize."

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I wasn't paying, I think, as close attention as I should have when the Amendment was adopted to this just a few moments ago, but do I understand that this affects the ability of minors to work after certain hours, and before certain hours? Is that right?"

Trotter: "That's correct."

Hultgren: "Would this affect babysitters?"

Trotter: "No. Nor would it affect newspaper boys."

Hultgren: "Babysitters are exempted specifically?"

Trotter: "It's not written in there, but I'm sure that it does exempt them, yes."

Hultgren: "Well I'm a little bit concerned. How are you sure that it does?"

Trotter: "Well, there's already existing laws. Existing law does allow children to work up to 24 hours a week at this point in time, so that should include them, the babysitters, to work. Now, I don't think anyone is working more than 24 hours."

Hultgren: "No, what I'm concerned about is, I had understood that this would say they could only work so late at night."

Trotter: "That's correct."

Hultgren: "Well...if I have a babysitter, and I don't get home until midnight, will that babysitter have worked beyond the allowable time period so that she'll be in violation of the law if she stays with a child 'till midnight, if she works 'till midnight?"

Trotter: "That's...if I could defer to Representative Regan..."

Regan: "Yes, Mr. Speaker. I'd like to address that question. Representative, in the existing law, the same as paper boys, babysitters are excluded, and this, my understanding that this Amendment does not touch that existing law, so that babysitters would be excluded as long, as well as paper boys. My question before the Amendment was put on,

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and that's why I got it clarified. Thank you."

Hultgren: "Thank you, that was my only concern."

Speaker Giglio: "Further discussion? Representative Trotter to close."

Trotter: "I just ask this Body for a favorable Roll Call."

Speaker Giglio: "Question is, 'Shall House Bill 2017 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 111 voting 'yes', none voting 'no', and House Bill 2017, having received the required Constitutional Majority is hereby declared passed. Representative DeJaegher, House Bill 2104. Out of the record. On the Order of Human Services, Second Reading. House Bill 954, Representative Daniels. Out of the record. House Bill 1408, Representative Bugielski. Bugielski? 1408. Second Reading, Human Services. Out of the record. Representative Hicks, 1565. Second Reading, Human Services. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1565, a Bill for an Act to amend an Act concerning reimbursement of medical care providers. Second Reading of the Bill. There are no Floor or Committee Amendments."

Speaker Giglio: "Third Reading. House Bill 2010, Representative Hicks. Do you wish to proceed with 2010? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2010, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Steczo on 2050. House Bill 2050. Out of the record. Representative Trotter, 2232. The Order of Second Reading, Illinois Department of Public Aid's blind and disabled? Want to go



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ahead and proceed with this Bill? It's on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2232, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Pullen, House Bill 2400. Out of the record. Representative Capparelli, 2469. Out of the record. Representative Currie, Representative Barbara Currie on 2510. Second Reading. Human Service, Indigent Medical Care. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2510, a Bill for an Act to amend an Act to create the Hospital Indigent Care Assurance Program. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "There's been a request for a fiscal note. We'll leave the Bill on Second Reading. Alright, going down the list on Human Services, Third Reading. Representative White, House Bill 274. Public Aid Medical Assistance. It's a House Committee Bill. Are you ready? Out of the record. How 'bout House Bill 426, Representative White? Out of the record. Representative Richmond, 1160. Out of the record. Representative Andrew McGann, 1195. Out of the record. Representative Shirley Jones, 1644. Out of the record. Representative Levin, Representative Levin in the chamber? You want these Bills called? House Bill 1797? Third Reading? Do you want 1797 called? Out of the record. How 'bout 1804? Do you want 1804? Put Representative Levin on."

Levin: "Yeah, I have filed an Amendment #2, and I would ask to bring this Bill back to Second Reading to put that Amendment on the Bill."

Speaker Giglio: "House Bill 1804. Read the Bill, Mr. Clerk."

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Levin: "If we could, I guess move back to Second and then come back to it as soon as the Amendment is printed and distributed?"

Speaker Giglio: "Does the Gentleman have leave to bring the Bill back to Second and leave it on Second 'till the Amendment's adopted? Hearing none, leave is granted. Bill's on the Order of Second Reading."

Levin: "And if we can come back to it when the Amendment..."

Speaker Giglio: "If we get back to that Order, and if the Amendment's printed we'll be...come back to that Bill, Representative. Representative Granberg, 1854. Out of the record. Representative Burzynski, 1908. Representative Burzynski. 1908. Third Reading. Out of the record. Representative Wyvetter Younge. Representative DeLeo, 2160. Do you wish to have this Bill called? Third Reading? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2160, a Bill for an Act to amend the Nursing Home Care Act. Third Reading of the Bill."

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

DeLeo: "Thank you, Mr. Speaker. 2160 amends the Nursing Home Care Act, makes some technical changes in the Act. It's after this effective date all aides hired to work at sheltered care facilities must be certified nurses aides as required in Section 3206 of the Nursing Care Home Act. I ask for a favorable Roll Call on 2160 as amended."

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

Wennlund: "Will the Sponsor yield?"

Speaker Giglio: "Indicates he will."

Wennlund: "Was this proposed by the Department of Aging, Representative DeLeo?"

DeLeo: "I'm sorry, Larry, I didn't hear. Could you repeat your question?"

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Wennlund: "Yes. Was the Amendment proposed by the Department?"

DeLeo: "The second Amendment was proposed by the Department."

Wennlund: "Amendment #2, that makes the Department okay on the Bill? Thank you."

DeLeo: "Yes."

Speaker Giglio: "Further discussion? Representative DeLeo to close."

DeLeo: "Thank you, Mr. Speaker. I ask for a favorable Roll Call on 2160."

Speaker Giglio: "Question is, 'Shall House Bill 2160 pass?' All those in favor vote 'aye', opposed 'no'. 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, 111 voting 'yes', none voting 'no', and House Bill 2160, having received the required Constitutional Majority is hereby declared passed. Chair would like to make an announcement that those that wish to file an objection to a Bill on the, change a vote on the Agreed Bill list, will please do so, and come up to the well and file the change of vote. We're getting ready to shut it off, and at approximately 1:00 o'clock we will close the request down and hopefully vote on the Agreed Bill list today. Representative Dunn, for what purpose do you rise?"

Dunn: "Point of personal privilege, Mr. Speaker. For an announcement to members of the downstate Caucus, if any members of the downstate Caucus are in the room, they might wish to take note that a memo was sent to each of you indicating that there would be a meeting this coming Monday evening. For members of the downstate Caucus, that meeting has been cancelled, the downstate Caucus will meet next on Tuesday morning, May 14 at 9:00 a.m. in the regular meeting place. Thank you."

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Speaker Giglio: "Representative Giorgi on House Bill 2292. Out of the record. Representative Currie, 2452. 2452, Representative? Do you wish to have this Bill called? Representative Currie?"

Currie: "I'd like to have leave to bring the Bill back to Second Reading for purposes of an Amendment."

Speaker Giglio: "Does the Lady have leave? Hearing none, leave is granted. The Bill's on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2452, on the Order of Second Reading. Floor Amendment #2 is being offered by Representative Currie."

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

Currie: "Thank you, Mr. Speaker and Members of the House. The Amendment is basically a technical one. It rewrites some of the standards in the Bill, but it doesn't make any substantive changes in the proposal, and I would move its adoption."

Speaker Giglio: "You heard the Lady's Motion. Any discussion? 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: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Rotello on House Bill 2466. 2466. Out of the record. House Bill 2471, Representative Laurino. Partnership long term care. Out of the record. Constitutional Officers, Second Reading. Representative Novak. Out of the record. Representative Homer, House Bill 316. On the Order of Second Reading, statewide grand jury. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 316, a Bill for an Act in relationship to statewide grand jury. Second Reading of the Bill."

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Amendment #1 was adopted previously."

Speaker Giglio: "Any other Amendments?"

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

Speaker Giglio: "Gentleman from Fulton, Representative Homer, on Amendment #2. "

Homer: "Thank you, Mr. Speaker. Amendment #2 is essentially a cleanup Amendment to, affecting the manner in which a Statewide Grand Jury is convened, so as to require that the Chief Judge, the Supreme Court to whom the application for a Grand Jury is filed, shall assign the responsibility for determining whether to convene such a Grand Jury to a Circuit Judge. This is basically in response to an amendatory veto that the...previous Governor Thompson had exercised with respect to the Bill that passed last year. So it is essentially simply a technical Amendment to clear up what Governor Thompson felt was a flaw in the original Bill, so I would answer questions, and urge adoption of Amendment 2."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment, excuse me. Representative Wennlund?"

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

Speaker Giglio: "Indicates he will."

Wennlund: "Yes, Representative Homer, with Amendment #2, the local State's Attorney of each county has, appears to have no input whatsoever in the determination as to whether or not a Statewide Grand Jury is necessary, even though his county may be affected by it?"

Homer: "That Amendment doesn't deal with that issue. You have an Amendment, I think coming up, that does. This Amendment just simply has to do with the initiation of the request and provides that the Chief Justice of the Supreme Court

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shall appoint a Circuit Judge to determine whether to convene a Statewide Grand Jury, and the question of venue, which you are asking me about, is not dealt with in this Amendment."

Wennlund: "Well...does...in the event a Statewide Grand Jury were to be convened involving 4 or 5 counties, who might be involved with 2 or 3 different circuits, which Circuit Court Judge would be appointed?"

Homer: "The Amendment does not specify. However, Representative Wennlund, if you're concerned about that issue, you have Amendment #4, which explicitly requires the approval of the local State's Attorney. I'm not going to oppose your Amendment. We have no objection to the State's Attorney having that complete authority. In fact, the Bill now says what the 'acquiescence' of the local State's Attorney; your Amendment 4 says with the 'permission'. I'm not sure there's really too much difference, but I'm not going to oppose 4, so the answer to your question is, State's Attorney will have total veto authority over a Grand Jury convening in his county."

Wennlund: "Okay. Thank you."

Speaker Giglio: "Further discussion?" 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: "Floor Amendment #3, offered by Representative Anthony Young."

Speaker Giglio: "Representative Anthony Young, on Amendment #3. Representative Homer."

Homer: "With leave of the Body, I would be willing to present Amendment #3."

Speaker Giglio: "Gentleman have leave? Hearing none, leave is granted. Proceed, Representative Homer."

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Homer: "Thank you, Mr. Speaker. Amendment 3 is an Amendment that is being offered by Representative Young on behalf of, I understand it, the African-American Caucus that deals with the distribution of the profits that would be seized and forfeited under the auspices of the Statewide Grand Jury. The Bill pertains only to those assets which are seized under the Statewide Grand Jury and provides that 25% of those assets will go for drug education, treatment and prevention. As certified by GASA, 15% would go to the Attorney General and the State's Attorneys participating in the offense, and the other funds would go to the local law enforcement office, local law enforcement agencies that participated in the investigation. So this is, as far as I know, an Agreed Amendment, and it has to do with divvying up the proceeds from the...that would be seized from the Grand Jury and meets the concern of the black Caucus that a portion of those proceeds, in this case 25%, would go to grants for drug education, treatment and prevention programs in the communities themselves. I would again answer questions, but I would move the adoption of the Amendment."

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

Wennlund: "Thank you, Mr. Speaker. For a question, please. What determines how the 15% is going to be distributed between the Attorney General and the local state's attorney involved in the..?"

Homer: "The 15% will be divided between the Attorney General and the State's Attorney if a State's Attorney participated in the prosecution. If no State's Attorney participated then it would all go to the Attorney General."

Wennlund: "Who decides who gets what out of the 15% is the question, I guess."

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Homer: "The Attorney General would decide."

Wennlund: "Thank you."

Speaker Giglio: "Gentleman from Cook, Representative Williams. Representative Williams seeking recognition? Further discussion? Representative Homer to close."

Homer: "Mr. Speaker, I would yield to the Sponsor of the Amendment who is now on the floor, Representative Anthony Young to close."

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

Young, A.: "Thank you, Mr. Speaker. I would just point out to the Body that this Amendment only affects those funds which were confiscated under this Bill and doesn't change anything in the law as it currently exists, and I would ask for a favorable vote."

Speaker Giglio: "Further discussion? 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: "Floor Amendment #4, offered by Representative Wennlund."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 provides that the Attorney General must obtain the permission of the local state's attorney before using a county as the site of a Statewide Grand Jury. I believe it's important that in all 102 counties in Illinois that the local state's attorney be involved in any type of an investigation by a Statewide Grand Jury in his home county. I think that it's necessary that there be cooperation between the Attorney General and the local state's attorneys from the counties that will be involved



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in any investigation conducted by Statewide Grand Jury. I ask for its adoption."

Speaker Giglio: "Representative Laurino in the Chair."

Speaker Laurino: "Out of the record. Representative Schakowsky, for what reason do you rise?"

Schakowsky: "Thank you, Mr. Speaker. I advertently am recorded as voting 'aye' on House Bill 2160. I'd like for the record just to say that I would have voted 'present' on House Bill 2160."

Speaker Laurino: "So be it. The record will indicate that you would have voted 'aye', 'nay'. Appearing on page 25 of the Calendar, Third Reading, Constitutional Officers. House Bill 262, Representative McNamara. Out of the record. Page 29, House Bill 967, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 967, a Bill for an Act to Amend an Act concerning membership of State Treasurer. Third Reading of the Bill."

Speaker Laurino: "Representative Matijevich."

Matijevich: "Yes, could I have leave to return the Bill to Order of Second Reading?"

Speaker Laurino: "The Gentleman asked for leave to have his Bill brought back to Second Reading. Representative Black."

Black: "Thank you very much, Mr. Speaker. We have no objection to the Gentleman taking the Bill back to Second. We would reserve the right to object to immediate consideration on Third, however."

Matijevich: "That's all right. I didn't want to call on a Third. I'll be lucky to pass it on a full House."

Speaker Laurino: "The Gentleman asks leave of the House to have House Bill 967 be brought back to Second Reading. Leave by the Attendance Roll Call. Leave being granted, Bill be brought back to Second Reading. Representative

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Matijevich."

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

Matijevich: "Mr. Speaker, Ladies and Gentleman of the House. This Amendment further excludes the Metropolitan Pier and Exposition Authority, the Capital Development Board and the Illinois Educational Facilities Authority from the provisions of the Act. I would move for the adoption of this Amendment. I know everybody is for the Amendment. They may not be for the Bill over there."

Speaker Laurino: "Representative Matijevich moves for the adoption of Amendment #4 to House Bill 967. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk."

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Page 32 of the Calendar. House Bill 1515, Representative Curran. Out of the record. House Bill 1564, Representative Preston. Out of the record. House Bill 2110, Representative McAfee. Out of the record. House Bill 2417, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2417, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Laurino: "Representative Keane."

Keane: "Thank you, Mr. Speaker. This is a vehicle Bill for municipal audits. It's been checked out with the other side of the aisle. We're trying to move it over to the Senate for a later Amendment. I move the adoption of House Bill 2417."

Speaker Laurino: "Further discussion? Seeing none, Representative Keane moves for the adoption of House Bill 2417. All those in favor, indicate by voting 'aye',

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opposed 'nay'. The vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 112 'ayes', 0 voting 'nay', 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 2422, Representative Keane. Out of the record. House Bill 2523, Representative Williams. Out of the record. House Bill 2531, Representative Steczko. Out of the record. The Gentleman will move back to page 33 of the Calendar, House Bill 1804, Representative Levin. The Bill was previously moved back to Second Reading. Representative Levin."

Levin: "Okay."

Clerk O'Brien: "This Bill has been read a second time previously."

Speaker Laurino: "Representative Levin."

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

Levin: "Okay. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Our Amendment #2 was developed in consultation with the Department of Public Aid. There may be, as this Bill moves along, other Amendments, but this comes from them and will keep this Bill moving."

Speaker Laurino: "Further discussion? Seeing none, Representative Levin moves for the adoption of Amendment #2 to House Bill 1804. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. The Chair will move now to page 6, Agriculture and Environment. Second Reading. House Bill 345, Representative Richmond. Out of the record. Page 7, House Bill 580, Representative Schakowsky. Out of the record. Page 11, 742, Representative Granberg. Out

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of the record. House Bill 1850, Representative Hicks. Out of the record. House Bill 2022, Representative Hensel. Out of the record. House Bill 2253, Representative Kulas. Representative Kulas, House Bill 2253. Out of the record. House Bill 2451, Representative Morrow. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2451, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Laurino: "Floor Amendments?"

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

Speaker Laurino: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. What Floor Amendment #2 to House Bill 2451 tries to address is the small-time user or the local person who just likes to repair cars as a hobby. This will address the concerns of a young lady who came to me and stated that one of her hobbies is to remodel cars. This would allow a small time user to still purchase auto paints, and would not require that they have a ID number, they would just have to sign a sheet stating that they're using the paint for noncommercial use. I move for the adoption of Floor Amendment #2, to House Bill 2451."

Speaker Laurino: "Further discussion? Seeing none, Representative Morrow moves for the adoption of Amendment #2 to House Bill 2451. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. The Chair will proceed to page

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29, Agriculture and Environment. Third Reading. House Bill 957, Representative Giglio. Out of the record. House Bill 1135, by Representative Satterthwaite. Representative Satterthwaite. Out of the record. House Bill 1449, Representative Peterson. Bill Peterson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1449, a Bill for an Act to amend the Illinois Nuclear Safety Preparedness Act. Third Reading of the Bill."

Speaker Laurino: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker. House Bill 1449 is an agency vehicle from the Department of Nuclear Safety. It is in the process of being negotiated. It's to increase the current fees Commonwealth Edison and Illinois Power pay for the cost of updating the department's Nuclear Safety Preparedness Program. If, in fact they reach an agreement I would then pull it back from Third Reading to Second Reading for an Amendment. Pardon. We'll go ahead and send it to the Senate and then see if they can come to some agreement. I ask for a positive vote on House Bill 1449."

Speaker Laurino: "Further discussions? Seeing none, Representative Peterson asks for the adoption of House Bill 1449. All those in favor will indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted, who wish? Take the record, Mr. Clerk. This Bill received 104 'ayes', 0 voting 'nay' and 1 voting 'present', having received the required Constitutional Majority is hereby declared passed. ...of the Membership. If there are any other forms left out on the Members desks that have not been brought forward to the well for the agreed Roll Call list, please do so. We are closing the board very, very soon. Representative Burzynski."

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Burzynski: "'Aye', please."

Speaker Laurino: "The record will indicate that you intended to vote 'aye'. I've already announced the Roll Call. House Bill 1741, Representative Hicks. Out of the record. House Bill 2254, Representative Kulas. Out of the record. House Bill 2491, Representative Kulas. Out of the record. House Bill 2589, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2589, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Laurino: "The Chair is now closing the well for you to change your vote on the Agreed Bill list, so that you know that the well is now not accepting any more of your change of voting forms. Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I would like to take 2589, from Third back to Second for the purposes of an Amendment that has been cleared with the other side of the aisle."

Speaker Laurino: "The Gentleman asks leave of the House to take House Bill 2589 back to Second Reading. Leave with the Attendance Roll Call, be so granted."

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

Speaker Laurino: "Amendment #1, Representative Mautino, on House Bill 2589."

Mautino: "As I understand it, Amendment #1 has been prepared and submitted on behalf of the Illinois Environmental Council. It takes out the word 'nonhazardous'. That's all the Amendment does. I move for its adoption."

Speaker Laurino: "Representative Mautino? Further discussion? Representative Mautino moves for the adoption of Amendment #1 to House Bill 2589. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 2589, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Laurino: "Leave by the Attendance Roll Call to have House Bill 2589 heard immediately. Leave being granted. The Bill will be heard immediately. Representative Mautino on House Bill 2589."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. House Bill 2589 is a followup to the definition and the standard requirements of the, of a Bill of yesterday, defining shredder fluff as it pertains to shredded up cars and vehicles and in the seats of vehicles. There is a provision within our landfill statute as it pertains to fees, et eterac. and this legislation establishes, it allows for the exemption if the director so allows it to become a no waste fee under the hazardous, nonhazardous provisions. It doesn't do anything else, and I ask for passage of 2589."

Speaker Laurino: "Further discussion? Representative Wennlund?"

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

Mautino: "Yes."

Speaker Laurino: "He indicates he will."

Wennlund: "I, what's shredder fluff?"

Mautino: "Shredder fluff is the residue that occurs after the shredding up of a vehicle. It has to do, for example, like the stuff that's in your seats when you shred it through a shredding machine. The dirt that is on the fenders, et cetera. That's shredder fluff."

Wennlund: "When's the first time you heard of shredder fluff?"

Mautino: "This year, about two months ago, to be honest with you."

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Wennlund: "Can you tell me, give me any reason why we should? Currently there are no exemptions from the tipping fee, under the Salvage Management Act. Why should shredder fluff be the first and only exemption from the tipping fee?"

Mautino: "No. I think, if you look up at Section 22.16 a you will provide...note that the Illinois Solid Waste Management Act, the agency shall grant exemptions if they meet certain requirements, because the waste is nonperishable or homogeneous and does not contain free liquids, there is an area there of exemptions that can be waived by the Illinois Solid Waste Management Act. So, it's nothing new."

Wennlund: "Does the...does shredder fluff meet the three requirements that are set out in Section 22 of .16 a?"

Mautino: "As an honest answer to that, I don't have the slightest idea, Larry. "

Wennlund: "Thank you."

Speaker Laurino: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, for a question. How much money is currently raised from shredder fluff and the tipping fee? And what purpose does that money serve, where does the money go to?"

Mautino: "Well, I don't know what money is raised now because there was not a definition for this waste before it was, as I understand it. I don't have the slightest idea what was raised before and what will be raised now."

Balanoff: "I...guess I want to rise in opposition because I just can't understand why we're exempting, for really a very special interest, shredder fluff from this fee?"

Mautino: "Representative Balanoff, we are not exempting them. We are putting them into the section so that if there were to be a fee exempted, it would have to come under a group of



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standards by the IAPA and the Illinois Solid Waste Management Act. You are not exempting them; you're putting them in that section where there could be an exemption of that hazardous fee."

Speaker Laurino: "Further discussion? Seeing none, Representative Mautino moves for the adoption of House Bill 2589. All those in favor indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 93 'aye', 4 voting 'no' and 9 voting 'present'. Representative Deering wishes to be voted 'aye'. Okay. This Bill having received 93 'aye', 4 'nay' and 9 voting 'present', having received the required... Representative Schoenberg. For what reason do you rise, Sir?"

Schoenberg: "Mr. Speaker, before you announce the vote, I would like to change my vote from 'aye' to 'nay'."

Speaker Laurino: "Change Representative Schoenberg's vote from 'aye' to 'nay'. Representative Currie 'aye' to 'nay'. Representative Ropp. Representative Weller wishes to be recorded as 'no'. Representative Ropp wishes to be recorded as 'no', 'aye'. Let's stop this Roll Call, and will you please pay attention to your switches. Stop the Roll Call, Mr. Clerk. Representative Mautino asks for the adoption of House Bill 2589. All those in favor indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 79 'aye', 23 'nay', 9 voting 'present', having received the required Constitutional Majority is hereby declared passed. The Chair is going to now move back to page 6, in the Calendar, Constitutional Officers. Second Reading of House Bill 316, Representative

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Homer."

Clerk Leone: "House Bill 316 and read a second time previously.

Next Amendment is Floor Amendment #5, being offered by Representative Wennlund."

Speaker Laurino: "Representative Wennlund? Amendment #...Out of the record?"

Wennlund: "Withdraw."

Speaker Laurino: "Withdraw your Amendment? Representative Wennlund withdraws Amendment #5. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #6, offered by Representative Wennlund."

Speaker Laurino: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #6 limits Statewide Grand Juries to cases involving offenses that are committed in more than one county in Illinois. I believe it is an Agreed Amendment, and I ask for its adoption."

Speaker Laurino: "Further discussion? Seeing none, Representative Wennlund moves for the adoption of Amendment #6 to House Bill 316. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #7, offered by Representative Wennlund."

Speaker Laurino: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #7 limits the immunity to witnesses in the Statewide Grand Jury to use immunity and not transactional immunity. I believe it's an Agreed Amendment and ask for its adoption."

Speaker Laurino: "Further discussion? Seeing none, Representative Wennlund moves for adoption of Amendment #7

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to House Bill 316. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk."

Clerk Leone: "Floor Amendment #8, offered by Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #8 enlarges the jurisdiction of the Statewide Grand Juries to include any 'immunal' offense committed in the course of a case being investigated by the statewide grand jury. I believe that it is an Agreed Amendment, and I ask for its adoption."

Speaker Laurino: "Further discussion? Seeing none, Representative Wennlund moves for the adoption of Amendment #8 to House Bill 316. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Representative Homer."

Homer: "Thank you, Mr. Speaker. I believe this Bill has been read a second time previously. I would ask to proceed to the order of Third Reading and for immediate consideration."

Speaker Laurino: "The Gentleman asks for...leave for immediate consideration. Using the Attendance Roll Call, leave has been granted. Representative Homer, proceed with the Bill."

Clerk Leone: "House Bill 316, a Bill for an Act in relationship to Statewide Grand Juries. Third Reading of the Bill."

Homer: "Thank you, Mr. Speaker. This Bill is no stranger to this Body, having passed in almost this form a year ago, only to receive an Amendatory veto by the Governor which was sustained by this House, but fell one vote short in the Senate, leaving the final most effective tool in the war on

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drugs, removing it from the hands of the Attorney General, who is uniquely situated to provide that final link, which could have a very meaningful impact on shutting down and limiting drugs at the source. As you know the local 102 counties are doing a very fine job through their state's attorneys and local law enforcement officials...bringing to trial and sending to prison the local county-level, street-level drug pushers. But because of the code of silence that exists among the street dealers and the dope dealers of this country, it is very, very difficult to go up the ladder to get the kingpins and the drug lords who drive the Cadillacs, who take advantage of the pain and misery and suffering of our children as a result of the drug dealings of this state. This Bill is designed to say to those kingpins and drug dealers, 'Now buddy, we're coming after you.' Because the task of the Attorney General to focus the resources of this State would be to zero in on the kingpins and the drug lords, who now evade prosecution because of their sophisticated conspiratorial conduct which often eludes detection at the street level. This Bill is also designed to let the Attorney General through the Statewide Grand Jury go after the drug dealer where it hurts...in the pocketbook. By allowing them to enforce the Narcotic Forfeiture Act to go after the assets and the profits of this billion dollar plus industry just here in Illinois and to take those drugs through an Amendment to this Bill, that was offered by Representative Younge and the black Caucus and to distribute those profits, a portion of them, 25%, into our neighborhoods...to community-based support groups in our neighborhoods. To allow for the effective treatment and prevention and education that's so necessary to try to stop the...continued increase in the prevalence of drug abuse and drug trafficking throughout

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our neighborhoods and schools, to also seize and take a part of the money to distribute it to law enforcement agencies who participate in the prosecution and the investigation of these cases, so that it will be poetic justice to take these illicit drug profits and to put them to work to help make a meaningful impact on curtailing the drug trafficking, the prevalence of drugs that is becoming so common. I believe the Bill as amended is a very find Bill. It's something that is long overdue; it's something that we need to get started with, and I would urge everyone to join together in a bipartisan fashion, and I appreciate that spirit of cooperation that we've seen from the other side on this Bill to put aside any question of partisanship and to move forward to empower the top law enforcement official of this state to begin the work that has to be done to go after the kingpins, the drug lords and to take the profits out of drug dealing so that hopefully we can begin not only to see people who sell drugs at the street level go to prison, but to see a meaningful impact on the stemming the flow of these drugs into our communities. So, I urge an overwhelming signal today to the drug dealers of this state, from this Body, by putting up an overwhelming majority to pass this very meaningful Bill. Thank you. I would be glad to answer questions and at the appropriate time move 'do pass'."

Speaker Laurino: "Further discussion? Representative Hultgren."

Hultgren: "Will the Sponsor yield? I wonder if you would be so kind as to...there were several Amendments to consider here and I'm not sure that I have them all. If you'd be so kind as to run through the Amendments that were adopted with just a brief description of the change that that Amendment made."

Homer: "Most of the Amendments actually were offered by

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Representative Wennlund, but, I'll be glad to accommodate you. Amendment #1 was adopted in committee, and it was simply technical in nature. It required the Attorney General to consult and advise with the respective states attorneys where the Grand Jury would be convened. Amendment #2, was adopted on the floor and was a cleanup that made the Bill Constitutional according to objection raised by Governor Thompson on his Amendatory Veto last year with regard to what the authority...the Supreme Court was to convene a Grand Jury. This Amendment would have the Supreme Court delegate that function to a Circuit Judge. Amendment #3 which was adopted was the Amendment that was offered by Representative Young affecting the distribution of the profits and assets that would be seized to make certain that 25% of those would go back to the community for crime prevention and education and treatment. The Amendment #4, offered by Representative Wennlund, was an Amendment that that...a...required approval of individual state's attorneys where the Grand Jury would reside before the Attorney General could convene a Grand Jury in the particular county. This Amendment would require the approval of that state's attorney. Amendment #5 was withdrawn. Amendment #6 specifically provides that the jurisdiction of the Statewide Grand Jury would be limited to offenses which were committed in more than one county or in which the transaction involved more than one county, which of course was the one of the main purposes of the Grand Jury Bill that was adopted. Amendment #7 provided that the type of immunity that the Bill was talking about in terms of immunizing witnesses was use immunity rather than transactional immunity. That, again, was Representative Wennlund's Amendment that was adopted. Finally Amendment #8 provided that if during the course of

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the investigation that committed along with one of the drug offenses which this Bill is designed to attack there came evidence of a derivative or a collateral offense that the Grand Jury would also have jurisdiction to indict that collateral offense. That was...a Representative Wennlund Amendment which was adopted. So that's a quick run-through of the current posture of the Bill."

Hultgren: "Thank you very much."

Speaker Laurino: "Thank you, Representative Hultgren, for your undivided attention. Representative Petka."

Petka: "Well thank you very much, Mr. Speaker and Members of the House. I have been consistently opposed to the concept of a Statewide Grand Jury through Republican and Democratic administrations. The reason for that is very, very simple. If I really felt adding another layer of bureaucracy to the prosecution process would remove drug offenders from the street, I would do it without delay. However, just using fancy words like Grand Jury Statewide and Attorney General doesn't in any iota get to the real core of the problem and that is, very simply, this, police officers, drug informants, undercover agents are those who are on the front line of rooting out drug offenders. It's just that simple. Having a prosecutor attend a Grand Jury Session... Mr. Speaker, simply adding another prosecutor, someone taking a file that has been handed to them by the police before people are to decide whether there are probable cause to believe a crime has been committed doesn't one iota help remove a drug offender from the streets. It is simply another place where a case can be commenced for purposes of prosecution. Now what does that mean in terms of this Body? Simply this, if we really want to get serious with taking drug offenders off the streets, the very first thing that we have to do is to give street

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agents, police officers, the support and the tools to go out and remove these people from the streets. Prosecutors, in my opinion, do a very effective job when the cases are put together. Simply having an Attorney General of the State of Illinois, be empowered to specifically handle drug cases will do wonders for perhaps this political aggrardizement, but will do very, very little for removing drug kingpins and drug pushers, who are, in my opinion, are the scum of the earth and should be removed from the street. But, lastly, I believe that the Sponsor has made major strides in improving this Bill, but really the concept is what needs improving and not the add ons. For this Motion to ever make any sense whatsoever, we're going to simply have to put more resources where they really count and that is the people on the front line dealing face to face in awkward situations in the middle of the night, sometimes having to adopt life style thats alien to what they would ordinarily be living, for the express purpose of rooting these people out. Absent that, we labor in vain. We create a bureaucracy where we're going to spend a lot of money really for no useful purpose. With that I vote 'no'."

Speaker Laurino: "Further discussion? Representative Dunn."

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

Homer: "Yes."

Speaker Laurino: "He indicates he will."

Dunn: "Previously this legislation had a venue requirement that before the Grand Jury could be convened there must be more than one county involved. Is that still a requirement in this legislation or is that not a requirement?"

Homer: "That was made explicit in Amendment #6 which was adopted. Requires more than one county."

Dunn: "So, as we vote on this Bill, Third Reading, requires more



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than one county. Is that correct?"

Homer: "Yes."

Dunn: "To be involved with a crime, and is the provision still in the legislation which indicates that the county in which the Grand Jury sits shall undertake...pay the cost of the Grand Jury and then be reimbursed by the State?"

Homer: "Yes, that is correct."

Dunn: "Mr. Speaker, Ladies and Gentleman. To the Bill, this Bill is probably changed in a number of regards from legislation proposing a Statewide Grand Jury submitted to this Body in previous Sessions, but there are two very significant features of this Bill which ought to give anyone cause for concern and give them a good reason to oppose this legislation. I do not rise lightly in opposition because I have great respect for the Attorney General of the State of Illinois and I am a supporter of his, however, I have opposed this type of legislation under his immediate predecessor, who also was a Democrat, and I have opposed this legislation under Republican Attorney Generals as well as have many people on my side of the aisle. Those of you who are from downstate in particular should pay very close attention to this legislation because it does provide that all of the expense involved with convening a Grand Jury and that means courtroom expense, it means support staff, clerks, bailiffs, it means the prosecuting expenses, it means investigatory expenses, shall be paid by the county involved, and I would ask each of you especially those of you who are from downstate areas, how many of your counties have sufficient reserve funds on hand to undertake the expense of a Grand Jury proceeding which could last a year or eighteen months or perhaps even more in your county court house? The legislation does provide that the State of Illinois shall reimburse the county which has undertaken

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the expenses. I would say to you, how much credibility will there be with your folks back home when you go and tell them that your county may have to spend a zillion dollars to convene a Grand Jury on behalf of the State of Illinois and pony the money up front and be reimbursed by the state? I don't want to go home and talk to my people about that likelihood. My county is strapped for funds and I'm sure yours is as well. Also, there is an Amendment on this Bill which provides that the Grand Jury does not kick in unless more than one county is involved. When this legislation came up before, I suggested this scenario to the Members of this Body. If I approach Cook County from Lake Michigan with a load of drugs of some kind or other, beach my boat in Grant Park Harbor, Jackson Park Harbor, someplace in Cook County, get off the boat, go into the City of Chicago, do my dirty work, get back on the boat and leave, there is only one Illinois county involved in that criminal transaction, and the Grand Jury Bill would not kick in. If I fly into the State of Illinois from Florida with a load of drugs and land at O'Hare Airport, which is located in Cook County, technically within the limits of the City of Chicago, sell my drugs, get back on a plane and leave, only one county had been involved. Ladies and Gentleman, I tell you, this legislation has no applicability to those criminal offenses that take place only in one county. The largest County of our State, Cook County..."

Speaker Laurino: "We're going to have to close, Sir."

Dunn: "Ample room for commission of crimes without going into other counties, so this Bill in many regards will not trigger criminal activity in Cook County. If for no other reason than the expense to your county back home with only the likelihood of reimbursement and the fact that it needs

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more than one county involved and many or perhaps most of the criminal activity taking place in Cook County will not be triggered by this Act, you should vote 'no'. This is not a good Bill, and it sets us down the wrong path in the State of Illinois, and it's not going to help us catch the people who are involved out-of-state and multinationally. We need to get those people at the federal level and we don't need to throw our civil rights out the window with this piece of legislature to create the false hope that we'll do something that we cannot do. I urge a 'no' vote on this Bill."

Speaker Laurino: "Representative Wennlund for what reason do you arise, Sir?"

Wennlund: "Thank you, Mr. Speaker. To the Bill, I agree with Representative Homer and that it's important to send a message to the youth of America that the State of Illinois is going to get tough on drugs. I'm delighted that the 130 students from the Mokena Junior High School are here in the gallery to hear that message personally and first hand, and I welcome them to Springfield and to the House of Representatives. But, it's important to send the right message. I'm not convinced, and I agree with the comments of Representative Dunn that there is anything grand about a Grand Jury. All a Grand Jury does is hear evidence that's been gathered months before the Grand Jury ever convenes and makes a determination as to whether or not that an indictment should be brought down. The problems of financing are, in fact, as Representative Dunn has stated. I think this is a matter that should be given a lot of study, a lot of time, and may have, the purpose is right, whether or not this is the right vehicle to send that message and to, in fact, get tough on crime in Illinois is another matter. As all of you know, the prison population

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increased in Illinois 21% in just one year. That's double any other state including California and New York. Currently, there are almost 29,000 inmates in the Department of Corrections. That's about 10,000 more than the system was designed for. We have to take a careful look at how this problem is approached."

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

McCracken: "I also rise in opposition to the Bill, and I wanted to touch on a point raised by Representative Dunn. You know in the name of getting drug pushers we're doing two things wrong with this Bill. One, all of you civil libertarians, out there should be concerned that this is going to send down the toilet the Bill of Rights and don't kid yourself, it's a step in that direction. The model that this is patterned after is nothing to emulate. There is a lot of injustice in the way prosecutions are handled in our U.S. Attorney's Office and the result of that is its authority which is similar to what is being proposed here. If you fear for that, if you fear for the encroaching government, if you fear for your rights, do not vote in favor of this Bill. But, more importantly, on a more immediate point, it doesn't do anything. Having a Statewide Grand Jury isn't going to increase the probability of any prosecution. It's not going to make greater the quality of prosecution. State's Attorneys already have ample resources. They already can prosecute drug conspiracies that are multi-or inter-county in nature. That's already the law. Without giving any substantial impetus to the police, without giving them the kind of aid they need as Representative Petka so rightly stated, this Bill does nothing. It does nothing to help us in the war against drugs; all it does is jeopardize us. I recommend a

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'no' vote."

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

Homer: "Mr. Speaker, before the Bill was called and after we adopted Representative Wennlund's Amendments, I went to the other side and to ask if they were sincere with their Amendments and if they were going to...if there was a party position on this Bill. I was told there was no position. On good faith, I accepted the Gentleman's Amendments, put 'em on the Bill because I thought they strengthen the Bill and now I'm told as we're debating the Bill that a call came from Room 300 that this should be a Republican 'no' vote. I think that's pretty sad that we're playing politics with this question. That you're afraid that you're going to give the Attorney General that happens to be Democrat some credit. See, you're willing to play more political games this year like you did last year, during the gubernatorial election. I'm sad and I'm sorry and I'm sad for those kids up in the gallery. Mr. Speaker, would you take this Bill from the record?"

Speaker Laurino: "The Gentleman asks that the Bill be taken from the record. Awesome. We'll go to page 36 on the Calendar, House Bill 2466, under Human Services, Third Reading, Representative Rotillo."

Clerk Leone: "House Bill 2466, a Bill for an Act concerning a program of all-inclusive care for the elderly. Third Reading of the Bill."

Speaker Laurino: "Representative Rotillo."

Rotillo: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2466 is modeled somewhat after an existing program that we have to maintain the frail elderly at home as long as possible. I do have to offer an Amendment for it that has been worked out as a compromise

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to the Department of Public Aid and myself to clarify legal language and to give us the statutory authority to implement this Bill. And, Mr. Speaker, we need to move back to Second Reading to do that. Second Reading."

Speaker Laurino: "The Gentleman asks leave of the House to move House Bill 2466 back to Second Reading with...I see no objections, we'll use the Attendance Roll Call and move House Bill 2466 back to Second Reading."

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

Speaker Laurino: "Representative Rotello, Amendment #1, to House Bill 2466. Proceed, Sir."

Rotello: "The Amendment to the Bill is defined in such intent that eligible persons defined under this section after a period of three years a demonstration of the General Assembly shall reexamine the Pace Program and determine if the Program should be implemented on a permanent basis. What this does is kind of sunset the Bill, sunset the legislation, for us to review it after three years and to determine if we want to make it permanent and done on a statewide basis. Right now this Program is just implemented in the City of Chicago. And I move for the adoption of the Amendment."

Speaker Laurino: "Further discussion? Seeing none, Representative Rotillo has asked for the adoption of Amendment #1 to House Bill 2466. All those in favor indicate by saying 'aye', 'nays'. The 'ayes' have it. The Amendment is adopted. Third Reading. The Gentleman has asks leave of the House to have his Bill heard immediately. Leave from the Attendance Roll Call. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2466, a Bill for an Act concerning program of all-inclusive care for the elderly. Third

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Reading of the Bill."

Rotello: "Mr. Speaker, this Bill creates the all-inclusive Care for the Elderly Act and upon receipt of several federal waivers required the Department of Public Aid to contract with private nonprofit organizations for operation of the Program of all-inclusive care for the elderly. Basically what it does is sets up a program to keep the frail elderly at home as long as possible so that they don't have to go into a nursing home and there shouldn't be any objection to that from anyone, and it's something that can keep costs down, and I certainly urge support for the Bill."

Speaker Laurino: "Representative Rotello moves for the adoption of House Bill 2466. Any further discussion? Seeing none, all those in favor will indicate by voting 'aye', opposed 'nay'. The vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 111 'ayes', 0 voting 'no', and 0 voting 'present', having received a required Constitutional Majority the Bill is hereby declared passed. Representative Deering, do you want the record to indicate that you suggested that you wanted to vote 'aye'? ...35 of the Calendar, Banking. No. I'm sorry. Page 16 of the Calendar, Banking. House Bill 1488, Representative Capparelli. Out of the record. Page 35, Banking. House Bill 2135, Third Reading, Representative Santiago. Out of the record. Page 6 in the Calendar, under Consumer Protection, Second Reading. House Bill 208, Representative Schakowsky. Out of the record. Page 19, House Bill 1981, Representative Hartke. Out of the record. Page 26 of the Calendar, House Bill 370, Representative McGann, under Consumer Protection, Third Reading. Out of the record. House Bill 1858, Representative Farley. Out of the record. House Bill

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2026, Representative Granberg. Out of the record. House Bill 2030, Representative DeLeo. Out of the record. House Bill 2051, Representative Hicks. Out of the record. The Chair will proceed to Economic Development. Second Reading. Page 12, House Bill 882, Representative Wvvetter Younge. Out of the record. House Bill 1021, Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1021, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments and the fiscal note has been filed on House Bill 1021."

Speaker Laurino: "Third Reading. Page 16, House Bill 1571, Representative Wvvetter Younge. Oh, excuse me. I'm sorry. Out of the record. Representative Dunn asks that House Bill 1021, be read. It's been read a second time held previously. It's on Third Reading and the Gentleman has leave for immediate consideration of House Bill 1021. With leave by the Attendance Roll Call, leave will be granted. Representative Dunn."

Clerk Leone: "House Bill 1021, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill simply restructures some of the organization of DCCA, creates a Division of Defense Contract Procurement. I suppose, for the benefit of everybody, the most significant fact is the fiscal note which says 'There is no incremental fiscal impact with this legislation'. I ask for your 'aye' vote."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I just rise to support the Gentleman's Motion. I think you ought to take a good look at this Bill. I think Illinois ranks dead last in the amount of Federal Department of Defense dollars that we get



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back compared to the money that we send in. Not only that, if you add Operation Quick Silver which calls for Illinois to give up 58% of its strength of the Illinois Army National Guard when other states are being benefited from this, I think the Gentleman is correct. I think it is time that we ask the Department of Defense to look a little more favorably on the State of Illinois, and I'm pleased to vote for the Gentleman's Bill."

Speaker Laurino: "Further discussion? Seeing none, Representative Dunn to close."

Dunn: "I ask for your 'aye' vote."

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

Harris: "For further discussion, Mr. Speaker."

Speaker Laurino: "The Gentleman has closed, Representative. If you have any questions, you can proceed in question..."

Harris: "Thank you."

Speaker Laurino: "The Gentleman asks for the adoption of House Bill 1021. All those in favor indicate by saying 'aye', opposed 'nay'. The vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 108 'aye', 2 voting 'nay' and 3 voting 'present'. Having received the required Constitutional Majority is hereby declared passed. Page 17 of the Calendar. House Bill 1624, Representative Homer. Out of the record. House Bill 1876, Representative Morrow. Out of the record. Page 38 of the Calendar, Economic Development. Third Reading, House Bill 570, Representative Giglio. Out of the record. Page 28, House Bill 812, Representative McNamara. Out of the record. House Bill 29, House Bill 875, Representative Obrzut. Out of the record. House Bill 1134, Representative Tenhouse. Out of the record. House Bill

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1867, Representative Steczko. Out of the record. House Bill 1935, Representative Giorgi. Out of the record. House Bill 2362, Representative Granberg. Out of the record. House Bill 2378, Representative Balanoff. Representative Balanoff. Out of the record. Page 5 in the Calendar, Education Finance. Second Reading. Representative Lang on House Bill 19. Out of the record. Education Finance. Third Reading. Page 29, Representative Giglio. Out of the record. House Bill 1097, Representative McNamara. Out of the record. House Bill 2042, Representative Steczko. Out of the record. House Bill 2399, Representative Phelan. Out of the record. Proceedng to page 19, House. Bill 2003, under Housing, Representative Davis. Representative Davis? Second Reading. Housing. House Bill 2003. Out of the record. Housing. Third Reading. Page 28, House Bill 785, Representative Levin. Out of the record. House Bill 1243, Representative Turner. Out of the record. House Bill 1615, Representative Davis. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1615, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Laurino: "Representative Davis."

Davis: "Thank you, Mr. Speaker. We would like permission to remove (sic move) this Bill back to Second for the purpose of an Amendment."

Speaker Laurino: "The Lady asks leave of the House to move this Bill back to Second Reading. Does she have leave? By using the Attendance Roll Call, the Lady has leave to move the Bill back to Second Reading for the purposes of an Amendment."

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

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Representative Monique Davis."

Speaker Laurino: "Representative Davis on Amendment #1 to House Bill 1615."

Davis: "Thank you, Mr. Chairman, Ladies and Gentleman of the House. As you remember when we presented this Bill, 1615, it was a Bill to give priority for home mortgages in the IDA Program to those who had served in the Desert Storm War and this particular Amendment gives that same right to some of those who have served during that period but it extends it to August of 1992, and it states that those who were in the Desert Storm theater from August '90 or July '90 through August of 1992, they would be eligible for this priority in obtaining a mortgage. We urge an 'aye' vote."

Speaker Laurino: "Representative Davis has asked for the adoption of Amendment #1 to House Bill 1615 and on that is there any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Representative's Amendment. It makes a good Bill that much better and it's a fitting way to honor the members of Operation Desert Storm, and I ask for all your favorable support."

Davis: "We ask for immediate consideration of this Bill, Sir."

Speaker Laurino: "Representative Davis asks for the adoption of Amendment #1 to House Bill 1615. All those in favor indicate by saying 'aye'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading."

Davis: "We ask for immediate consideration, Mr. Chairman."

Speaker Laurino: "The Lady from Cook, Representative Davis asks for leave of the House to have this Bill heard immediately. With use the Attendance Roll Call, she has leave. The Attendance Roll Call being used. Read the Bill, Mr.

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Clerk."

Clerk Leone: "House Bill 1615, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Laurino: "Representative Davis."

Davis: "Thank you, Mr. Chairman. I think all of us in the House of Representatives agree that those soldiers, male or female, who have served in the Desert Storm Theater should not only be welcomed home with parades, but also with actions that make them know how much we appreciate their efforts. This particular piece of legislation says to them if you live in the State of Illinois, if you served in the Desert Storm Theater, during that period, then you will have priority in obtaining mortgages through the IDA mortgage program. We urge an 'aye' vote. I want to thank Representative Wennlund for his efforts in support in drafting this Amendment and we urge an 'aye' vote.."

Speaker Laurino: "Representative Davis has asked for the adoption of House Bill 1615. All those in favor indicate by voting 'aye'. Those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 110 'ayes', 0 voting 'nay', 0 voting 'present', having received a required Constitutional Majority is hereby declared passed. House Bill 2151, Representative Turner. Out of the record. Go to Government Operations. Second Reading. Page 15, House Bill 1297, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1297, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "There's a request for a fiscal note,

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Representative Hicks. The Bill will remain on Second Reading. House Bill 1497, Representative Edley. Out of the record, Mr. Clerk. Representative Keane, House Bill 1749. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1749, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill."

Speaker Laurino: "Any Motions?"

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

Speaker Laurino: "Representative Keane. Amendment #1 to House Bill 1749."

Keane: "Thank you. Amendment #1 was a technical Amendment agreed to by the Secretary of State, and it changes the current law. It requires a statement from a recycler who purchases five vehicular vehicles per year. The Bill changes it to 100, and the Amendment takes it back to five. I move the adoption of Amendment #1."

Speaker Laurino: "Further discussion? Seeing none, Representative Keane moves for the adoption of Amendment #1 to House Bill 1749. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 2032, Representative Currie. Representative Satterthwaite in the Chair."

Speaker Satterthwaite: "Representative McCracken, for what reason do you rise?"

McCracken: "I'm rising on a point of personal privilege. I wanted to alert the Body of the latest educational milestone achieved by one of our Members. Karen Hasara is graduating tomorrow, receiving a master's in Legal Studies, and it only took her 12 years to get it. Congratulations."

Speaker Satterthwaite: "Yes, congratulations. Representative

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Committee, we had House Bill 2078 and 2079. I was asked to go to 2078 and take 2079 and amend it on this Bill. What it does is to amend the Human Rights Act to allow the Department to transfer charges which are federally related charges to the federal government for resolution."

Lang: "Thank you."

Speaker Satterthwaite: "The Gentleman has asked for the adoption of Amendment #1. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. We'll go then to the Special Order of Government Operations, Third Reading. The Sponsors with Bills early on the list are Representative Stern. LeFlore. Obrzut and Curran. House Bill 12, Representative Stern. Out of the record. House Bill 143, Representative LeFlore. Out of the record. House Bill 242, Representative Obrzut. Out of the record. House Bill 452, Representative Curran. Out of the record. Oh, Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 452, a Bill for an Act concerning procurement of agricultural engineering and land surveying services. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Curran."

Curran: "Madam Speaker. Leave to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker Satterthwaite: "The Gentleman asks leave to bring the Bill back to Second Reading. Seeing no objection, the Attendance Roll Call will be used for that purpose. Representative Curran."

Curran: "Thank you, Madam Speaker."

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

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Curran: "Amendment #4 is an Amendment that is agreed upon is being presented at the suggestion of the Capital Development Board. It clarifies the Department of Professional Regulations Enforcement of the Act. It pertains to only Section 65. It allows state agencies to use prequalification lists of other agencies and allows state agencies to advertise projects in the official state newspaper. It clarifies the statements of qualifications do not have to be provided in each project. It allows agencies to consider any prequalified firm for projects. It provides this agency may as opposed to shell, have one or more public members on the selection committee and it clarifies that state agencies must select three qualified firms for project consideration and it requires firms under contract with the state agency to negotiate subcontracts for architect, engineering and land surveying services. It's being offered at the request and suggestion and cooperation of the Capital Development Board."

Speaker Satterthwaite: "Representative Black."

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

Speaker Satterthwaite: "He indicates he will."

Black: "Representative, you'll have to bear with me, I'm talking rather slowly today. I had to have some dental surgery today to remove my foot from my mouth, but I'm doing the best I can."

Curran: "I know the feeling."

Black: "The...Amendment #4, is this the Amendment that the Capital Development Board has worked out with you?"

Curran: "Yes, it is."

Black: "And with that Amendment on the Bill are you then aware of any opposition to the Bill?"

Curran: "I am aware of no opposition with this Amendment."

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Black: "Alright. Thank you very much."

Speaker Satterthwaite: "Any further discussion? If not, Representative Curran to close."

Curran: "I think I'll just ask for a favorable Roll Call."

Speaker Satterthwaite: "The question..."

Curran: "I move the adoption of the Amendment. I don't think Roll Call is necessary."

Speaker Satterthwaite: "The Gentleman asks for the adoption of Amendment #4. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Representative Curran asks leave to have House Bill 452 heard on Third Reading at this time. Is there any objection? I see some lights flashing. Are they in response to objections on hearing the Bill on Third Reading? They are not. Excuse me, after the Amendment #4 was adopted, we have to move the Bill to Third Reading. Mr. Clerk, read the Bill to Third, move the Bill to Third Reading. The Gentleman asks leave to have the Bill heard immediately on Third Reading. With use of the Attendance Roll Call, leave is given. Representative Curran."

Clerk O'Brien: "House Bill 452, a Bill for an Act concerning the procurement of agricultural, engineering and land surveying services by the State of Illinois. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Curran."

Curran: "Thank you, Madam Speaker. I think what I ought to do is just explain the Amendment, but I ought to explain the underlying Bill. The underlying Bill establishes a state policy for public announcement of all projects, selections, based upon qualifications and negotiations of contracts for all architectural, engineering and land surveying services. The First Amendment requires prequalification of firms, public notice of projects and professional service



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bulletins. It requires an evaluation of firms, qualifications, selection committees, privileged costs of proposals prior to ranking and selection. It requires ranking of three firms and...qualifications, requires development of scope and negotiation of scope of work and negotiation of fee. If unable to reach an agreement, negotiation of fee with the next ranked firm. It incorporates provisions for emergency procurement, requires evaluation of firm's performance and prohibits agencies and professionals from violating the Act and prohibits payment of contracts found in violation. These are essentially the qualifications that we require now, state government, local governments to live up to by our own Public Act in the 85th General Assembly. These are also almost identical to the federal bid qualifications for these kind of projects and with the Amendment, Amendment #4 just offered and approved, this Bill has no opposition by the Capital Development Board."

Speaker Satterthwaite: "Members, you have heard the explanation of the Bill. Are there comments or questions? Seeing no one seeking recognition, the question is, 'Shall House Bill 452 pass?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', 0 voting 'no', 0 voting 'present'. The Bill, having received a Constitutional Majority is hereby declared passed. Representative Deering, House Bill 721. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 721, a Bill for an Act to amend the State Property Control Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Deering."

Deering: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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Hasara."

Hasara: "Thank you very much. I think that means, now do I get put into the same category with the lawyers or the non lawyers."

Speaker Satterthwaite: "I would suggest not with the lawyers, but..."

Hasara: "Thank you very much."

Speaker Satterthwaite: "You can probably take your choice."

Hasara: "Thank you."

Speaker Satterthwaite: "Representative Currie, did you wish to call House Bill 2032? Out of the record. Representative Churchill, 2078. Representative Churchill? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2078, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Satterthwaite: "Representative Churchill? Oh, excuse me. Any Floor Amendments?"

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

Speaker Satterthwaite: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 amends the Human Rights Act to allow the department to transfer charges to federal agencies where that is applicable."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #1. Is there anyone standing in opposition? Seeing no one, the Gentleman's Motion is do adopt. All those in favor say 'aye'. Representative Lang."

Lang: "Thank you, Madam Speaker. I'm sorry, I did not hear the explanation of the Amendment. Could you repeat it again, Representative?"

Churchill: "This is the same as House Bill 2079. In the

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House. This is a Bill to allow local governments, taxing entities, townships, fire protection districts with a population of less than 2,500 people, the opportunity to receive state surplus automobiles, trucks, tractors and implements, including equipment from the Illinois Department of Transportation at zero cost to the local government for a period of two years and at that time they have to negotiate the price to be paid. I feel this is a good Bill because a lot of these small communities do not have the funds to buy these pieces of equipment right now and I don't think it's fair that we take tax dollars from local government and then, in turn, have to ask them to turn around and ask the state for money to operate. I would entertain any questions."

Speaker Satterthwaite: "Representative Ropp."

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

Deering: "Yes."

Speaker Satterthwaite: "He indicates he will."

Ropp: "I thought I'd pass a Bill like this like five or six years ago. Is there, do we have something already on the books that does something similar to this?"

Deering: "Not to my knowledge."

Ropp: "Well, maybe that dealt with the equipment, like earth movers and pickup trucks and mowers and things, but I thought sure there was something in the statutes now that deals with it. I think that that's a good idea. I just thought we already had it. Why can't we do this now or in your opinion is it because the law doesn't allow it?"

Deering: "We do. The local governments have to pay a price for it. My intent of this Bill is local taxing entities with population of less than 2,500 people are entitled to this equipment free of charge for a period of two years at which time they have to either turn it back into the state or

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negotiate a price with the department."

Ropp: "You may have a good idea, I guess, after the state gets through with some of these automobiles that have a 150, 110,000 miles and you're going to allow a local small town to assume the repair costs when the motor goes out and all that. I guess what I'm saying is, are we asking them to assume a sizable responsibility of taking somewhat old, used equipment that may be worn out?"

Deering: "I've seen some of this equipment after the state gets rid of it, and it's in pretty good shape and some of these road districts, fire protection districts would gladly accept some of this equipment and take care of it. 100,000 miles, 125,000 miles in today's day and age isn't very much on an automobile."

Ropp: "Why did you just limit it to small counties or small municipalities?"

Deering: "Because a lot of small communities, municipalities in these fire protection districts and road districts have a hard time qualifying or receiving other grants."

Ropp: "Okay, thank you."

Speaker Satterthwaite: "Representative Deuchler."

Deuchler: "Thank you, Madam Speaker. Will the Sponsor yield for a question? I'm wondering, Representative Deering, which, who is opposed to this Bill?"

Deering: "Oh. CMS isn't too happy with it."

Deuchler: "Are they opposed?"

Deering: "Yes."

Deuchler: "It's my understanding, that IDOT is also opposed. Are you aware of that?"

Deering: "Who?"

Deuchler: "Department of Transportation."

Deering: "Yes."

Deuchler: "Do you know the nature of their opposition?"

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Deering: "Well, they claim it will cost them some dollars."

Deuchler: "To the Bill, Madam Speaker. It is my understanding that CMS at least uses these vehicles, draws on them for their motor pool and that it would cause them inconvenience if not having to go out and buy additional vehicles for them, so for that reason I would stand opposed."

Deering: "Madam Speaker, I think the..."

Speaker Satterthwaite: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentleman of the House. I rise in support of the Gentleman's Bill. I think in answer to Representative Ropp's concern and why it applies to small municipalities, you must understand the mentality of small has to deal with what you can utilize, the best you can capture. Even in our own personal rise in family budgets, those of us that have to cannot buy or trade our vehicles this year or next year if they have a 100,000 or more on them we try to utilize them as far as we can because of the budget situation and these small municipalities do not have the liberty to or the tax base to even access a small amount of funds to get a vehicle even if they could buy a new one at \$10,000 or \$12,000. I know that is hard for someone to understand who have a bigger capability, but that's the problem, the mentality that you've got to understand. What little we can to help us goes a long way."

Deering: "Madam Speaker, can we pull this out of the record, today?"

Speaker Satterthwaite: "Yes. The Gentleman asks leave to take the Bill out of the record. Representative Edley, House Bill 738. Out of the record. Representative Steczo, House Bill 841. Out of the record. Representative Schakowsky, House Bill 933. Out of the record. Representative Ewing, House Bill 1186. Out of the record. Representative

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Granberg, House Bill 1198. Out of the record. Does anybody have a Bill on Government Operations, Third Reading that they want to have called? Okay, Representative Ewing is now here on House Bill 1186. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1186, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Ewing."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House. This is a Department of Public Aid Bill, and it would provide for the sharing of Social Security numbers from the Secretary of State's Office for parents who have failed to pay child support to Public Aid recipients. We believe it would allow the State of Illinois to collect millions of dollars of unpaid child support, and I think this is a good legislation for the state, and I would ask for an 'aye' vote."

Speaker Satterthwaite: "Representative Dunn."

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

Speaker Satterthwaite: "He indicates he will."

Dunn: "What does this Bill do, again, please. I was distracted."

Ewing: "It allows for the Secretary of State to release to the Department of Public Aid, Social Security numbers, unless the persons actually refuses to give the Secretary the authority to do it. They would be notified that their number had been requested, and then, if they didn't instruct the Secretary not to release the number to the Department of Public Aid, the Secretary could release the number to the Department of Public Aid and through that information they'd be able to track down parents who aren't paying their child support."

Dunn: "I don't hear you saying anything about this being limited to the child support matters. What is the scope of this legislation?"

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Ewing: "I'm sorry, it is not necessarily limited to child support. But the Department would have no need to use somebody's Social Security number unless they were not paying their obligations to the Department, or to the children which the Department would be funding."

Dunn: "I think the Department of Public Aid would probably like to have the Social Security number of every licensed driver in the State of Illinois. I don't know that they need that, yet, we're approaching Big Brother status but I don't know if they need that, yet. This is not confined in any way? I understand what you're trying to do, and don't necessarily disagree with that, but I think that the mechanism you propose to follow is all-inclusive and looks, at least at this point, like a classic situation of throwing out the baby with the bath water. We still do, in this country, at least pretend to talk about individual rights and freedom and the right to privacy, and, if the Secretary of State can just match computers and send all our Social Security numbers over to the Department of Public Aid, then we have to ask, 'why' and 'what for' and if we're going to give each individual an opportunity to negate that by written notice, that means at least one very expensive mailing on the Department of Secretary of State, to each driver, 'What do ya think? Do you want to give up your Social Security number to the whole world or not?' and then...punch those responses into the computer system. So, we don't have any money in the State of Illinois, at the present time, how can we afford such a large program, in scope and magnitude?"

Ewing: "Madam Speaker, I don't know if that was a comment or a question, but I would apologize for not explaining this well enough. The request, the notification would be on renewals and on new applications, Representative, that's

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the intent, and they could then notify the Secretary if didn't want him to use that number. I think though that you missed the point here, that this is not Big Government looking over us but, instead, it's Big Government trying to collect the money that we're now spending for Public Aid Recipients, from people who aren't paying their obligations. I don't know how you could be opposed to that. Do we want people not to pay their child support? Do we want people to leave the state, and leave the State of Illinois with the obligation to support their children? I don't think so. I think we want to have as much money available in this state, to take care of the children in this state, and this would help do it."

Dunn: "Madam Speaker, Ladies and Gentlemen, to this Bill, the language of the legislation provides that your Social Security, and mine, will be disclosed to the Department of Public Aid after we have received a notification and that silence will authorize disclosure. Now, I would ask the people in this room, how many of you know, at the present time, where the change of address card is that comes with your statement from the Secretary of State about license renewal? There's always a little form that says, 'retain this form and mail it in if you've changed your address.' I bet there aren't ten people in this room who have any idea where this form is now. The public doesn't read everything that comes in the mail, and we're trained not to because we receive so much junk mail. So, to say to the members of the general public, along will come a notice that says, here goes your Social Security number to the Department of Public Aid, or wherever we'll perscribe next, and, all you have to do is say 'no', but if you say nothing, away the number goes. That's just like belonging to a record club or a book club and they send you a notice



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that says, 'Unless we hear from you in the next three weeks, you're gonna get the book; you're gonna get the record' and there're probably not very many people in this room who haven't been caught in that situation when the book arrives on your doorstep that you didn't want, you forgot to mail the notice in or didn't know you had to. The public doesn't know...the negative is what is the trouble here. There should be an affirmative, and the Bill does need an Amendment, and it needs it now, before it leaves this chamber, to restrict this to child support collection matters, and to rein in this procedure on behalf of both the Secretary of State and the Department of Public Aid. So, I urge Members, at least at this point, to vote 'no' or 'present' on this Bill, or have the Sponsor take this Bill out of the record and bring it back to Second and put an Amendment on it that narrows the scope of this legislation. As it is now, it's just too broad and should be defeated."

Speaker Satterthwaite: "Representative Ewing."

Ewing: "Madam Speaker, I will try to accommodate Representative Currie and Representative Dunn. I know how important it is to them to see that we have the money to pay our obligations to our children, and I know that they recognize good legislation when they see it, and I'm sure that wisdom will prevail on their part, and we will take it out of the record and talk to them about this matter."

Speaker Satterthwaite: "The Gentleman asks to have the Bill removed from the record. Representative Keane, on House Bill 1949. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1949, a Bill for an Act to amend the Fees and Salaries Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Keane."

Keane: "Thank you, Madam Speaker. House Bill 1949 is an Audit

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Commission Bill. It was introduced at the suggestion, of, I believe, the Comptroller. Basically, it deletes a provision requiring the Constitutional Executive Branch Officers making semiannual reports of fees received by them. Nobody uses the reports. It's a pain in the neck for the Constitutional Officers, and they don't want to continue it. It's a simple Bill, I ask for your favorable vote."

Speaker Satterthwaite: Representative Keane has asked for passage of House Bill 1949. The question is, 'Shall House Bill 1949 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 voting 'yes', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Clerk also wishes to report to the Members that all of the Bills on the Agreed Bill list have had sufficient votes for passage. All of the Bills on the Agreed Bill list have passed. They have all received a Constitutional Majority and are hereby declared passed. If Members who have those Bills wish to see the individual Roll Call, those Roll Calls will be up here at the Clerk's well for your perousal. Or, the Republican floor Leader also has a set of those roll calls. Those are the Bills that were on the yellow Calendar of Agreed Bills. All of them have passed. We will go back now to Representative Pullen's Bill on Government Operations, House Bill 1506. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1506, a Bill for an Act to amend the Flag Display Act. Third Reading of the Bill."

Speaker Satterthwaite: "Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill, I hope, is about the simplest I've ever

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sponsored. It's of three lines if simply says, 'No flag, other than the United States national flag, shall be displayed above the flag of the State of Illinois.' It has come to my attention that there are some places where people believe that it's appropriate to fly some other flag above the state flag and this is not now covered in law. So, this is just to put into law what is probably assumed to be pretty much the practice, and, certainly would give the appropriate respect to the flag of our state. I urge its passage. Thank you."

Speaker Satterthwaite: "Does anyone rise in opposition to this Bill? Seeing no one, the question is, 'Shall House Bill 1506 pass?' All those in favor will vote 'aye', all those 'opposed' will vote 'no'. Voting is open. Representative Hultgren. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 107 voting 'yes', none voting 'no', 1 voting 'present'. The Bill having received a Constitutional Majority is hereby declared passed. Are there other Sponsors with Bills on the Special Order of Government Operations, Third Reading, who wish to have their Bills called? Seeing no one seeking recognition on that issue, we will continue to the Special Order of Insurance. Third Reading. The Sponsors are: Representatives Keane, Stern, Santiago, Mautino and Balanoff. Representative Keane. Out of the record. Representative Stern. Out of the record. Representative Santiago. Out of the record. Representative Mautino. Out of the record. Representative Balanoff. Out of the record. On Special Order Municipal, County and Conservation Law. Second Reading. The Sponsors on the top of the list are Lang, Brunsvold, Noland, Keane, et cetera. Municipal, County and Conservation Law. There are a series of Committee Bills, Representative Brunsvold.

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Representative Hicks, for what reason do you rise?"

Hicks: "Thank you very much, Madam Speaker. We did just leave Government Operations. I did have a Bill on Second Reading, House Bill 1297 of which the fiscal note has now been filed. If we'd...have...with leave of the Body, I would like to go back and have that Bill moved to Third."

Speaker Satterthwaite: "That Bill is House Bill 1297, Representative Hicks? Mr. Clerk, has the fiscal note been filed on House Bill 1297? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1297, a Bill for an Act to amend the State Finance Act. Second Reading of the Bill. No Committee or Floor Amendments."

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

Clerk O'Brien: "The fiscal note is filed."

Speaker Satterthwaite: "Third Reading. Representative Hartke, are you handling House Bill 783, 798, 799, 800 and 801? Do you wish to call any of those Bills on Second Reading? Representative Hartke."

Hartke: "Yes, 783. We've got an Amendment for it."

Speaker Satterthwaite: "Alright. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 783, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee Amendments."

Speaker Satterthwaite: "Any Floor Amendments."

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

Speaker Satterthwaite: "Representative Cronin."

Cronin: "Thank you, Madam Speaker. Amendment #1 to House Bill 783 is a provision that allows the county auditor, in counties of population between 700,000 and 3,000,000, which is specifically DuPage County, that certain audits may be conducted with respect to certain units or certain creations of that government, specifically, the Airport

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Authority and the Forest Preserve. This is permissive language that allows the county board to enact this by way of Resolution. I ask that the Amendment be adopted."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #1. All in favor say 'aye', opposed say 'no'. The 'ayes' have it and the Amendment is Adopted. Any further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. House Bill 798. Out of the record. House Bill 799. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 799, a Bill for an Act to amend the Township Law. Second Reading of the Bill. No Committee Amendments."

Speaker Satterthwaite: "Representative Hartke. Representative Hartke, Representative Saltsman has an Amendment. Are you familiar with that Amendment?"

Hartke: "Let's take that out of the record, ..."

Speaker Satterthwaite: "Out of the record, Mr. Clerk. House Bill 800. Representative Hartke. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 800, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee Amendments."

Speaker Satterthwaite: "Any Floor Amendments?"

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

Speaker Satterthwaite: "Representative Klemm."

Klemm: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We have Amendment #1 which does a couple of things. It allows the county board to adopt ordinances so that they can set rules and regulations in unincorporated areas of the county relating to recycling plans. It also allows the counties to provide some penalties in having some violations of those rules and regulations. And, it also

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allows the townships who already have recycling plans, that meet or exceed the county's plan, to be able to be incorporated. As you know, in our waste plan that we had and adopted a couple of years ago for counties, that says that they will have plans. In fact, I think March 1, is the date, or something like that, April 1, they had to file them. Well, without this authority, the counties really can make plans, but they can't do anything about it, to see that they're fulfilled, so I do move for its adoption."

Speaker Satterthwaite: "Representative Hartke. Did you want to speak on this Amendment?"

Hartke: "Nope."

Speaker Satterthwaite: "The Gentleman moves for the adoption of the Amendment. All in favor say 'aye'. Representative Lang."

Lang: "Will the Sponsor yield?"

Speaker Satterthwaite: "He indicates he will."

Lang: "Representative, I'm unsure as to part of this Amendment. Tell me if I'm reading this right. Is it possible for the county and the township both to be operating a plan? A separate plan?"

Klemm: "Well, the law allows townships to do it right now. The law also says that counties have to have an overall plan. That's current law. What we're trying to do is consolidate, to allow counties to be able to enforce the plan that we said they were supposed to have, and, yet, not take away township authority under existing current law. So, what we said, that if townships already have a plan for recycling, 'cause they can go ahead and start it at any time and have had that authority, that as long as we have a county plan we don't want different townships having plans of different types of requirements when the county has the approved plan. So, if the township has a plan that meets

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or exceeds the county's overall plan, fine, let 'em go ahead and continue it, the county wouldn't have to do it, then."

Lang: "Who determines whether the township plan meets or exceeds the county's plan?"

Klemm: "Well, the county would because they have to make the plan, by law."

Lang: "So if the county decided that the township plan doesn't meet their standards, then the township would have to change its plans."

Klemm: "Well, the law says the county will come up with a county plan, a master plan. So, I guess that's true. What we're saying, though, is that if the townships have their plan and they're lacking an element in it, all they have to do then is maybe correct that one element, and that's fine. We don't have to have layer on top of layer of a township plan and then a county plan. We're trying to consolidate two entities. Most townships don't want even to do their plan. Every township we talk to, the township officials association, doesn't want really to do it. But, they don't want to lose their authority that was already granted to them under the law. This allows the cooperative agreements between two entities on the same subject to be able to work cooperatively, and they support it."

Lang: "Thank you very much."

Satterthwaite: "The Gentleman moves for the adoption of Amendment #1. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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

Satterthwaite: "Representative Hartke."

Hartke: "Thank you very much, Madam Speaker, Members of the

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House. Amendment #2 is a Bill we had and pulled it into a Committee Bill. It deals with the office of coroner when it becomes vacant and the county board must fill that vacancy within 60 days; furthermore, that if the sheriff selected and agrees to perform the duties of coroner, he or she must be compensated beyond his regular salary, and I would appreciate your support of this Amendment #2."

Speaker Satterthwaite: "Any discussion? No one seeking recognition, the Gentleman moves for the adoption of Amendment #2 on House Bill 800. All in favor say 'aye', opposed say 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. House Bill 801, Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 801, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee Amendments."

Speaker Satterthwaite: "Any Floor Amendments?"

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

Speaker Satterthwaite: "Representative Ewing. Representative Hartke."

Hartke: "Yes, Amendment #1 simply says that if an individual pleads guilty and agrees to pay the fine and so forth, he would not have to appear in court for violation of an offense, county offense."

Speaker Satterthwaite: "Does anyone rise on this Amendment? Seeing none, Representative Hartke moves for adoption of Amendment #1 to House Bill 801. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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



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Klemm. I believe he plans to withdraw Amendment #2. Is that correct, Dick?"

Speaker Satterthwaite: "Representative Klemm."

Klemm: "The only reason I would maybe hesitate to withdraw is because it amends two different sections. And, though it's the same as House Bill 800, we had agreed that we're not sure which two Bills will do it. I would like to proceed with Floor Amendment #2, then."

Speaker Satterthwaite: "Proceed."

Klemm: "Amendment #2 on House Bill 801 is similar, in fact, identical, to what we talked about on House Bill 800. The reason it is different, however, is because we're trying to amend two different sections because it was told to us that maybe the section should be divided: one under Chapter 34 and one under Chapter 85. Both the counties and the townships agree to the language. We're not sure what's going to transpire on either Bill, but since it's so important to continue our solid waste and recycling program, we wanted to be sure this does become law and that's the reason I do wish to have this enacted, and, I do move its adoption."

Speaker Satterthwaite: "The Gentleman moves for the adoption of Amendment #2 on House Bill 801. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Satterthwaite: "Third Reading. Mr. Clerk, the Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 53, resolved by the Senate of the 87th General Assembly, State of Illinois, the House of Representatives, concurring herein, that when the two Houses adjourn on Friday, May 10, 1991, they stand adjourned until Tuesday, May 14, 1991, at 12:00 noon."

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Speaker Satterthwaite: "Representative Matijevich moves the adoption of the Adjournment Resolution. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Adjournment Resolution is adopted. Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution 51, offered by Representative Kirkland. Senate Joint Resolution 52, Hasara. Senate Joint Resolution 54, Weaver. House Resolution 447, Black. 478, DeJaegher. 479, DeJaegher. 480, Churchill. 481, Churchill. 482, Churchill. 483, DeJaegher. 484, DeJaegher. 485, McGann. 486, McGann. 487, McGann. 488, Johnson. 489, Hensel. 490, B. Pedersen."

Speaker Satterthwaite: "Representative Matijevich moves for the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay'. The 'ayes' have it, and the Agreed Resolutions are adopted. Representative Matijevich Moves that the House do now adjourn. All in favor say 'aye', opposed 'nay'. The 'ayes' have it and the House has adjourned until Tuesday at the hour of noon. The First Special Session of the 87th General Assembly will now convene. Is there leave to use the Attendance Roll Call of the Regular Session for the First Special Session? Leave is granted. The Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution #8, resolved by the Senate of the 87th General Assembly of the State of Illinois, that the First Special Session thereof, the House of Representatives concurring herein, that when the two Houses adjourn on Friday, May 10, 1991, the Senate stands Adjourned until Tuesday, May 14, 1991, at 12:30 o'clock p.m., and the House of Representatives stands Adjourned until Tuesday, May 14, 1991, at 12:05 o'clock p.Mm"

Speaker Satterthwaite: "Representative Matijevich moves for the adoption of the Adjournment Resolution. All in favor say

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'aye', opposed 'nay'. The 'ayes' have it, and the First Special Session is Adjourned. And, the Adjournment Resolution is adopted. Now, Representative Matijevich moves that the First Special Session adjourn. All in favor say 'aye', all opposed say 'nay'. The 'ayes' have it, and the First Special Session is Adjourned."

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