

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

142nd Legislative Day

May 14, 1992

Speaker McPike: "The House will come to order. We'll be led in the invocation this morning by Representative Andy McGann. The guests in the balcony may wish to rise and join us for the invocation."

McGann: "Oh, Lord, our God, how great Thou art. Please give us the wisdom to do the work that the people of the State of Illinois have sent us to do and grant that we will work in a bi-partisan effort to accomplish these goals. Amen."

Speaker McPike: "And, Mr. McGann, would you lead us in the Pledge of Allegiance?"

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

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

Matijevich: "Yes, Mr. Speaker, on this side of the aisle the excused absences are Anthony Young and Dick Mulcahey."

Speaker McPike: "Mr. Johnson."

Johnson: "I'm supposed to tell you who's gone over here, right? Harris is gone. He could be excused."

Speaker McPike: "Representative Harris?"

Johnson: "Right."

Speaker McPike: "Thank you. Mr. Clerk take the roll. One hundred-fifteen Members answering the roll call, a quorum is present. Representative Matijevich, on a Motion."

Matijevich: "Mr. Speaker, I would move, and ask unanimous consent and use the Attendance Roll Call for that purpose, to suspend the Rules of posting notice and the Rules whereby a committee cannot meet while we're in Session, so that the Rules Committee can meet immediately in the Speaker's Conference Room to hear Senate Bill 1485. This is a Bill

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of President Rock and Speaker Madigan, and it's been cleared on the other side of the aisle conveying property from DCFS to Maryville Academy. I would ask leave of the House for that purpose."

Speaker McPike: "All right. And on the Gentleman's Motion. There's no opposition. The Attendance Roll Call will be used, and the Motion carries, and the Rules Committee will meet immediately in the Speaker's Chamber at the rear. Committee Reports."

Clerk O'Brien: "Representative Hannig, Chairman of the Committee on Appropriations General Services, to which the following Bills have been referred, action taken May 13, 1992, reported the same back with the following recommendations: 'do pass' House Bills 2856, 2860, 2869, 3125, 3182, 3443, 3199, 3541, 3540, 3539, 3538, 3537, 2831, 2703, 2701, 930, 372, 871, 109, 110, 112, 2841, 2842, 2843, 2855, 3542, 3543, 3544, 3550, 3552, 3553, 3554, 3558, 3604, 3724 and 3726. Representative Hicks, Chairman of the Committee on Appropriations, Public Safety and Infrastructure to which the following Bills were referred, action taken May 13, 1992, reported the same back with the following recommendations: 'do pass' House Bills 2861, 3728, 3600, 3556, 2844, 3335, 2829, 3250, 3547, 2846, 2845, 2866, 2868, 3546, 3549, 3559, 3548, 3545, 2867, 2445, 3557, 3551, 385, 3719, 3718, 3615 and 3727. Representative McGann, Chairman of the Committee on Appropriations - Education, to which the following Bills were referred, action taken May 14, 1992, reported the same back with the following recommendations: 'do pass' House Bills 2699, 2705, 3523, 2878, 2881 and 379; 'do pass as amended', House Bills 3083, 3084 and 3085. The Committee on Rules has met and, pursuant to Rule 29(c)3, the following Bill has been ruled

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exempt on May 14, 1992: Senate Bill 1485, Signed, John Matijevich, Chairman'."

Speaker McPike: "A message from the Senate."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following title, and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills 1754, 1763, 1764, 1770, 1776, 1782, 1806, 1808, 1821, 1823, 1825, 1828, 1831, 1832, 1861, 1896, 1897, 1901, 1902, 1903, 1904 and 1910, passed by the Senate May 13, 1992. Linda Hawker, Secretary of the Senate'."

Speaker McPike: "Supplemental Calendar announcement."

Clerk O'Brien: "Supplemental Calendar 1, 2 and 3 have been distributed."

Speaker McPike: "Mr. Clerk on Supplemental Calendar #1, on page 3, appears House Bill 3106. Remove that Bill. Remove that Bill from the Agreed Bill List. House Bill 3106 will be removed from the Agreed Bill list. Supplemental Calendar #1, House Bills, Second Reading, appears House Bill 809. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 809, a Bill for an Act to amend the School Code. This Bill's been read a second time previously. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hicks. Mr. Lang, can you handle this for Representative Hicks? Does the Gentleman have leave to handle this Amendment? Leave is granted."

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Lang: "Mr. Speaker, Ladies and Gentlemen, Amendment #2 is a clarifying Amendment that states that...the residency test will be used in the case where special education service and facilities are provided. I ask the adoption of the Amendment."

Speaker McPike: "Is there any opposition? Being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2467. Read the Bill, Mr. Clerk. Oh. It's been read a second time."

Clerk O'Brien: "This Bill's been read a second time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hoffman. Read the...Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment to House Bill 2467 essentially just clears up the Bill. It's the agreement that was reached between myself and the..."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2825. Mr. Clerk, what is the status of this?"

Clerk O'Brien: "House Bill 2825. This Bill's been read a second

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time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. This is an Amendment  
requested by the insurance industry to Cancer Society.  
They're all in agreement. They've come together. It  
clarifies that the fibrocystic restrictions apply only to  
breast conditions and all parties are in agreement on this.  
There's no known opposition and I would ask that it be  
adopted."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2884."

Clerk O'Brien: "House Bill 2884. This Bill's been read a second  
time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.  
Amendment #1 deals with the issue of seat belts on school  
buses. We visited this issue before. Over the last year  
there have been several accidents involving school buses  
not the least of which was a school bus that was  
transporting students from Notre Dame University where two  
got killed and neither of those students was wearing seat  
belts. It brought up to me why this is still necessary.

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The State of New Jersey now is about to pass this Bill and I don't want the State of Illinois to be left behind. Let's protect our children and adopt this Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill...On the Order of Third Reading, there are some Bills on Third Reading on the Supplemental #1 that have to be returned to Second Reading for purposes of Amendment. House Bill 2858, Representative Kirkland. The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. Mr. Clerk."

Clerk O'Brien: "House Bill 2858, Floor Amendment #2 offered by Representative Kirkland."

Speaker McPike: "Representative Kirkland."

Kirkland: "This is a technical Amendment just to redraft the legal description on some property to be annexed into the Metropolitan Water Reclamation District."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to allow this Bill to be heard on Third Reading today. Hearing no objections, the Attendance Roll Call will be used, and the Motion carries. House Bill 3185, Representative Stern. The Lady asks leave to return the Bill to Second Reading. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. This Amendment to 3185 was requested by the Henry County State's Attorney and deals with specific language on the question of the Rape Shield Bill. If you...I will read you the part that has been inserted. 'In prosecutions for aggravated criminal sexual assault, criminal sexual assault, aggravated criminal sexual abuse, or criminal sexual abuse, '(and this is the new part)' or criminal transmission of HIV and in prosecutions for battery and aggravated battery when the commission of the offense involves sexual penetration or sexual conduct as defined in Section 12-12 of the Criminal Code of 1961, and with the trial or retrial of the offense is formerly known as rape, deviate sexual assault, indecent liberties with a child and aggravated indecent liberties with a child.' This closes up loopholes in this particular law, and I ask your 'aye' vote."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Lady asks leave to allow this Bill to be heard on Third Reading today. No objections, the Attendance Roll Call will be used, and the Lady's Motion carries. House Bill 3324, Representative McNamara. The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "House Bill 3324, Floor Amendment #1, offered by

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Representative McNamara."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. This Amendment is being offered by the Liquor Control Commission, that it requires their approval. It's worked on in conjunction with them, and I urge its approval."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to allow this Bill to be heard on Third Reading today. Are there any objections? Hearing none, the Attendance Roll Call will be used. The Gentleman's Motion carries. House Bill 3716, Representative Edley. The Gentleman asks leave to return the Bill to Second Reading. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Edley."

Edley: "Thank you, Mr. Speaker. Amendment #2 simply requires the Auditor General to include his findings and recommendations in the subject matter covered by the Bill. I'd appreciate..."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to have this...to allow this Bill to be heard on Third Reading



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today. Hearing no objections, the Attendance Roll Call will be used. The Gentleman's Motion carries. House Bill 3754, Representative Black. The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill's on Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Floor Amendment #2 is language requested by the United Way and also some language from the Jewish Federation simply to make sure that the State Police are not out actively soliciting these kinds of donations, et cetera, and with that Amendment, I know of no opposition to the Bill."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to allow this Bill to be heard on Third Reading today. Hearing no objections, the Attendance Roll Call will be used and leave is granted. House Bill 3815, Representative McGann. The Gentleman asks leave to return the Bill to Second Reading. Is there any objections? Hearing none, the Bill's on Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. The

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Amendment just corrects a technical error that was found by the LRB, and I'd ask for adoption of Amendment #1 to House Bill 3815 and return it to Third Reading."

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

Black: "Yes, I'm sure it's a technical Amendment and there might, there must be a problem because we don't have the Amendment in the file. Has it been printed and distributed? I assume it has and I don't know why we don't have a copy."

Speaker McPike: "Yes, it has been. Mr. Black, do you withdraw your opposition? The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to allow this Bill to be heard on Third Reading today. Hearing no objections, the Attendance Roll Call will be used and leave is granted. House Bill 4056, Representative Davis. The Lady asks leave to return the Bill to Second Reading. Hearing no objection, the Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #2 offered by Representative Monique Davis."

Speaker McPike: "Amendment #2, Representative Davis. Representative Homer, could you handle this Amendment? We have Amendment #2 and Amendment #3 filed. Amendment #2 and 3."

Homer: "Speaker, the Sponsor is not here. There are two conflicting Amendments. I suggest we take it out of the record."

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Speaker McPike: "All right, we'll take this Bill out of the record and the same with the next Bill, 4057. Take that Bill out of the record. Senate Bill 186. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 186. The Bill's on Third Reading."

Speaker McPike: "Representative Steczo asks leave to return the Bill to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments? Mr. Steczo, did you want to remove this Bill to Second Reading?"

Steczko: "Speaker, I would like to have leave to return it to Second Reading, and I can handle the Amendment for Mr. Klemm..."

Speaker McPike: "It is. All right, Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "All right. Representative Steczo on the Amendment."

Steczko: "Thank you, Mr. Speaker. Amendment #1 just simply allows for the consideration of propositions for dissolving districts and creating consolidated districts, at the non-partisan election which occurs in November of odd years. This is Mr. Klemm's Amendment, and it's been agreed to by everybody."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave that we allow this Bill to be heard on Third Reading today. Seeing

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no objections, the Attendance Roll Call will be used, the Gentleman's Motion carries. Senate Bill 221, Representative Steczo. The Bill's on Third Reading. The Gentleman asks leave to return it to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Hartke. Representative Steczo would you like to handle this for Representative Hartke? Mr. Steczo?"

Steczko: "Yes, Mr. Speaker, I'll handle this for Mr. Hartke. This Amendment just simply says that the highway commissioner of a township has to attend the regular board meetings and provide reports as to the expenditures of that...of his office, and I move for its adoption, Mr. Speaker."

Speaker McPike: "This is the highway..."

Steczko: "The highway commissioner, township highway commissioner, Mr. Speaker."

Speaker McPike: "Representative Hartke?"

Hartke: "Yes, Mr. Speaker and Members of the House. What this Amendment does is would require that the road commissioner for a township district appear at the township meetings, at their monthly meetings, to explain his bills that he has incurred in his activities the previous month. We have a problem in several areas...The trustees of the township are required to approve of the bills that are submitted to the trustees. They get the bills and they have no idea whether the road commissioner has spent this money on the roads or whether he has purchased the culverts or what he has done. So, it would be an opportunity to explain to the trustees what he has expended those moneys for. I'd appreciate your

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support and would be happy to answer any questions."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes, he will."

Black: "Representative, this is not permissive. This is mandating. You are requiring him to attend. Correct?"

Hartke: "Yes, Representative, the trustees are required to approve of the expenditures and so forth that were created by the road commissioner. That's now in law, and it puts the trustees in a bind if they're presented a bill say for 50 culverts. What did he do with the culverts? Does he have the culverts? He has purchased 500 ton of rock. Where did you put the rock?"

Black: "Yes, I understand what you're after, and I don't want to slow us down any at all today, but does the Amendment make clear what the penalties will be? I mean, so he comes to the meeting and doesn't bring any documentation. What are you going to do then?"

Hartke: "We're just asking for his presence to answer the questions."

Black: "And you really think this is necessary? With all the statutes we have on malfeasance and..."

Hartke: "I think so."

Black: "All right."

Speaker McPike: "Mr. Clerk, has Amendment #1 been adopted?"

Clerk O'Brien: "Amendment #1 was adopted in the Committee on Counties and Townships."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'noes' have it. The Amendment's defeated. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Senate Bill 221. There are no further Amendments? Is that correct, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "All right. Third Reading. So this Bill has not been amended today? (House Bill) 3204? House Bill 3204, Representative Steczo. The Gentleman asks leave to return it to Second Reading. Leave is granted. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 adds to the Bill some administrative procedures that were discussed and put together by the Water Reclamation District and by the Illinois Manufacturers' Association. I would move for the adoption of Amendment #1."

Speaker McPike: "On the Gentleman's Motion to adopt Amendment #1, Mr. Black."

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

Speaker McPike: "Yes."

Black: "Representative, I know there's been some negotiations ongoing, regarding this Bill, with the Illinois Manufacturers' Association. They're concerned about due process and supposedly there was supposed to be a technical...change or a technical Amendment that would satisfy their concerns. Has that been done?"

Steczko: "Well, pretty much, Mr. Black. The Amendment here provides for those procedural due process safeguards that the IMA was...was interested in."

Black: "And if...and if...if there still exists a problem it

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would be, knowing you are a man of your word, that this could be worked out in the Senate."

Steczo: "We're attempting to try to do that. There's still a couple of questions on fines and interest and things like that which we think can be taken care of."

Black: "Okay, thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to allow this Bill to be heard on Third Reading today. Leave is granted by use of the Attendance Roll Call, the Motion carries. Mr. Lang. House Bill 2884 will be removed from the Agreed List. Mr. Clerk, remove House Bill 2884, from the Agreed Bill List #1. House Bill 3282. Mr. Clerk, what is the status?"

Clerk O'Brien: "House Bill 3282. This Bill has been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3374."

Clerk O'Brien: "House Bill 3374. This Bill's been read a second time previously. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "Third Reading. House Bill 3479."

Clerk O'Brien: "House Bill 3479. This Bill's been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3490."

Clerk O'Brien: "House Bill 3490. This Bill's been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3946."

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Clerk O'Brien: "House Bill 3946. This Bill's been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3971."

Clerk O'Brien: "House Bill 3971. This Bill's been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 4022."

Clerk O'Brien: "House Bill 4022. This Bill's been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Are there any other Members that have a Bill on Third Reading on this Supplemental that needs to be Amended? (House Bill) 3450 is not on here. Mr. Balanoff? We're on the Supplemental Calendar. All right, Representative Monique Davis. You have two Bills on this Calendar. House Bill 4056. Before we get to this Bill, Representative Bruce Richmond. Could we have some attention in the chamber please? Mr. Richmond please. This Gentleman's got a very important announcement."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. I wanted to share a very important event with you that happened this morning, and it happened to my seat mate, and we all know he is a man of multi-talents, one of them, of course, the outstanding one, is his golf ability, and this morning he made a hole in one. I would caution you not to ask him what his score was, but he did have a hole-in-one, and let me describe it to you. It was on a three-par, number seven, out at the Rail, and he kind of dubbed the shot off the tee and it hit a tree and it went, it rolled through the green and hit the rake and then finally dribbled up on the green and damned if it didn't go in the hole."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. It's traditional that



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a golfer who gets a hole-in-one buys lunch et cetera for those members in the clubhouse. This is close as we're going to come to a club house, so send your lunch orders over to Representative Flinn."

Speaker McPike: "House Bill 4056. The Lady asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. We ask that you adopt Amendment #2 which states that children under the age of 18 who test positive for the AIDS virus, under the direction of mental...I'm sorry, or their doctor or their health provider, this information be given to a parent or guardian in order that the care and concern that should be exhibited to a youth under the age of 18 be given, so we ask that you adopt Amendment #2."

Speaker McPike: "The Lady moves for the adoption of Amendment #2. The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'. Representative McNamara, did you want to talk on this Amendment?"

McNamara: "Just wanted to ask a question?"

Speaker McPike: "Proceed."

McNamara: "Isn't that what Amendment #1 did?"

Speaker McPike: "Representative Davis."

Davis: "I'm sorry, this is Amendment #2."

Speaker McPike: "The question was, 'Is Amendment #2 identical to Amendment #1?'"

Davis: "No, there was a small change."

McNamara: "Could you explain what the change was?"

Davis: "Well, the change was, in the first Amendment, it did not

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ask that the medical provider's...judgment be used. Amendment #2 puts in the Bill that the medical provider's judgment makes the decision whether a parent or guardian be notified and that was put in because some people felt that young people were already suffering the abuse of parents and that this would merely create greater abuse if such knowledge was revealed to them."

McNamara: "So, at the onus is on the medical person and in his judgment he can judge either yes or no that the parents should be notified."

Davis: "After talking with the child that's absolutely correct, Representative."

McNamara: "Thank you."

Speaker McPike: "Representative Lang."

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

Speaker McPike: "Yes."

Lang: "Representative, you seem to be creating a policy issue here that the provider will make the determination as to whether or not the parents will be notified. Why are we leaving that up to the provider?"

Davis: "We're leaving it up to the medical provider because it was felt that to...Are you suggesting that we have a blanket, a notification? It's this Bill...This Amendment makes it similar to spousal notification."

Lang: "Well, I'm not certain my question is answered. Here's the point. If...how do we know which providers will...if there is no criteria, if there's no set policy, then some providers will notify under certain circumstances and others won't under those same circumstances."

Davis: "Representative?"

Lang: "Is it appropriate to leave this decision up to individual medical providers?"

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Davis: "Well, the question became, or the concern was, there are some children who are living at home under very abusive situations, and we did not want to create a condition where greater abuse could occur, where there would be an automatic notice. In other words, if a child goes to see a physician, or goes to be tested, and that child reveals to the doctor or medical provider that notifying his or her parent that they are testing positive could create greater havoc or greater abuse, greater mistreatment for this child, we don't want to create that for the child."

Lang: "Well, I think you miss my point. I'm not for mandatory...informing. My concern is not that more people be informed. My concern is the criteria under which the provider will inform the parents, and I think, as the Bill stands now, as the Amendment stands now, it's too loose. Different providers will do it under different circumstances."

Davis: "No, no."

Lang: "Different providers in different parts of the state will do it under certain circumstances."

Davis: "I think what we have here, Representative Lang, is a request by two physicians or health providers. If a person under the age of 18 tests positive for AIDS and in the opinion of that provider and the child the parent should be notified, then the parent will be notified."

Lang: "In the opinion of the provider and the child? Is that what you're..."

Davis: "We're leaving it between the physician and the child, similar to what we do with spousal notification. In...What exists in the law today, Representative Lang, is if a spouse tests positive for AIDS and in the opinion of the medical...the medical provider, that spouse has not

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notified his or her spouse that he or she is living with and he feels that person has not been notified to the detriment to the rest of society, then he will notify that spouse. And this Amendment...You know, originally the Bill said a parent had to be notified as soon as that child tested positive. Originally. After great discussion with the Department of Public Health and other Legislators, it was determined that in some situations it could be more harmful to that child than helpful, if that parent were notified."

Lang: "Well, I understand where you're going, and I support what you are doing. My concern is not with the result; my concern is with the process. I'm not sure we should leave the providers to make this decision. How are they to determine what's in the best interest of the child or what's in the best interest of the family? I think there should be certain criteria in the Amendment, so that the provider will know when they should do this and when they should not do this."

Davis: "Well, if you're suggesting that we outline or delineate certain circumstances, for example, a child who has been documented as abused at home, we really didn't kind of wanta open up that can of worms. You know, because by doing that, many times we will say to that child who maybe has left that situation and is in a totally new situation that he or she cannot have the support of his or her parent or guardian at this very needed time. I think this Amendment, just as many other pieces of legislation that pass out of here, Representative Lang, could have delineated certain circumstances, but we felt it better to leave it to the professional judgment of the medical provider."

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Lang: "I appreciate what you're doing. I'm not certain it's the right way to go, but thank you for answering my question."

Davis: "You're welcome."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Davis?"

Davis: "We withdraw, Rep...Amendment #3."

Speaker McPike: "Amendment #3, is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Lady asks leave to allow this Bill to be heard on Third Reading today. Being no objections, the Attendance Roll Call will be used, leave is granted. The Motion carries. Representative McNamara. I did not see your light. Representative McNamara, for what reason do you rise? Representative McNamara, if you use your microphone, the Chair can hear you."

McNamara: "I object to hearing that today. That was my objection."

Speaker McPike: "All right, Representative McNamara wants this Bill removed from the Agreed Bill List. Alright, Mr. Clerk, House Bill 4056 will be removed from the Agreed Bill List. House Bill 809, at the request of the Sponsor, should be removed from the Agreed Bill List. (House Bill) 809. Mr. Clerk, House Bill 3633 should be removed from the Agreed Bill List. House Bill 4057. The Lady asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Davis."

Davis: "On this Bill, 4057, we have Floor Amendment #1, which asks that the Public Aid Department notify people across the state, and especially in Chicago, of where their facilities for testing are located and also where their facilities for counseling are located. In the City of Chicago, we lose dollars from the State of Illinois when people do not go in for information, and they don't go for information, many times, because they don't know where these facilities are located. The current practice is to advertise only where there is a high incidence of AIDS. I believe that the policy in the State of Illinois is prevention, and we can only have prevention if people know where to go for counseling, for information and for testing. The Illinois Department for Public Aid has removed its opposition from this legislation. Thank you."

Speaker McPike: "Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. A quick question of the Sponsor."

Speaker McPike: "Yes."

Black: "Representative, you, in your explanation, I heard you say 'suggestion' or 'recommending' - I can't remember exactly how you phrased it - that this information be a...be publicized. Now, is that your intent, because I think the Bill, or the Amendment on the underlying Bill, says, 'you shall put this ad in the newspaper,' et cetera?"

Davis: "Representative, what the Amendment states is that they must publicize, at least once a month in cities with a population over a million...they must publicize in neighborhood newspapers, other neighborhood media, and

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neighborhoods of the city that have a general circulation throughout the city, the availability of the AIDS testing and counseling service."

Black: "Yes, I guess the confusion is over whether it says, you know, if it's a news release, that's certainly no problem, an attempt to get publicity, but I think it's being construed is that the department may have to publish...or excuse me...purchase advertising and in cities of over a million population such advertising could be extremely expensive."

Davis: "Well, Representative, it is suggesting to the Illinois Department of Public Aid that they should advertise in neighborhood newspapers where there is not a high incidence of AIDS in order that there not be a high incidence of AIDS...At the present time on the South Side of Chicago, there is no advertising at all. On the West Side of Chicago, to my knowledge, there is no advertising at all, and I'm also suprised that the department is concerned because they had expressed to me that they had...did not have any concern with this. I mean, they were no longer concerned about this Amendment."

Black: "Well, I...I think the concern is over the word you just used. 'Advertise' vis-a-vis 'publicize'."

Davis: "Well, the legislation, Representative, does say 'publicize', you are absolutely correct. The legislation states 'publicize'."

Black: "Okay. Well, let me see if we can establish what your legislative intent would be then. It would be your intent that the Department of Public Health, and you said 'Public Aid', but you mean Public Health, correct?"

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

Black: "Representative, you said the 'Department of Public Aid'."

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I think you meant the Department of Public Health."

Davis: "You're absolutely correct, Representative."

Black: "All right. Could we establish then, for purposes of legislative intent, that it's your intent that the department do everything in its power to 'publicize' such testing rather, and not have to 'advertise' such testing."

Davis: "Well, you're absolutely correct and the legislation does say 'publicize', it does not say 'advertise'. That was my poor choice of words."

Black: "All right, thank you very much."

Speaker McPike: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I personally don't see what the big brouhaha is between the Department of Public Health and the Sponsor of this Bill over whether the department shall part with a few of its millions of dollars that it spends in so-called education about HIV and informing people that there is such a thing as testing and counseling available. Even if this Bill said 'advertise', that would be one of the most appropriate uses of the millions of dollars that we appropriate to that department for so-called AIDS education that I can think of, certainly more appropriate than what they currently use their money for now, but the Bill doesn't even say 'advertise', it says 'publicize'. The English language is somewhat precise, and there is a difference between those two words, but I hope that the department will take this as a mandate to publicize even if that means using their dollars to advertise because it is an appropriate use of that money. Early diagnosis of HIV disease is critical to proper treatment for those who suffer from it and for the purpose of prevention of the spread of this deadly disease. The Lady has a fine idea



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with this Bill, and the Amendment makes it even better, and I suggest we let her put the Bill in the shape in which she wants it, so we can pass this very good Bill and tell the department to get about the business of getting people diagnosed. That's what their job is supposed to be. Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative Davis. Yes, just a minute. Third Reading. The Lady asks leave to allow this Bill to be heard on Third Reading today. Hearing no opposition, leave is granted by use of the Attendance Roll Call. Mr. Clerk, would you name the Bills that have been removed? Mr. Clerk, would you announce the five Bills that have been removed from the Agreed Bill List #1."

Clerk O'Brien: "On Supplemental Calendar #1, the Agreed Bill List #1, on page 2, House Bill 809 has been removed from the Agreed List. Also, House Bill 2884, on page 2 has been removed from the Agreed List. On page 3, House Bill 3106 has been removed from the Agreed List. On page 5, House Bill 3633 has been removed from the Agreed List and on page 7, House Bill 4056 has been removed from the Agreed List."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I understand you are going to be taking action on the Agreed List."

Speaker McPike: "Yes."

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McGann: "I'm waiting for an Amendment, so I'd ask that House Bill 4022 be removed from the Agreed List."

Speaker McPike: "Did you want to amend this Bill in the Senate or do you want to..."

McGann: "No, I would like to amend it here in the House."

Speaker McPike: "All right."

McGann: "Thank you."

Speaker McPike: "Mr. Clerk House Bill 4022 will also be removed from the Calendar. All right, it's the Chair's intention to vote on these Bills shortly. Mr. Clerk, read the Bills on Third Reading."

Clerk O'Brien: "House Bill 2467, a Bill for an Act to amend the Juvenile Court Act. House Bill 2825, a Bill for an Act to amend the Illinois Insurance Code. House Bill 3282, a Bill for an Act to amend the Comprehensive Health Insurance Plan Act. House Bill 3374, a Bill for an Act to amend the Counties Code. House Bill 3479, a Bill for an Act concerning governmental efficiency. House Bill 3409...House Bill 3490, a Bill for an Act to amend the Whistleblower Reward and Protection Act. House Bill 3946, a Bill for an Act to amend the Illinois Purchasing Act. House Bill 3971, a Bill for an Act to amend the Public Utilities Act. House Bill 1129, a Bill for an Act in relation to off-highway motorcycle user areas. House Bill 2651, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 2691, a Bill for an Act in relation to high school and college reunion businesses. House Bill 2711, a Bill for an Act concerning children. House Bill 2723, a Bill for an Act to amend the Illinois Nursing Act. House Bill 2736, a Bill for an Act in relation to child sex offenders. House Bill 2738, a Bill for an Act to amend the Illinois Banking Act. House Bill 2797, a Bill for an Act

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to amend the Juvenile Court Act. House Bill 2798, a Bill for an Act to amend the minimum wage law. House Bill 2858, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 2959, a Bill for an Act concerning forest preserve districts. House Bill 3005, a Bill for an Act to amend the Department of Mental Health and Developmental Disabilities Act. House Bill 3047, a Bill for an Act to amend the Unified Code of Corrections. House Bill 3092, a Bill for an Act to amend the Illinois Insurance Code. House Bill 3107, a Bill for an Act to amend certain acts in relation to child labor. House Bill 3127, a Bill for an Act to amend the Electronic Fund Transfer Transmission Facility Act. House Bill 3128, a Bill for an Act concerning the employment of banks and corporate fiduciaries of personnel removed by order of the Commissioner of Banks and Trust Companies. House Bill 3160, a Bill for an Act to amend the Illinois Rural Downstate Health Act. House Bill 3165, a Bill for an Act to amend the Criminal Code. House Bill 3168, a Bill for an Act to amend the Public Utilities Act. House Bill 3185, a Bill for an Act to amend the Code of Criminal Procedure. House Bill 3187, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 3204, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. House Bill 3228, a Bill for an Act to amend the Land Sales Registration Act. House Bill 3232, a Bill for an Act to amend the Downstate Public Transportation Act. House Bill 3246, a Bill for an Act to amend the Motor Vehicle Franchise Act. House Bill 3266, a Bill for an Act in relation to juveniles. House Bill 3278, a Bill for an Act to amend the School Code. House Bill 3288, a Bill for an Act to amend the Unified Code of Corrections. House Bill

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3315, a Bill for an Act to amend the Juvenile Court Act. House Bill 3324, a Bill for an Act to amend the Liquor Control Act. House Bill 3329, a Bill for an Act to amend the Illinois Gas Pipeline Safety Act. House Bill 3347, a Bill for an Act to amend the Board of Higher Education Act. House Bill 3354, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 3385, a Bill for an Act to amend the School Code. House Bill 3408, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3438, a Bill for an Act to amend the Interest Act. House Bill 3474, a Bill for an Act to amend the School Code. House Bill 3484, a Bill for an Act to amend the School Code. House Bill 3487, a Bill for an Act to amend the Humane Care for Animals Act. House Bill 3494, a Bill for an Act to amend the Unified Code of Corrections. House Bill 3495, a Bill for an Act to amend the Clerks of Courts Act. House Bill 3568, a Bill for an Act to amend the Public Funds Investment Act. House Bill 3585, a Bill for an Act to amend the Illinois Controlled Substances Act. House Bill 3591, a Bill for an Act requiring preparation of dedicated fund notes for certain legislation. House Bill 3622, a Bill for an Act concerning mines and mining. House Bill 3628, a Bill for an Act to amend the Illinois Economic and Fiscal Commission Act. House Bill 3645, a Bill for an Act to amend the Public Community College Act. House Bill 3716, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 3746, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 3754, a Bill for an Act in relation to the Department of State Police. House Bill 3768, a Bill for an Act to amend the Firearm Owners Identification Card Act. House Bill 3786, a Bill for an Act authorizing exchange of certain state property. House

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Bill 3788, a Bill for an Act to amend the Public Utilities Act. House Bill 3808, a Bill for an Act requiring housing affordability impact notes in relation to certain Bills. House Bill 3810, a Bill for an Act concerning codification and revision of statutes. House Bill 3813, a Bill for an Act to revise the Uniform Commercial Code. House Bill 3815, a Bill for an Act concerning the regulation of roofing industry. House Bill 3826, a Bill for an Act to amend the Counties Code. House Bill 3832, a Bill for an Act in relation to child support. House Bill 3854, a Bill for an Act concerning local board of health. House Bill 3856, a Bill for an Act to amend the School Code. House Bill 3867, a Bill for an Act to amend the State Finance Act. House Bill 3882, a Bill for an Act to amend the School Code. House Bill 3924, a Bill for an Act to amend the Illinois Municipal Code. House Bill 3937, a Bill for an Act to amend the School Code. House Bill 4057, a Bill for an Act to amend the Civil Administrative Code of Illinois. House Bill 4107, a Bill for an Act to amend the Fire Protection District Act. House Bill 4144, a Bill for an Act to amend the School Code. Senate Bill 186, a Bill for an Act to amend the School Code. Senate Bill 221, a Bill for an Act to amend the Township Law. Third Reading of these Bills."

Speaker McPike: "Could the Chair have your attention, please? All right, we are prepared to vote on the Agreed List on Supplemental #1. However, the Clerk does not have prepared yet, the change of vote forms. It couldn't be prepared until we knew which Bills were on the list and which Bills were off the list. So at this time, we intend to vote on these Bills and then shortly we will have a form at the Clerk's well for those people that would like to change

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their votes on individual Bills and then later this afternoon after this is tabulated, the Chair will announce whether or not these Bills have passed. That should happen approximately 2:00 p.m. The question is, 'Shall these Bills pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. All right the Clerk now has the forms at the Clerk's well. The forms are up front, so if you would like to change your 'aye' vote to 'no' on any of these specific Bills, please pick up the form at the Clerk's well, hand in the forms, they will be tabulated and the Chair will announce whether or not these Bills have passed? Representative Matijevich. No. Representative Homer."

Homer: "Speaker, I know you've done this maybe twice; so you may not want to do it again, but if you would indulge me and the other Members, can you quickly read the list of Bills that were taken off the yellow sheet?"

Speaker McPike: "Yes. House Bill 809, House Bill 2884, House Bill 4022. Those three are on page 2. House Bill 3106, on page 3. House Bill 3633 on page 5 and House Bill 4056, on page 7, have been removed from the Agreed Bill List and will not appear on this form at the Clerk's well. These change of vote forms, these change of vote forms must be turned in to the Clerk by 1:00 p.m. Representative Lang."

Lang: "Thank you, Mr. Speaker. On House Bill 2884, upon which we adopted my Amendment, which caused it to come off of the Agreed List, as an accommodation to the Sponsor I would move to table my Amendment, Amendment #1."

Speaker McPike: "Well, the Bill cannot go back on the Agreed List at this time."

Lang: "Well, that's all right, I still want to strip the Amendment, so if we could have leave to move the Bill back

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to Second so I can remove my Amendment."

Speaker McPike: "Very well. Mr. Clerk, House Bill 2884. The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill's on Second Reading. Mr. Lang?"

Lang: "I would now move to table Amendment #1."

Speaker McPike: "The Gentleman moves to table Amendment #1. All in favor say 'aye', opposed, 'no'. The 'ayes' have it, and the Amendment is tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Matijevich on a Motion."

Matijevich: "Mr. Speaker on behalf of Speaker Madigan, Sponsor of Senate Bill 1485, I would ask unanimous consent to bypass committee so that Senate Bill 1485 can be placed on the Calendar on the Order of Second Reading. That is the Bill that came out of Second Reading...came out of Rules Committee today regarding the conveyance of property to Maryville. This has been cleared with Representative Bill Black on the other side of the aisle."

Speaker McPike: "The Motion is to put it on Second Reading, Second Legislative Day. You've heard the Gentleman's Motion. Hearing no objections, the Attendance Roll Call will be used, and the Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1485, a Bill for an Act to authorize the conveyance of certain state property. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Supplemental Calendar #2 and Supplemental Calendar #3 are Senate Bills on First Reading that do not have Sponsors. So kindly look at the two Supplementals and pick up the Bills that have come across

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from the Senate. The Chair at this time will call Bills on Second Reading, - those Bills on Second Reading whose Sponsors...who the Sponsor has requested the Chair to call. If you don't ask the Chair to call the Bill, it will not be called. Government Administration, Second Reading, House Bill 2677, Mr. Homer. Mr. Clerk."

Clerk O'Brien: "House Bill 2677, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Lang withdraws Amendment #2. Further Amendments?"

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

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. Amendment #3, comes from a meeting that I and Democratic staff members had with the Minority Leader and members of his staff that addressed some agreed...or some compromise language with regard to the reconciliation of two separate Bills dealing with the offense of stalking. I would move for the adoption of the Amendment."

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

Black: "Yes, thank you very much, Mr. Speaker. I appreciate the Gentleman making every effort to accommodate us on this. The only question I have...We don't have the Amendment. Has it been distributed?"

Speaker McPike: "No, it has not been printed."



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Black: "Hang on just a second, Mr. Speaker. All right, we're fine on this Amendment. This has been worked out very diligently, and we appreciate the Gentleman's accommodation."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3227, Representative Curran. Mr. Clerk."

Clerk O'Brien: "House Bill 3227..."

Speaker McPike: "Yes, the Gentleman asks leave to return the Bill to Second Reading. Leave is granted. Mr. Clerk, why is this listed on the Special Order under Second Reading? Is this Bill on Second Reading or Third Reading? All right, the Gentleman asks leave to return the Bill to Second Reading. Leave is granted; the Bill's on Second Reading. Are there any Amendments?"

Clerk O'Brien: "No."

Speaker McPike: "Representative Curran. Mr. Curran, Amendment #1 has been tabled, there are no further Amendments. What is your desire? It was on Third Reading. All right. Mr. Clerk, obviously there is an error on this Calendar. Third Reading. House Bill 3606, Representative Giorgi. What is the status of this Bill?"

Clerk O'Brien: "House Bill 3606 is on Second Reading."

Speaker McPike: "Any Amendments?"

Clerk O'Brien: "House Bill 3606. This Bill's been read a second time previously and it was being held for a fiscal note. The fiscal note is now filed."

Speaker McPike: "Third Reading. House Bill 3206. Yes,

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Representative Steczo, the Bill's on Third Reading, and he wants to bring it back to Second. The Gentleman's got leave."

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

Speaker McPike: "The Bill's on Second Reading. Amendment #1 has been offered. Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Amendment #1, deletes everything after the enacting clause and changes the Section in relation to downstate forest preserve districts and the necessity that after condemnation, that to drop a condemnation suit, that they...require the consent of the property owners. This current provision has created a great deal of problems, and has cost the forest preserve districts more money. This Amendment is an attempt to put things back on a level playing field and I move for its adoption."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Representative Steczo, at the level of noise on the House floor I missed what..."

Speaker McPike: "Representative Steczo. Explain it again, please."

Steczko: "Mr. Wennlund, a number of years ago, we in the General Assembly adopted language that said if...if a forest preserve district files a condemnation suit, in order to dismiss that suit they need to have the approval of the property owners that...it affected. This Amendment deletes that language because what we found is happening is that property owners now are using it to their advantage and costing the forest preserve districts a lot more money by

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refusing to give their permission to be able to drop those condemnation suits and condemnation proceedings."

Wennlund: "To the Amendment, Ladies and Gentleman of the House.

I think you'll want to pay particular attention to this Bill because you might remember the floor debate, because I was the Sponsor of the Bill that originally required it. Let me tell you what abuse downstate forest preserve districts have been doing to property owners. What they do is they file a condemnation suit against your property and the property of your constituents and then they go to trial. When the jury comes back with a large verdict, they then dismiss the case and don't have to buy it. In the meantime, they've taken your constituents property off the market for probably two years on the average during a condemnation proceeding, they pay no interest to the property owner at that time, and when a condemnation suit is filed against the property owner, that property is off the market. Nobody is going to touch it because there's a condemnation suit pending. What happens is, and the reason that this Bill was passed in the first instance and signed by the Governor, was the abuse that downstate forest preserve districts were using their condemnation powers to effectively take property off the market while they speculate with it, and when I mean speculate, I mean speculate on what a jury might bring in. And when that verdict comes in too high, it is more than the forest preserve district wants to pay, that's when they dismiss the case. Now, that's unfair to property owners. It costs them money. It takes their property off of the market and it's an abuse that continues. It doesn't cost the forest preserve districts any more money whatsoever to have the law the way it is now to prevent the abuse. So it's only

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fair to the property owner, only fair to the property owner that they have an opportunity to take advantage of that higher verdict when the jury comes in with a verdict that is higher than what the forest preserve district wanted to pay. This is an important issue and it is important to your constituents. You don't want to go home and tell them that you're going to let forest preserve districts play with their property again, take it off the market and not compensate 'em for it. That was the reason for this law in the first place. This is a bad Amendment. I request a Roll Call Vote, and I would encourage a 'no' vote on this Amendment. It's a bad precedent for property owners, and the Realtors are definitely opposed to it."

Speaker McPike: "Representative Petka."

Petka: "Well, thank you very much, Mr. Speaker, and Members of the House. I rise to vigorously oppose this Amendment. As the prior speaker has correctly stated, there has been wholesale abuse of this power of condemnation in some of the downstate forest preserve districts. The most telling to me is the fact that when this issue was presented to the people in the district that I represent by way of questionnaire, over 90% of the people in the district that were polled indicated that the forest preserve should not have the power to condemn property of...without the...or to condemn property and then dismiss it without the consent of the property owner. It's a matter of fundamental fairness. What the government does in this instance is basically have free use of a person's land for an extended period of time, without any repercussions. When the law was first passed back in 1972, the...General Assembly provided that there would be the payment of attorney's fees, but in some instances what has happened is that simply there has been a

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free use of the land for a period of time. They take it off the market and then once again the forest preserve district will make threats of additional condemnation. I think that the Bill that was passed last year, I might add, passed by well over a 100 votes; was a very, very prudent way of dealing with the situation, certainly restores fairness to the process, and I urge the Members of this Body to soundly defeat this Amendment."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. In response to the two Gentlemen, who have a problem evidently with the forest preserves of downstate Cook County being able to condemn property, the statutes right now allow for that condemnation action to take place. This Bill doesn't change that. The Bill that we passed a few years ago doesn't change that either. Downstate forest preserve districts have the right to condemn property. What the language that this Bill changes says, 'Once that condemnation has proceeded, once the district has begun to acquire land by condemnation, then to dismiss or abandon that proceeding, the owners have to approve'. Cases we have heard in those same places where some people suggest abuse by the forest preserve district there has been abuses by the homeowners, the property owners, who say, 'I'm going to keep this thing in the condemnation proceedings because I can make more money.' Notwithstanding the fact that right now when the condemnation proceeding is dismissed by the forest preserve districts, legal fees and other expenses have to be paid by that local government. This is just an attempt to try to...to try to reverse that and let us proceed toward a more level playing field because right now, where it was advantaged one way before it's advantaged

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another way now. That's not...that's not the way to run a railroad."

Speaker McPike: "Representative Steczo, have you finished? The...Representative Wennlund has asked for a Roll Call Vote on this. The question is, 'Shall Amendment #1, be adopted?' All in favor vote 'aye', opposed vote 'no'. Mr. Preston. Turn on Mr. Preston, Mr. Electrician."

Preston: "Thank you, Mr. Speaker. I just want to announce that I have a potential conflict of interest and that notwithstanding, I will vote my conscience."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 7 'ayes' and 99 'noes' and the Amendment's defeated. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Mr. Steczo do you want this Bill on Third Reading? Leave the Bill on Second Reading, Mr. Clerk. House Bill 3519, Representative DeJaegher. Gentleman asks leave to return the Bill to Second Reading. Leave's granted. Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Floor Amendment #1, Representative DeJaegher. Representative Brunsvold, would you handle this? Mr. Lang, can you handle this Amendment?"

Lang: "Thank you for the privilege Mr. Speaker."

Speaker McPike: "Does the Gentleman have leave to basically handle this? Leave's granted."

Lang: "Thank you. Basically, the Amendment creates the Environmental Health Practitioner Registration Act. It defines terms, and basically, you should read your

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analyses."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'. Opposed, 'no'. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To the Amendment, Ladies and Gentlemen of the House. This creates another registration Act, the Environmental Health Practitioner Registration Act, adds another \$125,000 in costs to the Department of Professional..."

Speaker McPike: "Mr. Wennlund, the Chair did not realize that there was opposition to this Amendment. Mr. Clerk, take the Bill out of the record."

Wennlund: "Thank you."

Speaker McPike: "Mr. Keane, in the Chair."

Speaker Keane: "We're gonna go to the Order of Labor, Second Reading, House Bill 3098, Representative Novak. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3098, a Bill for an Act to amend the...This Bill has been read a second time previously, and is being held for a state mandates note."

Speaker Keane: "Has the note been filed?"

Clerk O'Brien: "A mandates note has not been filed."

Speaker Keane: "Representative Novak."

Novak: "Yes, Mr. Speaker. An inquiry to the Clerk. The note was filed yesterday. I filed it myself with the Clerk."

Clerk O'Brien: "A fiscal note is filed, not a mandates note."

Novak: "Oh, now we're waiting for a mandates note."

Clerk O'Brien: "Correct."

Novak: "I move that the mandates note request is inapplicable."

Speaker Keane: "The Gentleman moves that the mandate note request is inapplicable. All those in favor say 'aye'. All opposed...All those in favor vote 'aye'. All those opposed

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vote 'no'. Voting is open. Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 68 voting 'aye', 43 voting 'no', 1 voting 'present', and the Gentleman's Motion carries. The Bill is on Third Reading. We now will go back to Government Administration Third Reading. Representative Stern, on page...on House Bill 3563. Representative Stern. Mr. Clerk, out of the record. Representative, you requested that that be put on this Special Order for Amendment. Are you ready to proceed? Representative Stern."

Stern: "Mr. Speaker, I did ask that it be put on a Special Order, and I am holding the Amendment because of conflicting word from the County Clerk's Office in Cook County. It won't be long however. Thank you, Sir."

Speaker Keane: "In the future, we would appreciate it if you would have...If you're going to ask for a Special Order for purposes of an Amendment, if your Amendment has not been set or you're still working on it, do not request being put on a Special Order. We will now...we will now go to Agriculture and Environment, Second Reading, House Bill 4037, Representative Ryder. Out of the record. House Bill 4039, Representative Peterson. Out of the record. Agricultur and Environment, Third Reading, House Bill 3380, Representative Stern. Mr. Clerk, read the Bill. The Representative requests that the Bill be returned to the Order of Second Reading. All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it. The Bill is on Second Reading."

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

Speaker Keane: "Representative Stern."

Stern: "Mr. Speaker and Members of this House, this Bill we dealt



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with briefly yesterday. It dealt with septic system sludge. Representative Klemm had a problem with one line. We have filed an Amendment to allay his concerns. I believe he is content, and I ask that you adopt the Amendment."

Speaker Keane: "You've heard the Lady's Motion to adopt Amendment #2. All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 3666, Representative Kulas. Mr. Clerk...Representative Kulas requests the Bill be returned to the Order of Second Reading. All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and the Bill is on Second Reading. Mr. Clerk."

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

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is clean-up language for the Infectious Medical Waste Bill which we passed in 1991. Basically, it makes...it clarifies definitions of human pathological wastes, animal wastes; it changes the date by which the Pollution Control Board must promulgate rules by six months, and there is other clarifying language. This is an agreed Amendment between the Illinois EPA, the hospital association, the medical society, the nurses association, state dental society, manufacturers, state chamber. Everybody signed off on this Amendment, and I would move for its adoption."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I just rise to thank

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the Gentleman for his accommodation and his patience. Not only do all the agencies he read off are in support, but the Farm Bureau is in total support of this, and it just cleans up some oversights and some technical problems from the Bill last year, and I thank the Gentleman for his patience and good work."

Speaker Keane: "Gentleman has moved the adoption of Amendment #1. All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. On the Order of Human Services, Third Reading, House Bill 3245, Representative White. Mr. Clerk, the Gentleman asks leave to return the Bill to the Order of Second Reading for purpose of Amendment. Is there leave? Leave, and the Bill is on Second Reading. Mr. Clerk."

Clerk O'Brien: "Floor Amendment #1."

Speaker Keane: "There are no Amendments filed on this Bill. Representative White. This is on Second Reading at the present time. The Gentleman asks...."

White: "Mr. Chairman, I respectfully ask that you...."

Speaker Keane: "Do you wish to leave it on Second Reading?"

White: "On Third Reading, Sir."

Speaker Keane: "Okay. Any further Amendments?"

Clerk O'Brien: "No Amendments."

Speaker Keane: "Third Reading. Ladies and Gentlemen, we would like you not to submit the listings of Bills where the Amendment is not prepared, or you're not ready to move the Bill to Third Reading. So, if you have an Amendment that you are working on, or you have not submitted an Amendment to the Clerk, we request you do not put the Bill on a...you

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do not request that it go on this Order. We waste time, and it gets the animals angry. Next Bill. House Bill 3373, Representative DeJaegher. House Bill 3610, Representative Granberg. Out of the record. House Bill 3998, Representative Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3998, a Bill for an Act to amend the Illinois Domestic Violence Act. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 3998 attempts to address concerns that were raised in committee that we indicated that we would clean-up on the floor. The Amendment makes permissive...the ability of a domestic violence advocate to be present in a courtroom and sit at the counsel's table to be there with the victim. It eliminates the ability of that advocate to address the court. It does not, in its present form, define domestic abuse advocate, and it is my intention that an Amendment will be added, probably in the Senate, to define domestic abuse advocate."

Speaker Keane: "Representative Novak."

Novak: "Yes, Mr. Speaker. A point of personal privilege, excuse me, but I would like to welcome Representative Kurt Granberg to the Illinois General Assembly."

Speaker Keane: "Any discussion? The question is, 'Shall the House adopt Amendment #1?' All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Keane: "Third Reading. House Bill 4128, Representative Williams. Out of the record. House Bill 2225, Representative Curran. Out of the record. House Bill 3322, Representative Parcels. Representative Parcels requests leave to return the Bill to the Order of Second Reading for purpose of an Amendment. Is there leave? Leave, and the Bill is on Second Reading. Mr. Clerk."

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

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. We had some problem with the department on this...on the days that we had...the way it was written. They want to stay in compliance with the federal law, and this will allow the...office to send the money for those moneys that have been withheld in ten calendar days, rather than...because this in absolute compliance then with the federal law, and they don't want to run into trouble with them, so we have changed the wording so that it would comply with the department and will now be 'ten calendar days'."

Speaker Keane: "Is there any discussion? Representative Lang."

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

Speaker Keane: "She indicates she will."

Lang: "Representative, do I understand that the reason for this is because sometimes employers can't get the check out in a timely fashion, and it gives them more opportunity to get it there?"

Parcels: "That would be part of the reason Representative, but the other part is some of the courts have said we don't want to get checks every day, don't be sending it in three days, we don't want it. So the employer in fact was in contempt of court or in contempt of the Order and it's a

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very punitive damage. This way they'll have ten calendar days, which could really amount to about a week, and in that length of time they'll have to tell the court we must by law do this in this length of time."

Lang: "I understand that. Now let's go on the penalty provision. Your Amendment says that the penalty can be up to \$100 per day. Who's to make that determination?"

Parcells: "I beg your pardon."

Lang: "Who makes the determination as to whether the penalty should be a hundred a day or fifty a day or some other figure?"

Parcells: "Well it would be whoever made that decision before, because the only wording that we changed was 'up to', meaning it could be less if there was some reason that the court decided the penalty should be less than a hundred. So, I assume that was whoever would take it to court."

Lang: "So the only change you've made on the penalty is making it discretionary up to that figure? A Hundred dollars is established in the law as it is today."

Parcells: "Yes." Lang: "Thank you."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt Amendment #1?' All those in favor say 'aye'. Representative Hicks."

Hicks: "Yes, a question of the Sponsor please?"

Speaker Keane: "She indicates she'll yield."

Hicks: "Yes. Representative Parcells, question please."

Parcells: "Yes sir."

Hicks: "If you're changing this from ten days, from what to what are you changing it? What was it before?"

Parcells: "We had taken it down to three days several years ago."

Hicks: "It's changed to ten days."

Parcells: "It's now up to ten calendar days."

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Hicks: "Thank you very much."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall the House adopt Amendment #1?' All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. On the Agreed Bill list, we will no longer take anyone who wants to change their vote on any of those Bills after 1:00, so you have five minutes to get your...If you want to change your vote, come up and see the Clerk and give him your exceptions before 1:00. On the Order of Municipal and County Conservation, Second Reading, is House Bill 2916, Representative Brunsvold. Mr. Clerk, read the Bill. (House Bill) 2916.

Clerk O'Brien: "House Bill 2916, a Bill for an Act to amend the Illinois Municipal Code, Second Reading of the Bill. No committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I just want to say I'm very happy you found one of my Bills that didn't have a 'hold' on it. Amendment #1...Amendment #1 addresses two concerns. Representative Homer had a concern in committee dealing with the two party owners on destruction or vacation of property, and the trial lawyers were concerned about the liability clause, and that has been reinstated in the Bill. I would ask for the adoption of Amendment #1."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #1?' All in

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favor say 'aye'. All opposed, 'no'. The 'ayes' have it, Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. On the Order of Third Reading, Municipal and County Conservation is House Bill 3662, Representative Cowlshaw. Representative Cowlshaw requests leave to return the Bill to the Order of Second Reading for purpose of an Amendment. Is there leave? Leave; the Bill is on Second Reading. Mr. Clerk."

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

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 does precisely what I had agreed would be done with this Bill when I presented it in committee. Floor Amendment #1 makes the Bill apply only to Du Page County and makes it possible either by the adoption of a Resolution by the forest preserve commission or by a petition drive involving the signatures by 10% of the people who voted in the most recent general election, to get on to the ballot a proposition to permit the people who live in that county to determine for themselves whether they want to have the members of the forest preserve commission elected separately from the members of the county board. That's all the Amendment does, and I move for its adoption."

Speaker Keane: "Is there any discussion? Representative Hartke."

Hartke: "Representative Cowlshaw has done what the committee had asked for her to do, and we support the Amendment."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #1?' All in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further

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Amendments?"

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

Speaker Keane: "Representative Deuchler."

Deuchler: "Withdraw Amendment #2 please."

Speaker Keane: "Withdraw Amendment #2. Any further Amendments?"

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

Speaker Keane: "Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 is essentially the Amendment that Representative Cowlshaw presented to you, except that in this case, counties, all counties of 650,000 population or less, have these same options to, by referendum or a petition of 10% of the electors, to vote on the question as to whether they want to separate the county board and the forest preserve district. Another change that is provided, is that the board chairman will be elected every four years and that we are reducing the number of commissioners for each county board district. One forest preserve commissioner will be elected."

Speaker Keane: "On that Amendment, Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. This is an Amendment that we discussed with Representative Hartke yesterday, and, in fact, it is...it is simply extends to any other of the forest preserve districts that correspond with the county, the opportunity, if they choose to do so, to have this same type of question presented to the voters, who could then make these decisions for themselves. After this Bill had come out of committee, there was a considerable amount of interest, particularly in Kane and Lake counties about the possibility of having the



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opportunity to present this same type of question to their voters, and it was with my understanding that that was Representative Deuchler's intent, that Lake and Kane counties wanted to be included in this, and only after a discussion with Representative Hartke, I gave Representative Deuchler my blessing to her Amendment, and I think it ought to be adopted, and thank you very much."

Speaker Keane: "Representative Hartke."

Hartke: "Yes, I stand in support of Amendment #3. I think it returns to the people a voice in deciding what their forest preserve district and county government will look like, and I stand in support."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #2?' All those in favor say 'aye'. I'm sorry, Amendment #3. All those in favor say 'aye'. All opposed, 'no', the 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 4083, Representative Balthis. Out of the record. The Order of Elementary and Secondary Education, Second Reading, on House Bill 3932, Representative Wyvetter Youngue. Mr. Clerk, read the Bill."

Clerk O'Brien: "House 3932, a Bill for an Act to provide for the establishment of pilot Enterprise High Schools and work study programs. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker McPike: "Representative Youngue."

Youngue: "Thank you, Mr. Speaker. Floor Amendment #1 basically says that the Capital Development Board...the Illinois

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Community College Board will assist in the coordination of the establishment of the Enterprise High School, and it only makes...It softens the Bill in reference to having the board coordinate it, and I move for the adoption of the Bill...or the Amendment."

Speaker Keane: "Representative Wennlund, on the Amendment."

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

Speaker Keane: "She indicates she will."

Wennlund: "Is there a fiscal impact on the State of Illinois as a result of the adoption of this Amendment?"

Younge: "No, there isn't. The Amendment merely changes the language so that the Community College Board will assist in the coordination of the project. There is not a fiscal impact that I know about."

Wennlund: "So, it's not going to cost any money for the Central Management Services to assist these high schools in the development of small business enterprises?"

Younge: "It has a minority business enterprise section that already does that."

Wennlund: "And CMS is not opposed to this?"

Younge: "Not to my knowledge."

Wennlund: "Okay, thank you very much."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #1?' All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. On the Order of Economic Development, Second Reading, House Bill 3614, Representative Wyvetter Younge. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3614, a Bill for an Act to establish the East St. Louis Public Works Capital Development and

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Investment Program. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Representative McPike, in the Chair. Any Floor Amendments?"

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

Speaker McPike: "Representative Younge."

Younge: "Thank you, Mr. Speaker. I would like to withdraw Amendment #1."

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

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

Speaker McPike: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Amendment #2 becomes the Bill, and the difference is that the commission is established in the Department of Commerce and Community Affairs, and it is a commission to...."

Speaker McPike: "Is this Amendment printed? No, the Amendment's not printed. Take the Bill out of the record."

Speaker McPike: "House Bill 3858, Mr. Clerk."

Clerk O'Brien: "House Bill 3858, a Bill for an Act concerning foreign trade zones. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Younge."

Younge: "Thank you, Mr. Speaker. Floor Amendment #1 would authorize the establishment of a foreign trade zone in East St. Louis, Illinois. It would remove the prohibition in the statute that there cannot be a foreign trade zone

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within a 35-mile area, and it would authorize and direct the Department of Commerce and Community Affairs to assist in the establishment of a foreign trade zone that facilitates the country of Haiti and the Dominican Republic participating in that foreign trade zone, and I move for the adoption of the Amendment."

Speaker McPike: "Is there any discussion on this Amendment? Mr. Black. The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. In regard to House Calendar Supplemental #1, the Chair will now declare the record closed. So if you haven't turned in your form, it's now too late. House Bill 3157, Mr. Lang. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3157, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill."

Speaker McPike: "Any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Lang."

Speaker McPike: "Mr. Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 revisits an issue we've had before. It involves policy simplification on all insurance policies written in the State of Illinois. You know we have quite a few people, particularly seniors in my area, who have an insurance policy they don't know what it says. They don't know how to make a claim, they don't know what their premiums are, they don't know what their policy covers. Let's give them the opportunity to understand what the policy says. It's a given that some good insurance

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companies in the State of Illinois have rewritten their policies in everyday language, so for those that say it can't be done, it can be done. There are some insurance companies that have done that in the State of Illinois. This is a critical vote, particularly for senior citizens. It's important that people understand what their insurance contracts say, and I ask your 'aye' votes."

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

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Well, here we go again, we have another one of these IPAC bills. One of those Bills that we're trying to simplify legal language, a lot of jobs for lawyers. The problem with all of this simplification is every time you write new language, it ends up being tested in court to make sure everyone knows what it means, and all these policies that we have in place now, have gone through that test and they do have precise meaning. So, this is a tired old piece of legislation that we've been turning down now for several years and we certainly would recommend doing it again. Vote 'no'. Mr. Chairman, we'd like to have a Roll Call Vote on this."

Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have to tell ya, I'm very disappointed that the Sponsor would continue to introduce this legislation and waste the time of this House. This House in its infinite wisdom year after year after year, has defeated this Amendment and defeated this Bill, and we've killed it in committee, and he still doesn't understand, or fails to wish to understand that seniors do not want to spend more money. This Bill, if it passes, will cost more money to the policy holders because you're going to have to rewrite

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all the contracts; you're going to make it in a way that will even be more difficult; it will go into litigation; and, as we know when there's litigation, we all know it's going to bring the price of insurance up, it's going to cost more money, and those senior citizens, if they're so concerned, I would be more than happy to know that there are...there is a toll free number that they can call and get all the information they need to know about their policies. This is an old waste-time-of-the-House kind of legislation. I would wish, when we beat this this time, that the Sponsor quit wasting the time of this House. Please, Ladies and Gentlemen, let's continue to defeat this unwise Amendment."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen, I must echo the words of Representative Parke. It is strange to me that we only do this on insurance policies, but we're not going to straighten up some of the legal language the lawyers write up. It's obviously in the best interest of companies to make insurance policies as simplified as possible. But in the code there are specific requirements of how these things must read, and because the life, health, and property and casualty insurance policies are legal and binding contracts between parties, they must use certain language, and, as I said before, it's rather amazing to me that we're not talking about all contracts, we're only talking about insurance contracts. This is a Bill that we have killed over and over and over again, and I hope we will kill it again today. It's bad policy, and it's going to cost money in the long run."

Speaker McPike: "Representative Lang to close."

Lang: "Thank you, Mr. Speaker. It...it concerns me greatly when

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Members of this House...feel it necessary to attack an issue or to criticize a Sponsor of a Bill or an Amendment simply because they think it's good policy. I have to tell you, just so you know, those that don't like the idea, that this will come back again if it doesn't pass today. So, this Sponsor and those that proposed this are not going to be intimidated by those that say, 'Gee, we're real tired of debating this,' because if we do that, there's going to be a lot of issues that never come up. I didn't know we had a one-time limit or a two-time limit on some Bills we pass here. So, to the Bill and to close, this is a good proposal. People in my districts and I think in your districts, call you and they say, 'I don't understand my insurance policy. What does it say?' An insurance policy is something that people need in their lives, but if they don't understand what it says, if they don't know how to make a claim, if they don't know who to call when they have a problem, what good does that piece of paper do them? What good does that policy do them? Let's let people understand what they're signing. We had some other Bills dealing with understandable language in all kinds of contracts in Illinois. That may have been too broad, but this is a very unique issue, a very specific issue. Your constituents need this. Please vote 'aye'.

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye'. Opposed vote 'no'. Representative Matijevich."

Matijevich: "I want to explain my vote. I don't know how anybody could be about simplifying and making language more understanding. I think I may have come up with a better idea. You know, every once in awhile those who write our dictionaries say you should write to them because there are

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new definitions. I think we ought to take the word 'insurance' totally out of our dictionaries. It means absolutely nothing."

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

Parke: "Mr. Speaker, I was going to ask for a verification, but looking at the board, I guess I will pass on that. Thank you for recognizing me though."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 64 'ayes' and 48 'noes', and the Amendment is adopted. Further Amendments."

Clerk McLennand: "Amendment #2, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #2 is a very simple Amendment. It says that health insurance premiums cannot be raised in the state of Illinois more than once in any six-month period. I receive calls from my constituents saying 'Representative Lang, every two months I get an increase in my health insurance premium.' That shouldn't be. People should know how to be able to budget for their insurance. This Amendment, I...I must point out to you, does not say that the...and premiums can't be raised. They can be raised every six months. There's no limit on how much they can be raised every six months. It just simply says give people an opportunity to budget for their insurance, give them a six-month period within which the policy won't go up, and let the insurance companies raise it as much as they want after six months, but let's limit it to twice a year. I ask your help on this."

Speaker McPike: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Once again we have a Bill



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that we didn't manage to get out of committee last year, but this year it's coming on as an Amendment. When I asked Representative Lang if 3157 might be used for something else, at least he was honest and said, 'Well I don't know what I'm gonna do with it yet.' There were those of us who suspected this battery of Bills would be on it, and here they are. Actually, we're saying that you can only raise the rate once every six months. Many people only pay every six months for openers, or even once a year sometimes for health insurance, but you're really treating a symptom here. You're not controlling costs in any way, shape or form. It just means at the end of six months they're gonna make up the difference, and they're gonna pile it on in six months instead of every month creeping up a little bit, if that, in fact, is what health care costs are doing. We've got to treat the cause not the symptom in this thing. I'd advise a 'no' vote."

Speaker McPike: "Representative Pedersen."

Pedersen, B.: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. This reflects the Sponsor's uncontrollable itch to put his finger on everything that goes on in this state. All this thing does is cause a ripple that really, probably, would increase the cost of insurance because the insurance companies would react to it by increasing the premiums quicker than they would otherwise. The truth is, in the final analysis, it does nothing other than create another little regulation. It's impossible for him to control an insurance company getting adequate premiums to pay their claims, and all this does is create another regulation, another impediment, that absolutely will accomplish nothing. So let's do ourselves all a favor and reject this silly Amendment."

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Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. If you can vote for the last Amendment, you can certainly vote for this one. This one doesn't restrict insurance companies; it doesn't keep them from making money; it doesn't keep agents from selling policies; this simply says let's let people know how much they can budget for insurance; let's limit it to twice a year; then let them raise it as much as they want. This Bill simply limits insurance rates on health insurance policies in Illinois from going up more than once every six months. I ask your 'aye' votes."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye'. Opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On Amendment #2 there are 59 'ayes' and 45 'noes'. Amendment #2 is adopted. Further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Lang."

Speaker McPike: "Withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #4 relates to what I call 'good drivers'. Amendment #4 says that no one who's licensed to drive a car for three years without an accident can be refused auto insurance on the basis that they're not a good driver. What it does is establish a three-year period, and if there are no traffic violations, no accidents within those three years, then the driving record in and of itself can't be the basis for denying insurance coverage. I move its adoption."

Speaker McPike: "Representative Black, on the Motion."

Black: "Thank you very much, Mr. Speaker. To the Amendment, and, in all due respect, to the Sponsor. Of course a previous

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speaker said that insurance doesn't mean anything, so I don't know why we just don't pull all these Amendments out, 'cause obviously we don't need automobile insurance evidentially. But, to the Amendment, if you have a driver who has compiled a decade-long history of reckless driving, DUI, vehicular homicide, or manslaughter, whatever the case may be..."

Speaker McPike: "Mr. Black, just a minute. Representative Lang, for what reason do you rise? Mr. Lang."

Lang: "Mr. Speaker, I move to table Amendment #4."

Speaker McPike: "The Gentleman withdraws Amendment #4. Further Amendments?"

Clerk McLennand: "Amendment #5, offered by Representatives Lang and Trotter."

Speaker McPike: "Mr. Clerk, who is the Sponsor of the Amendment?"

Clerk McLennand: "Representative Lang."

Speaker McPike: "Representative Lang withdraws Amendment #5. Further Amendments?"

Clerk McLennand: "Amendment #6, offered by Representative Lang."

Speaker McPike: "The Gentleman withdraws Amendment #6. Further Amendments?"

Clerk McLennand: "Amendment #7, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #7 is not one of these dreaded insurance reform Bills, so no one get panicky about this one, okay? Amendment #7 relates to the original Bill which passed out of committee, and this is some clean-up language, with some additional language the Department of Insurance requested on that. The original Bill would remove the provision making compensation for special deputies subject to court approval. The courts, particularly the courts in Cook County, don't want that."

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They want the Director of Insurance to do it. This Bill creates that system. It's agreed with the Circuit Court of Cook County and the Department of Insurance, and this Amendment does some other things relative to the authority the...Director of the Department of Insurance, to bring certain legal actions and to perform certain audits, and I would move adoption of Amendment #7."

Speaker McPike: "The question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 4191, Representative Parcels. The Lady asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Are there any Amendments? (House Bill) 4191."

Clerk McLennand: "House Bill 4191, a Bill for an Act to amend the Illinois Insurance Code."

Speaker McPike: "The Bill is on Second Reading."

Clerk McLennand: "Second Reading of Bill. Amendment #1, offered by Representative Parcels."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This is truly a technical correction. The townships passed a Bill last year, and they've made a reference to a wrong section, and they asked me if I would allow them to put that on this Bill to correct that section and make it a correct section that the Bill they passed last year made misreference to, and I would ask for an 'aye' vote."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'. Opposed...Mr. Black."

Black: "Just one question of the Sponsor."

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Speaker McPike: "Yes."

Black: "This is the technical correction, the Amendment, agreed to by TOI...."

Parcells: "They asked for it."

Black: "Okay, thank you."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3000. Representative Curran. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3000, a Bill for an Act to amend the State Employee Indemnification Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Representative Curran."

Curran: "I think we have a Floor Amendment?"

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

Clerk McLennand: "Floor Amendment #1, offered by Representative Curran."

Speaker McPike: "Mr. Curran."

Curran: "I think that's the one, Mr. Speaker, that we want to...We want to table Amendment #1."

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

Clerk McLennand: "Amendment #2, offered by Representative Curran."

Speaker McPike: "Representative Curran."

Curran: "Let me ask the Clerk now, do we have four Amendments?"

Speaker McPike: "Mr. Clerk, how many Amendments on this Bill?"

Clerk McLennand: "Only two Amendments."

Speaker McPike: "Amendment #1 and Amendment #2?"

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Clerk McLennand: "Amendment #1 and #2."

Speaker McPike: "Thank you."

Curran: "I'm going to take a close look. Can we put this out of the record for just a minute and take a close look at the...?"

Speaker McPike: "Take the Bill out of the record. House Bill 3078, Representative Lang. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3078, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Lang."

Speaker McPike: "Mr. Lang, Floor Amendment #1."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3078, deals with a specific problem with service of summons in eviction cases. There is a provision in the law that says that if you can't serve the summons to evict somebody, you can post a notice in given places in the county and on the door of somebody's home et cetera, and then you can proceed to evict the person. There's been a problem with certain court actions and certain judges in the interpretation of...of that posting notice. What Amendment #1 would do is clarify that, so that all the judges around the state, would know exactly what the procedure should be, and so there would not be any loopholes or any problems in interpretation. So Amendment #1 is really clean-up for this posting requirement in an eviction case."

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

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Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Returning to House Bill 3000. The Bill is on Second Reading. Amendment #1 has been withdrawn. Amendment #2, Representative Curran."

Curran: "Thank you, Mr. Speaker. Amendment #2 simply clarifies who is due the indemnification. I would be glad to answer any questions."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3652, Representative Shaw. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3652, a Bill for an Act in relation to residential mortgages. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Shaw."

Speaker McPike: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 is a...an Amendment that strips the Bill. This is a Bill that the mortgage bankers, I have for the mortgage bankers...and what they are doing, they are trying to reach some agreement, and they asked me to introduce this...put this Amendment on the Bill to strip the Bill, and then hold the Bill on Third Reading until there is an agreement, if there's an agreement. The Bill will become a shell Bill after this Amendment goes on. And I ask for the adoption of the Amendment."

Speaker McPike: "And on the Gentleman's Motion, Representative Black."

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

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yield? Representative, is it your intent then that the Bill will not move until the parties have reached an agreement?"

Shaw: "Absolutely."

Black: "Thank you."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 4194. Representative Johnson. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 4194, a Bill for an Act concerning lien for emergency medical service personnel. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3371, Representative John Dunn. The Bill is on Third Reading. Mr. Dunn here? Out of the record. Representative DeJaegher has returned. Mr. DeJaegher, what Bill did we need to call?"

DeJaegher: "(House Bill) 3373, Mr. Speaker."

Speaker McPike: "What is it?"

DeJaegher: "(House Bill) 3373."

Speaker McPike: "(House Bill) 3373. Mr. Clerk, read the Bill."

Clerk McLennand: "House Bill 3373, a Bill for an Act to amend the Respite Demonstration Program Act. Third Reading of the Bill."

Speaker McPike: "The Bill is on Third Reading. The Gentleman asks to return the Bill to Second Reading for an Amendment. Leave is granted; the Bill is on Second Reading. Mr. Clerk, are there any Amendments?"



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Clerk McLennand: "Floor Amendment #1, offered by Representative DeJaegher."

Speaker McPike: "Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. This is the Alzheimer's Respite Care Bill. You may recall, I addressed myself to it rather briefly. Representative Black was objectiv (sic objecting) to it at that particular time. The purpose of this Amendment is so that it does not have a impact on the Department of Aging's funding. What, basically, this Amendment would do would address itself to federal funding, and, basically, so that we could capture federal fundings, isolate those fundings for respite care, this would be the purpose of the Amendment. It's a very simplified Amendment, and, basically, since the Amendment has been drafted, the Department of Aging has taken a neutral position on this, and hope that you will concur with their recommendations. I can go in lengthy detail, if necessary, but I think the Amendment clearly clarifies what the intent is."

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

Black: "Thank you very much, Mr. Speaker. I just simply rise to tell people on my side of the aisle that this is a good Amendment. With the Amendment we have a Bill that we can support, and I simply wish to congratulate and thank the Sponsor for his diligent efforts on this Bill. He has taken something that had a severe cost impact, and by his good efforts has, I think, accomplished what he wants to, and we'll go after the money we send to Washington, and I congratulate him for his hard work."

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

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Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Representative John Dunn. House Bill 3371. The Bill is on Third Reading. The Gentleman asks leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Are there any Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Dunn."

Speaker McPike: "Representative Dunn."

Dunn: "It makes me proud to offer this Amendment, and I ask for a favorable vote."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor.... Representative Hultgren."

Hultgren: "I'm sorry, I missed the...what the Amendment did. Could the Sponsor explain it please?"

Speaker McPike: "No, he did not explain it."

Dunn: "Yes, I did."

Hultgren: "Could he do so?"

Dunn: "I said it makes me proud to offer this Amendment, and it does. What this Amendment does, if you look at the Bill, is it deletes everything except the last section, which essentially says that if...if there is an attempt to serve a defendant and you're unsuccessful, the plaintiff may move that the court direct an alternative method of service, and whatever alternative method of service is directed by the court shall conform to and be consistent with due process. If the Amendment is adopted, that's what the Bill will do, and I'm still proud to offer this Amendment and proud to be an American."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye'. Opposed, 'no'. The

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'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Representative Kirkland, 2694. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2694, a Bill for an Act to amend the Criminal Code of 1961. This Bill has previously been read a second time. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Kirkland."

Speaker McPike: "Representative Kirkland, withdraws Amendment #2. Further Amendments?"

Clerk McLennand: "Amendment #3, offered by Representative Wennlund."

Speaker McPike: "Representative Wennlund. Mr. Kirkland."

Kirkland: "I don't see him, but we've agreed on the Amendment, and I have no objection to it."

Speaker McPike: "Would you like to explain it?"

Kirkland: "Yes, it...it makes the...language of the Bill which refers to aggravated use of a firearm...aggravated discharge of a firearm makes that self-defense statute and so forth."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2799, Representative Homer. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 2799, a Bill for an Act in relation to crime victims compensation. Second Reading of the Bill.

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No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3041, Representative Cronin. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3041, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Cronin."

Speaker McPike: "Representative Cronin."

Cronin: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 seeks to enlarge the definition of the offense of prostitution to encompass the buyer of the sexual service, as well as the seller, which is currently the law. The Amendment changes the offense of prostitution as defined as the act of patronizing a prostitute, to the offense of solitation of a sexual act. The offense remains a Class A misdemeanor. The act of prostitution is also a Class A misdemeanor. The intent...Or...My intent is to differentiate between the act of solitation and the act of male prostitution. I urge the adoption."

Speaker McPike: "And on the Gentleman's Motion, Representative Lang."

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

Speaker McPike: "Yes."

Lang: "Representative, isn't there already a crime on the books that's called patronizing a prostitute or solitating a prostitute or something like that?"

Cronin: "Yes, Representative, there is a law on the books called patronizing a prostitute, which requires the actual act

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itself or it requires entering or remaining in the place of prostitution, but it is not as specifically worded as this unlawful solicitation of a sexual act."

Lang: "Maybe you can explain to me if we have a similar offense, what the purpose of this offense is?"

Cronin: "Well, for two reasons. Number one, as I stated, it makes the buyer of a sexual service subject to a more specific kind of unlawful conduct, namely, that act of soliciting itself is...is a criminal act, whereas the current law patronizing a prostitute, requires the actual act to take place itself, rather than solicitation. So, I think that this is more carefully worded and more specifically worded. In addition to that, it also raises the act, the conduct that is currently punishable by a Class B misdemeanor to a Class A misdemeanor to make it on level or on par with that of prostitution."

Lang: "So, under your Amendment, the act would not have to take place, merely the offer is sufficient to prove the crime?"

Cronin: "Yes. Just like the current prostitution statute, which tends totends to be used primarily against prostitutes who are selling the service."

Lang: "Perhaps you can tell me what wrong in society you're trying to address with this proposal."

Cronin: "Well, I think that what we're trying to do is we're trying to recognize that the problem of prostitution really takes 'two'. It takes two parties, namely the buyer and the seller to...to make it something that society has decided is wrong. So, we...I think, and my intent behind this legislation is that those who seek out to purchase those services are no less wrong, or just as wrong, as those who are offering the services."

Lang: "But under your Bill, isn't it the case that you're not

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just talking about the buyer and the seller, you're talking about the offeree and the seller, aren't you? You're not talking about a buyer; you're talking about a person who's offering to buy, isn't that correct?"

Cronin: "That's correct."

Lang: "And the next question I have for you, is how do we define 'offer'?"

Cronin: "Well, any person who offers a person, not his spouse, any money to perform an act, which is defined in the Amendment."

Lang: "Well, I don't think the Bill is very specific as to what that means. Are you telling me that if it's an offer of something else, if the guy on the street corner offers the woman on the street corner his automobile, that wouldn't come under your proposal?"

Cronin: "No. As I just said a minute ago, a second ago, any person who offers a person, not his spouse, any money. It's gotta be money, currency."

Lang: "Why have we limited this to money?"

Cronin: "Because we wanted to be very specific. We wanted to be very narrow, and we didn't want to get into problems of somebody offering dinner or a date situation. We wanted to make sure that this was undoubtedly an act of prostitution."

Lang: "Well, isn't an offer of dinner really an offer of money?"

Cronin: "No. Dinner is food; money is currency."

Lang: "Well, thank you. To the Amendment Mr. Speaker. The Amendment is not well defined. We don't know what an offer is. It's ludicrous to say that it has to be an offer of currency because if...if the Sponsor is really trying to address this evil he sees in society in this area, he wouldn't be addressing just the exchange of currency. It's

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ludicrous to say that if I offered a prostitute my car to perform these acts, I shouldn't be held accountable to the same standard. The Bill, the Amendment, is very poorly drafted. Also, in my opinion, we're going way beyond where we should trying to find culpability in someone who's offering an act, rather than doing the act. I would recommend a 'no' vote."

Speaker McPike: "Representative Williams."

Williams: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Williams: "Similar question, but a little more specific and defined because you gotta be careful not to...when you're talking about the offer. Number one, what about a request for the price? Say, if you say 'What is it gonna take for you to go out with me tonight, is that an offer? I'm serious. Is that an offer?'"

Cronin: "Representative, I think that the law has been pretty clear about what constitutes an offer and what constitutes acceptance. I think that that would be...probably a request for an offer. I don't think that would constitute an offer in and of itself."

Williams: "What about situations where, you know, be blunt. When kids and high school guys come down the street, a bunch of boys ridin' in the car, see a girl sittin' on the street, workin' the street or whatever, and he says, 'Hey, give you \$10. No intent to give her \$10; kid's having fun. Is he guilty of this crime?'"

Cronin: "Well, if...if it wasn't intent...his intent to offer the actual money."

Williams: "But he did offer it. He said, 'I'll give you \$10. See, because the distinction in your crime is because of the fact that guilt can be found by the making of the

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statement, as I understand it, before any money is exchanged or any activity is undertaken. So if he says, Hey, give you ten bucks. Come on in this car with all us guys. Is that a crime?"

Cronin: "I...I think it is."

Williams: "Okay. Secondly, when you started talking about money. One of the big problems that people talk about and think about in this area is not just money but drugs. 'Hey, give you a quarter bag of rock cocaine. Is that guilty? So, in other words...I mean since you're telling me this is strictly money, if I say to you, and believe me it happens, 'Got some good crack here. Let's go out back. Appreciate a little, you know, crack. Is he guilty?"

Cronin: "Well, we considered that in drafting the Amendment and that certainly would be something we could add to the Amendment to expand it, but we wanted to make it real narrow at this point and just encompass exchange of money or offer of money."

Williams: "Well, to the Amendment, I think that again, on this particular piece of legislation, it is a bit loose, the concept of an offer, I think that there's a reason for having the present statute that requires something more than a statement. I think that the reason is that you want to be sure the intent of the individual is to actually carry out the act. I think that prior to that point at which either money is exchanged or prior to the point in time when an individual actually does something other than say something which could be a joke, which could be some....and in additional, the concept that a guy or a bunch of boys who might say something to somebody on the street could be guilty and someone who offered someone drugs might not, that is a sort of a shortfall in this and



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I think that this Amendment may not be, at least, carefully drafted enough for us to change the law to put people in jeopardy who may not actually be at a point where they would commit a crime. I might ask, vote 'no'."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I rise to assist the Sponsor of the Bill, not so much out of my own personal conviction to do that, but on behalf of the Peoria County State's Attorney, Kevin Lyons, who...who is the promoter of this idea. I've spoken to State's Attorney Lyons about this matter, and I want to convey to the House his view of why this measure is important. He sees this as an anti-discriminatory measure with regard to women. His position is that now undercover male police detectives are out there booking female prostitutes, and they are being prosecuted for prostitution which does not require a completed act; it only requires an agreement to perform an act for money, and in the case of prostitution I think it even goes further 'or other thing of value'. But if a undercover policewoman is doing the investigation and a male solicits her, there really is no corresponding statute. So, in his view, the law is unfair to women and that if a woman should be guilty of prostitution, then the male who solicits her should be guilty of something also. The problem with the current law of charging the male in that situation, they have to charge him with soliciting a prostitute. In order to do that, they have to prove that the female in this case was a prostitute. Well, in these cases, the female was an undercover police officer so they can't prove that element of the offense. So, what they're asking is that some comparable offense, with a comparable penalty, be applied to the men that is already applied to

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the women in such cases. Now you may be predisposed to have a view of whether prostitution should be a priority in terms of prosecution, but I think that State's Attorney Lyons and the Sponsor makes a good point, that if the female is going to be guilty of this offense, then the male who solicits the female ought to be equally guilty, and so, for that reason and that reason alone, I'm going to support the Gentleman's Amendment."

Speaker McPike: "Representative Hartke. Representative Cronin, to close."

Cronin: "Thank you Representative Homer. I didn't have an opportunity to speak to the state's attorney, but I appreciate your statement in regard to this measure. That really is the intent of it, and I would urge its adoption. Thank you."

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

Clerk McLennand: "Amendment #2, offered by Representative Homer."

Speaker McPike: "Mr. Homer, Amendment #2."

Homer: "Thank you, Mr. Speaker. This Amendment I felt if the Bill was going to go and this first Amendment was going to pass that made a crime out of soliciting sex, that we ought to redefine it, and say unlawful solicitation of sex, because I think we want to make clear that we're talking about unlawful situations. Conceivably, there could be a lawful solicitation of sex, and I don't think we want to have terminology that would make that an offense. So this is more of a clarifying kind of Amendment that specifies that it shall be...that it applies to the unlawful solicitation."

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Speaker McPike: "Representative Granberg."

Granberg: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Granberg: "Representative Homer, did you ask Representative Novak for his expertise in this area?"

Speaker McPike: "Representative Novak."

Novak: "Yes, Mr. Speaker. I...I don't know. I can't speak for Representative Granberg. He just came back from San Francisco."

Speaker McPike: "Mr. Homer, to close."

Homer: "Move the adoption."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3423, Representative Burke. Mr. Burke. (House Bill) 4101, Representative Martinez. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 4101, a Bill for an Act to amend the Criminal Code of 1961. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #2, offered by Representative Martinez."

Speaker McPike: "Representative, Martinez."

Martinez: "Thank you, Mr. Speaker, Ladies and Gentlemen of this House. This Amendment provides the court with an added option in sentencing people convicted of this crime. It's an Agreed Amendment, as a matter of fact it's an agreed Bill, and during the committee hearings, there was some Members had objection, and this Amendment addresses those

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objections. I've checked with the Members that had those objections, and they've informed me that they're satisfied. I urge passage."

Speaker McPike: "Representative Black, on the Motion to adopt."

Black: "Thank you very much, Mr. Chairman. An inquiry of the Chair. We have no objection to the Amendment. The board shows Floor Amendment #2, and all we have is Floor Amendment #1."

Speaker McPike: "Number #1 was tabled in committee."

Black: "Well, I'm sorry, we've got two Amendments here with the same LRB number. All right, we're fine. It's a good amend."

Martinez: "Amendment #1 was...killed in committee, and I agreed to...redraft #2 in its place, on the floor. This is it."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2801, Representative Curran. The Bill is on Third Reading. The Gentleman asks leave to return it to second. Is that correct? No, it's not correct. Mr. Clerk, leave it on Third Reading. Did you have an Amendment filed to that Bill? Was there an Amendment filed to that Bill?"

Clerk McLennand: "No."

Speaker McPike: "House Bill 2944, Representative Giorgi. Mr. Curran on 3028. Representative Giorgi, all right. Representative Giorgi wants leave to return the Bill to Second Reading. Leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments, 2944."

Clerk McLennand: "Amendment #1, offered by Representative Giorgi."

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Representative Giorgi."

Speaker McPike: "Representative Giorgi."

Giorgi: "Move to table Amendment #1, Mr. Speaker."

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

Clerk McLennand: "Amendment #2, offered by Representative Giorgi."

Giorgi: "Mr. Speaker, I'll let the technician that wrote the Amendment explain it, Ellis Levin."

Speaker McPike: "Representative Levin."

Levin: "Mr. Speaker, Amendment #2, I think, does what Representative Giorgi initially intended to do with this legislation, that is to allow residential co-ops to be able to use the forcible entry and detainer act if people don't pay their fees. It does that by providing a tradeoff: that if they opt to be able to use the forcible act, there are certain protections statutorily that owners of residential co-op units would have. It's very much analogous to townhouse association rights in this respect."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative Levin, Amendment #2 makes this forcible entry provision only applicable to condominiums, correct?"

Levin: "No. Under current law, condominiums are covered by the forcible entry and detainer act, and townhouse associations - the boards - may opt in to be covered. So if unit owners don't pay assessments, they can use the forcible act. There was a court...an Appellate Court decision about nine months ago, that held that the same right does not exist for co-op...residential co-ops to use the forcible act if a

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owner doesn't pay his fees."

Black: "Okay, and a good case it was, too. But be that as it may, it does not...You're not expanding nor changing the forcible entry and detainer section to a duplex, three-flat, condo, or...in other words cooperative, right?"

Levin: "What this simply does, this does not affect condos...This Amendment doesn't affect condos or townhouses. What it does do, is it addresses the court decision, as does the underlying Bill, and it gives the board of the residential co-op the option of opting in to be covered by the forcible act; so they could use the act. But it says if they do that, there are certain protections that the owners, the shareholders, ought to enjoy as well. So it's a voluntary thing. You're not covered unless you opt in, but if you opt in, you decide...You're a residential co-op and you decide you want to be able to use the forcible act, it provides certain protections, as well, to the shareholders or tenants."

Black: "Okay, but the issue of concern here, and I appreciate your patience, it doesn't change in any form the forcible entry and detainer section that a landlord now has? Say he rents 20 single-family homes. It doesn't do a thing to affect what's already law."

Levin: "No, it does not affect the land...what we consider the landlord and tenant situation."

Black: "Okay, that's all we wanted to know. Thank you."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' Representative Giorgi, did you wish to close on this?"

Giorgi: "Do you think it's necessary, Mr. Speaker?"

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye'. Opposed, 'no'. The

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. Representative Granberg, 3043. The Bill is on Third Reading. The Gentleman asks leave to return it to Second Reading. Leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

Clerk McLennand: "Amendment #1, offered by Representative Granberg."

Speaker McPike: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 is put in at the request of the retail merchants and the pharmaceutical companies to limit the impact of the Bill. I don't believe there's any objection, and I would move for the adoption of Amendment #1."

Speaker McPike: "Mr. Black, on the Amendment."

Black: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Black: "Representative, it's my understanding that there's...there's some work that needs to be done on this Amendment and you've committed to getting that taken care of, is that correct?"

Granberg: "Representative Black, I just talked to Representative Deets and the staff, and I placed a call to the Retail Merchants. They are not in the office. They're at your other leader's fund raiser, Senator Philip. So we've been unable to expedite this. So, I've told Representative Deets that I would work with him. We'd bring the Retail Merchants over to clarify the language if there is a problem."

Black: "Okay, so you're going to get everything straightened out,

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and we're still negotiating."

Granberg: "Right."

Black: "Thank you."

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3407, Representative Balanoff. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3407, a Bill for an Act to amend the Illinois Wage Assignment Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Balanoff."

Speaker McPike: "Representative Balanoff."

Balanoff: "Mr. Speaker, can we withdraw Amendment #1, please?"

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

Clerk McLennand: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3616, Representative Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3616, a Bill for an Act in relation to employment opportunities. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2982, Representative Curran. Bills on Third Reading. Do you want this brought back to Second? House Bill 3230, Representative McNamara. Read the Bill, Mr. Clerk."



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Clerk McLennand: "House Bill 3230, a Bill for an Act to provide for continuing appropriations from the State Pensions Fund. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk McLennand: "No Motions."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3011, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk McLennand: "House Bill 3011, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk McLennand: "Floor Amendment #1, offered by Representative Matijevich."

Speaker McPike: "Representative Matijevich."

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

This is an Amendment by Representative Suzanne Deuchler and myself. We couldn't get out of committee a Bill that would put a moratorium on the...the high voltage-lines issue that is very important in her area and in Lake County. So what this Amendment would do that where public utilities are constructing high voltage lines greater than 60,000 volts, they shall have a certificate with the ICC, a certificate of convenience and necessity which also requires public hearings. The...As you may know, that in the next few years, there are going to be many more of these highlines that are above 60,000 volts. So this may...is an issue that is of growing importance, and we've talked to the ICC about it, and we think that both the public, where these high-lines are going to run through, and the ICC has an

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obligation in that regard. Where the lines are to replace lines that are there now, that would not be an issue. But this would be where there are new highlines of over 60,000 volts. So I would move for the adoption of Amendment #1 to House Bill 3011."

Speaker McPike: "On the Gentleman's Motion, Representative Deering."

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

Speaker McPike: "Yes."

Deering: "Representative Matijevich, what does this do to...Is this statewide or is this just for Lake County?"

Matijevich: "This is statewide."

Deering: "What does this do to expansion or development of future industrial parks, maybe subdivisions, manufacturing industries that maybe have to have a...elect...a highvoltage supply in excess of 69,000 volts."

Matijevich: "It doesn't do absolutely anything except require that there both...be both public hearings and that the ICC approve a certificate of convenience and necessity which, I think, ought to be part of the process."

Deering: "Is there a time limit on this for the hearings?"

Matijevich: "No, Sir."

Deering: "So you're saying that if I have an industrial development down in one of my districts or in one of my counties, they could be strung out two or three years waiting for the okay."

Matijevich: "Well, you know, you can always say anything can happen, but let me tell you what's happening in our area. There are many, many people opposed to what they're doing with regards to these highline right-of-ways. In fact, two people have told me, where they've got poles numbered already, they're on their property, and they would even

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fall into a lake, but the hearings are going to be in July. So the real world is that nothing's going to be stretched out two or three years. Already, they made application in April and now, in July, there's going to be public hearings. In other words, in three months they're going to have public hearings. So...The real world is that they're not stretching it out. They're sure not doing it in our area, and I don't know why they'd do it in yours."

Deering: "Thank you. To the Bill, Mr. Speaker and Ladies and Gentlemen of the House. Maybe there is some concern, but I think this is a bad way of correcting the situation. I think we should maybe work out another compromise, that is fair for everybody that may not hamper development throughout the state. something I request a 'no' vote on the Amendment."

Speaker McPike: "Further discussion. Representative Matijevich, to close."

Matijevich: "Mr. Speaker, Ladies and Gentlemen. I appreciate Representative Deering's concern, but I really believe that this oughta be the process. It's what, I think, oughta be a normal process, that there be public hearings. The local people ought to have a voice in the process, and the ICC should make the final decision. That's all this is. Local people hearing in the process. ICC making the decision. That, I think is what the normal process should be, and I urge your vote."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment, there are 44 'ayes' and 64 'noes', and the Amendment's defeated. Further Amendments."

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Clerk McLennand: "Amendment #2, offered by Representative Lang."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 would...would create a...an elected ICC. We've discussed this before on the floor of the House and we've actually adopted this Amendment on one or more occasions. We know that the ICC has its problems in dealing with electric rates, phone rates, gas rates. We know that there's been some scandal on the board. We talk about...We have Bills on the floor of this House dealing with conflicts of interest and insider dealings and all sorts of things. The experience in other states has been - in most other states that have an elected commerce commission - the experience has been that because the members of the commerce commission have to submit themselves to the voters every six years that they are more scrupulous in keeping rates down. This is consumer protection of the highest order. I'm not all that interested in having more public officials. I don't think that's what we need, but in this case, we have to make an exception. We have to create a...a board that's free from influence and a board that...that must respond to taxpayer and citizen problems. The way to do that, the way to keep good control over utility rates is to elect the ICC. I would ask your 'aye' votes."

Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Amendment #2, there are 54 'ayes' and 47 'noes' and the Amendment's adopted. Further Amendments."

Clerk McLennand: "Amendment #3, offered by Representative Lang."

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Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Amendment #3 deals with advertising for noncompetitive phone services. Currently, the law the law prohibits advertising for noncompetitive areas by the electric utilities, by the gas utilities, but for some reason, the phone company is entitled to do this advertising. This advertising in noncompetitive areas, not talking about long-distance, talking about local phone service, is a waste of taxpayers' money. It's a waste of ratepayers' money. And what this Bill says is that when Illinois Bell goes to the Commerce Commission for rate increases, they may not include costs they pay for advertising in noncompetitive areas. We shouldn't have to pay in our phone bills for Illinois Bell putting a commercial on that just simply says, 'Call Grandma,' 'Call your mother,' 'Use the yellow pages.' Whatever they say relative to local phone service, they don't need it. Because we have to use Illinois Bell for our local phone service. They don't need to advertise. When we pick up our phone to call someone down the street, we have to use Illinois Bell. So to charge ratepayers, to charge the people that pay their phone bills for these advertising services is inappropriate and it's costing us and our constituents millions upon millions of dollars. Please adopt the Amendment."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, is there not a technical drafting error in Amendment #3? And you were going to withdraw #3 and run #4?"

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Lang: "Well, maybe you could tell me what the drafting error is. I thought I was running #3 and withdrawing #4."

Black: "All right, well maybe we're just turned around, whatever. To the Bill, Mr. Speaker. An interesting concept. The Gentleman makes a strong argument, but I guess it brings up questions. What about 911? That's advertised in my area constantly. We have little magnets on the phone. I don't know if the company paid for 'em or criminal justice paid for them. But there's all kinds of little ads. I don't know whether they're all public service. Would this mean they couldn't advertise 911?"

Speaker McPike: "Mr. Lang."

Lang: "There is nothing in this Amendment that would prohibit advertising for 911. This Amendment would simply prohibit Illinois Bell from advertising for noncompetitive local phone service. That's all this Amendment does. It doesn't cover any other area."

Black: "Well, isn't 911 noncompetitive local service if you vote it in?"

Lang: "That's not the kind of local service we're talking about. We're talking about a call to somebody down the street. We're not talking about 911. If you believe that that's a problem, we'll certainly be happy to add an Amendment in the Senate to clear that up."

Black: "Well, I appreciate that. I...the Amendment, Mr. Speaker and Ladies and Gentlemen of the House, and I do appreciate the Gentleman's offer to clean this up because, obviously, it...it needs a little work yet; 911 is noncompetitive and he has indicated that he will clean that up. I'm not sure how many other things in here we might need to clean up but with the telecommunications rewrite passing out of here yesterday, I don't know how necessary this Amendment is at

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this time. And perhaps, given some questions that do exist about the Amendment, a 'no' or 'present' vote would be in order."

Speaker McPike: "Representative Williams."

Williams: "Well, my question sort of follows that is what effect does this Amendment have with the passage of the Telecommunications Act?"

Speaker McPike: "Mr. Lang."

Williams: "What effect does this Amendment have with the passage of the Telecommunications Act as of yesterday? I mean what...Does this have any effect whatsoever since that Bill passed?"

Lang: "I'm...I'm not certain what...if what we did yesterday and this relate in any way at all. My guess is that something we did relative to alternative regulation may affect what we're doing here. But I think we don't know that yet, and I would like this out there to be worked on if for no other reason than to let the regulators know that the intent of the General Assembly is to make sure that ratepayers' dollars are not wasted on advertising."

Speaker McPike: "Representative Pedersen."

Pedersen: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Pedersen: "Representative, would this local thing apply to things like call waiting and conference calls and all the other little services and little additional uses that the local services provide? I mean we're talking about a lot of different things that are available, and one of the purposes of advertising, of course, is to inform people about these options. It seems to me what you're doing is cutting into an area that almost any business is free to do, and I don't know why a public utility would be any

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different. After all, they are offering a service for a price."

Lang: "The answer to your question, and I would state for legislative intent, the answer is no. It's not intending to apply to call waiting. It's not intending to apply to any area where...where the phone company advertises in an area where they make a few bucks, where they're giving information to people. I think of call waiting as something that people need in their homes most of the time, and for them to advertise for that is informational, in my view. I'm simply talking about the commercials that we see that say, 'Call your Grandmother. You haven't talked to her in a while.' Illinois Bell doesn't need us to tell them to tell us to make those calls, because when we pick up the phone to call Grandma, the only company we can use is Illinois Bell."

Pedersen: "So, if the phone company wants to remind people that Mother's Day is coming up and you oughta call your mother. You think that's just a waste of time and money?"

Lang: "That's correct. I don't think you and I and our constituents should be paying, in our phone bills, for Illinois Bell to advertise that Mother's Day is coming up."

Pedersen: "Don't you think you're splittin hairs again, Representative?"

Lang: "As usual, you and I disagree, Representative, on what splitting hairs is. No, I'm not splitting hairs."

Pedersen: "To the Amendment, Mr. Speaker and Ladies and Gentlemen of the House. This is another example of the uncontrollable itch to just get your finger on every little thing that goes on in our society. So let's relieve the itch and vote 'no' on this Amendment."

Speaker McPike: "Representative Lang moves for the adoption of



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Amendment #3. All in favor say 'aye'. Opposed, 'no'. The 'ayes' have it. The Amendment's adopted. The Amendment's already been adopted. Further Amendments."

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

Speaker McPike: "Withdraws Amendment #4. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Hoffman, 3209. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3209, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Hoffman."

Hoffman, J.: "Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 specifically sets out the members of the ICC which (sic) have to fill out the logs when they make any calls to utility companies. This was something that was brought up in committee. This addresses the concerns of the committee."

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

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

Speaker McPike: "Yes."

Black: "Representative, obviously, without such a law, certain conversations that have been held are now public knowledge. Is that right?"

Hoffman, J.: "Well, the conversations, I don't think...I don't think we...the conversation will ever be..."

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Black: "Well, we knew the calls were made?"

Hoffman, J.: "Right."

Black: "All right. And there's no way, and I don't mean to imply that you're saying that a log would tell us what they may or may not have talked about. Correct?"

Hoffman, J.: "No."

Black: "I...I guess my question is, and, obviously, I know the answer, you wouldn't have filed this Amendment or Bill if you didn't feel this way. But, I...I guess, with the ever-increasing number of statute books, do we really need this? I mean, we can...We can pull phone records and we can tell who calls who. And if you're going to keep a log, and you're going to indulge in ex parte communication to begin with, then you're probably going to falsify the log. Right?"

Hoffman, J.: "I would...I would hope not. I would hope that we could have enough...or we could rely on the integrity to at least follow the laws of the State of Illinois of the Commerce Commission."

Black: "That's certainly a good point. And I would...I would hope that what you say would, in fact, be the case. But I guess...I guess I don't see the real rationale behind this. I guess...I guess it's a reaction to what we all know happened and I don't think that anybody is happy with, but, I don't really see any penalty in here, or punishment, or...It just says, you're going to keep a log. What happens if we don't?"

Hoffman, J.: "Well, there is...you're right. But I think what we're talking about here we're talking about the Amendment, Representative, and on the Amendment, what we're doing is we're limiting..."

Black: "You're right."

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Hoffman, J.: "...We're limiting the Bill. I...I think we can discuss all that on Third Reading."

Black: "You're right. I'm sorry. I did digress in the Amendment, and I appreciate your patience and will revisit this on Third Reading."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1617, Representative Jesse White. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1617, a Bill for an Act to amend the Condominium Property Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3612, Representative McAfee. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3612, a Bill for an Act to amend the Title Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Withdraw his Amendment #1. Further Amendments."

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

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This Amendment amends the Illinois Insurance Code and provides that the temporomandibular joint be covered just like any other joint of the body. This does not mandate coverage. It merely says, if you

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include a joint in the policy, it must also cover the TMJ.  
I urge your support."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1816, Representative  
Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1816, a Bill for an Act in relation to  
the licensing and regulation of heating and air  
conditioning contractors. Second Reading of the Bill.  
Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker and Members of the House.  
Amendment #2 was drafted at the request of the...the  
structural engineers and it deletes all references to  
planning and designing and replaces them with the term  
layout. I would move for its adoption."

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

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

Speaker McPike: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker. Amendment #3 just deletes the

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home rule preemption clause in the Bill and I'd move for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. On that, Representative Black."

Black: "Thank you very much, Mr. Speaker. I...I won't delude myself or take our time by thinking I can defeat this Amendment. To the Sponsor, who I have a great deal of respect for, I'll certainly try to defeat the Bill. I don't know why you want to delete home rule preemption on this because if it's good enough for those of us in the rural areas, I would think it'd be good enough for everybody in the state. But, be that as it may, I simply rise in opposition to Amendment #3 and certainly will express my opposition at the appropriate time of the Bill."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2928, Representative Johnson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2928, a Bill for an Act to amend the Illinois Clinical Laboratory Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3326, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3326, a Bill for an Act to amend the Illinois Funeral and Burial Fund Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Hartke."

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Hartke: "Thank you very much, Mr. Speaker and Members of the House. Amendment #1 to House Bill 3326 is a suggestion by the Department of Public Aid. It makes some technical changes to allow pre-need burial arrangements to be...to be in effect here in Illinois. I think there's agreement on both sides and with the Department of Public Aid and the funeral directors in the State of Illinois. Be happy to answer any questions."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed...Representative Black."

Black: "Forgive me, Speaker. I need to ask the Sponsor a question."

Speaker McPike: "Sure. Proceed."

Black: "Representative, in all due respect and in all honesty, I have no idea what this Amendment does. My interpretation - and you're right, as far as I know, it's an agreed Amendment - but as I read this, it says that if I am eligible or if I'm going to become eligible (and who knows in a few months, I might go on public aid), I can renounce or cancel my pre-need funeral contract or I cannot cancel my contract? I honestly do not know what this is, whether I can cancel or whether I cannot cancel."

Speaker McPike: "Representative Hartke."

Hartke: "This says you cannot. Is that correct?"

Black: "So, if I'm gonna go on public aid or I am on public aid I can't cancel?"

Hartke: "Today, Representative, you're a...you made pre-arrangements for your funeral. Tomorrow, you lose your fortune. You then have an asset. Correct?"

Black: "Well, if I paid for it. You mean, I...assuming that I paid up-front for it?"

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Hartke: "That's correct. All right, now, if you became indigent, you have an asset there. Correct? You would then be ineligible for public aid. So..."

Black: "So it's your intent you don't use the asset against you?"

Hartke: "If it's irrevocable, you cannot revoke this. You cannot revoke this asset. Therefore, if you should die, still indigent, your burial would be taken care of, public aid would not. Okay? What we're saying is that you have made those arrangements...You have made those arrangements with the funeral home. Why should that be taken away?"

Black: "Well, I'm...I'm picking up some whispers in my ear that this is a good Amendment but, perhaps, before we can visit...before we can go to Third, I still really don't know what the heck we're doing here."

Hartke: "I'll explain it to you."

Black: "Oh, thank you very much."

Hartke: "I ask for the adoption of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3360, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3360, a Bill for an Act in relation to licensing professional counselors and clinical professional counselors. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. Amendment #1 to House Bill 3360

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does two things. First, it makes technical changes to the Bill which put the...puts the language in order. Secondly, it increases the fee that...that the proposed licensees would have from \$100 to \$150. I would answer any questions. If not, move for the adoption, Mr. Speaker."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Raising the application fee on whom? Teachers? I'm sorry..."

Steczo: "This is the Professional Counselor Licensing Act, Mr. Black, and by the counselors' own request, those people that would be prospective applicants would pay a fee of \$150 versus the \$100 that's currently in the Bill."

Black: "Is...is...We visited this Bill before. Have we not?"

Steczo: "Sure have. Yes, we have."

Black: "Well, I...let us not waste any more time on the Amendment. We'll waste time on Third Reading."

Steczo: "Okay, sounds good to me."

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

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

Speaker McPike: "Mr. Steczo. Mr. Clerk, is this printed? No, not printed."

Steczo: "I move to table Amendment #2, Mr. Speaker."

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

Clerk O'Brien: "No further Amendments."



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Speaker McPike: "Third Reading. House Bill 3518, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3518, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is...is a...is one wherein the attorney in charge of prosecutorial actions in the department would have to be a...have a valid license to practice law and he...have been engaged in that practice of law for a minimum of four years. The reason for the Amendment is that the director of the department put a person fresh out of law school over a group of professional attorneys that, in spite of what she has said in Appropriations Committee, has caused some morale problems in the agency, and I can attest to it because somebody from the agency called me up. You know, sometimes...I've been always one who likes to throw away letters that are anonymous. They won't answer...give their name. But sometimes, when somebody calls you (and you can tell if they're being honest or not), and I have(sic had) received a call after that Appropriations Committee was publicized in the newspaper. And that person talked to me at some length about the fact that this did cause morale problems. In fact, the person went beyond that even and told me that we ought to start checking into that agency about an inner-circle, an inner-circle where raises were given disproportionately higher to people because they are in that inner-circle. I

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normally would not state that because the party did not give me the name, but I considered the fact of why that person would not give the name because of what might be retaliatory action within the agency. But this is a good Amendment. I think it is...the procedure that we ought to follow. That somebody has had the experience because when you are working over attorneys that have had years of experience and then put a greenhorn in charge, that very often does cause morale problems. I urge the adoption of the Amendment."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment was tried last year and it failed in the House on the Third Reading with a vote of 55-46-12. What this is is a blatant attempt to tell agency directors who they can hire, what the qualifications must be for hiring within the agency, and to dictate to agency directors of all the state agencies (and I know this talks about the Department of Professional Regulation and this is only the first time out of the box.), but it's an attempt to tell the director who or whom she cannot hire, what the qualifications must be for that person. Agency directors in every state in this union need the flexibility to be able to hire whoever they want to hire for those positions and to determine what the qualifications must be. This Bill failed last year. It should fail this year. The Amendment should not be adopted. I ask for a Roll Call Vote and in the event that it gets the requisite number, I would request a verification."

Speaker McPike: "Representative Matijevich."

Matijevich: "Well, Mr. Speaker, Ladies and Gentlemen of the House. This is not something I would normally do, but I

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think what you ought to do, Representative Wennlund, is ask your Republican colleagues, those on your side of the aisle who sat in the Appropriations Committee and saw what this director's doing with regard to her agency, and I think they will tell you that I am acting responsibly, that maybe...maybe she's the one that oughta be acting more responsibly. This is not done...I think it's the first time in 26 years that I've done it to any department. So it's not done lightly. And if anything, it's going to get her on the ball and the quicker she gets on the ball, the better."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Amendment there are 56 'ayes' and 47 'noes', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3520, Representative Steczo. Out of the record. House Bill 3155, Representative Steczo. Steczo. Read the Bill, Mr. Clerk. The Bill's on Third Reading. The Gentleman wants to bring the Bill back to Second Reading. Is leave granted? Leave is granted. The Bill's on Second Reading. (House Bill) 3155. Mr. Clerk, are there any Amendments?"

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

Steczko: "Thank you, Mr. Speaker. Amendment #2 is clarifying language that was brought to our attention by the Sports Law Committee of the Chicago Bar Association and it deals with the definition of student athletes. And it just makes the statement that student athlete, in addition to the

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definition in the Bill, also includes those who would be eligible except for the actions of any individual or entity engaging in activities prohibited by this Act. This is an attempt to be able to tighten up the definition so that's what the Amendment does and I would answer any questions, Mr. Speaker; if not, would ask for a 'yes' vote."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 429. Mr. Clerk, read the Bill. Mr. Curran."

Clerk O'Brien: "House Bill 429, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Deets, Noland and Kubik."

Speaker McPike: "Mr. Deets."

Deets: "Mr. Speaker, Amendment #2 to this Bill provides for a up to a \$2,000 deduction for income tax for an IRA on the adjusted gross income and it also allows for people to use the money from their IRA if they're in the final stages of a terminal illness. I move for adoption."

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

Homer: "Will the Gentleman yield?"

Speaker McPike: "Yes."

Homer: "Was this a Bill that you had up in Revenue Committee?"

Deets: "Yes."

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Homer: "What was the outcome of the vote in the Revenue Committee?"

Deets: "Well, the first part about the \$2,000 for the IRA was defeated. The second part allowing acceleration in payment of life, endowment or annuity of benefits in advance of the time they would otherwise be payable as an indemnity for terminal illness is an addition."

Homer: "What's the revenue impact of this Bill?"

Deets: "Well, it...The Fiscal and Economic Commission felt that it would probably be minimal because not too many people would be taking advantage of the IRA part."

Homer: "I thought it allowed for the \$2,000...I thought it allowed for deduction of \$2,000 for IRA contributions."

Deets: "Pardon, I couldn't hear you."

Homer: "I thought that the Amendment provided for deductions against adjusted gross income of up to \$2,000 for contributions to IRAs."

Deets: "That's...that's correct, but we don't know how many people might take advantage of it."

Homer: "Well, everyone would take advantage of it that has a non-deductible IRA. Wouldn't they?"

Deets: "Well...well, that opportunity would be there."

Homer: "Well. You don't know what the revenue impact would be of that...that Bill?"

Deets: "Revenue cannot determine it. No."

Homer: "Well, under current law, if a person has a deductible IRA for purposes of their federal taxes, that is, because they earned less than a certain level income and so, therefore, are able to exclude from their federal adjusted gross income the amount of their IRA contribution, they're already receiving a break, aren't they, under this? Aren't they al...Isn't that already omitted from taxation in

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Illinois?"

Deets: "I believe...No, no, this is on the AGI. The adjusted gross income as figured for state income tax purpose."

Homer: "Well, I understand...Mr. Speaker, that there's already a Bill on Third Reading Sponsored by Representative Laurino that does this. So, I wasn't aware of that when I started asking my question, and the Revenue Chairman has told me that...that is so, and that she has no particular position on this Amendment. So, I have no objection to it either."

Speaker McPike: "Homer. Turn on Mr. Homer."

Homer: "Speaker, I'm informed that Amendments 3 and 4 strip this Amendment. So I would suggest we go ahead and adopt it and then strip it with the next Amendment. So, I have no objection."

Speaker McPike: "So you would support it temporarily?"

Homer: "Temporarily."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments."

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

Speaker McPike: "Withdraw the Amendment? The Gentleman withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Representative Curran."

Curran: "What Floor Amendment #4 does is it protects the State Employees' Deferred Compensation Plan Fund. It basically says that the Governor and the Treasurer cannot access that fund under any circumstances. State employees were very concerned this past...spring when they...when they heard that their deferred compensation fund money might be

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accessed...actually takin, the money that they had saved, might be taken away from them. It is at their request that I'm submitting this Amendment. Be glad to answer any questions. I don't think there is opposition."

Speaker McPike: "Mr. Curran, does this become the Bill?"

Curran: "Yes, Sir, it does. And I apologize, to Representative Deets. I didn't know about his legislation earlier. But I guess there is that Bill out on the floor now anyway."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On House Calendar, Supplemental #1, these Bills, having received the Constitutional Majority, are hereby declared passed. There are copies of the roll call...roll calls on each of the Bill...each of the Bills on this list. All of the Bills passed. They were just declared passed. If you want to see a roll call on any of the Bills, they are up front in the Clerk's well. Representative Giorgi, on 4013. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4013, a Bill for an Act to amend certain Acts in relation to games of chance. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2573, Mr. Balanoff. Read the Bill, Mr. Clerk. Is Mr. Balanoff here? He's not here. House Bill 2697, Mr...Representative Edley. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 2697, a Bill for an Act to amend the State Prompt Payment Act. Second Reading of the Bill. Amendments #1, 2, and 3 were adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Edley."

Edley: "Amendment #4 includes the Cook County and reduces the payment delay from 90 to 60 days, just a technical change."

Speaker McPike: "Question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2714, Representative Edley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2714, a Bill for an Act concerning the state budget. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Representative Edley. Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Edley."

Edley: "Amendment #2 simply clarifies the definition of the GAAP Board, Generally Accepted Accounting Principles Board."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment's adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."



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Speaker McPike: "Third Reading. House Bill 2902, Representative  
Mati...correct...House Bill 2889, Representative  
Matijeveh. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2889, a Bill for an Act to amend the  
Illinois Lottery Law. Second Reading of the Bill. No  
Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2902. Read the Bill,  
Mr. Clerk."

Clerk O'Brien: "House Bill 2902, a Bill for an Act to amend the  
Illinois Lottery Law. Second Reading of the Bill. No  
Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "The Gentleman withdraws the Amendment. Further  
Amendments."

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Representative Matijeveh, there's a fiscal note  
request on this Bill, unless it's not applicable."

Matijeveh: "Well, it's not any more 'cause we sure waited long  
enough. I thought they put it in but I'm'gonna move that  
it's not applicable."

Speaker McPike: "All right. The Gentleman moves the fiscal not  
is not applicable. Hearing no objections, Attendance Roll  
Call will be used, and the fiscal note's not applicable.  
Third Reading. House Bill 2725. (House Bill) 2725. Mr.  
Clerk, read the...The Bill's on Third Reading. The  
Gentleman asks leave to bring it back to Second Reading for  
an Amendment. Leave's granted. The Bill's on Second. Mr.  
Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative  
Balthis, McAuliffe and Capparelli."

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Speaker McPike: "Floor Amendment #1. Who's the Sponsor?"

Clerk O'Brien: "Balthis."

Speaker McPike: "Representative Balthis."

Balthis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 simply changes the wording to indicate that incremental property taxes of the redevelopment project can be used for both for revenue and general obligation bonds. I move the adoption of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3775, Representative Wyvetter Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3775, a Bill for an Act creating the 2004 World Series Commission Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Mr. Clerk, this says World's Fair. Is it World's Fair or World Series Commission?"

Clerk O'Brien: "I'm sorry. A Bill for an Act creating the 2004 World's Fair Commission Act."

Speaker McPike: "Well, what was the World Series Commission Act? What was that Bill number, Mr. Clerk? Representative Ryder, do you know the Bill number for the Worlds Series?"

Ryder: "I don't know the number, but I know that it will probably be in St. Louis. It will not be in Chicago Wrigley Field."

Speaker McPike: "Representative Deuchler, can you enlighten us on this? What's the number for the World Series Commissioning Act?"

Deuchler: "Right, the Cougar's in Kane County. I had some

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questions of the Sponsor."

Speaker McPike: "All right. Mr. Clerk, are there any Amendments to this?"

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

Speaker McPike: "The Sponsor wants the Bill out of the record. Representative Hoffman, on 3779. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3779, a Bill for an Act to amend the Public Building Commission Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Amendment #1, offered by Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 simply clarifies the language of the Bill..."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 2985, Representative Curran. Read the Bill, Mr. Clerk. Mr. Curran. He not here? Out of the record. House Bill 3140, Representative Walsh. Mr. Walsh here? Out of the record. Mr. Balanoff. He's not here. Representative Curran, he's not here. And Representative Curran. He's still not here. Representative Schoenberg, House Bill 3625. The Bill's on Third Reading. Gentleman asks leave to return it to Second Reading. Leave's granted. The Bill's on Second Reading. Are there any Amendments?"

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

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Speaker McPike: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 addresses a concern that was raised by Representative Klemm in committee to specify that in this consolidation of Local Government Advisory Board that we specify officials should include representatives of municipalities, counties and townships."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Stepan, on House Bill 3638. Lady's not here. House Bill 3748, Representative Jesse White. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3748, a Bill for an Act to provide grants for podiatric practice residence programs and student scholarships through the Illinois Department of Public Health. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "What was...Mr. Clerk, what was this for?"

Clerk O'Brien: "Foot doctors."

Speaker McPike: "Are there any Amendments?"

Clerk O'Brien: "No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3796, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3796, a Bill for an Act to amend the Nursing Home Care Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Mr. Clerk, check that. Representative..."

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

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Phelps."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Most of you, that...has been concerned about the survey system and the inspections of nursing homes, we have found a wide, inadequate handling and unfair treatment of those facilities that have not had violations cited within a certain period of time. What this Amendment tends to do is to...reward those nursing home facilities that have not had any major violations A, nor even Bs and can now be...go for a longer period of time without having a licensure and a survey or inspection, as much as 24 months. The rest of the Bill does address...trying to get the stagger...staggering schedule for the Department of Public Health to come in and survey until they are caught up on a...evens piecemeal. So this can mean a period of two years issued licensure to a facility if they have not had a type A violation, type B or any other inspection or survey problem that...that resulted in an issue of 10 or more administrative warnings within 24 months or not has been...or has not been subjected to sanctions or decertification violations, et cetera. I'll be glad to answer any questions."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3965, Representative Davis. Monique Davis. Lady's not here. House Bill 4163, Representative Parcells. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 4163, a Bill for an Act to provide for

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review of licensure of health care professions and occupations. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This Amendment was put in as an accommodation to the Christian Scientists who were afraid that...this Bill might, in some way, infringe upon their rights. It is throughout the Medical Practice Act, and they ask that we put it in this, and although I don't think necessarily it applies. I'm happy to accommodate them, and I would ask you to approve Floor Amendment #1 to House Bill to House Bill 4163."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3630. The Bill's on Third Reading. The Gentleman asks leave to return to Second Reading for purposes of an Amendment. Leave is granted. The Bill's on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. This Amendment makes technical changes. It's been offered by the Attorney General and it has the approval of all the franchisers and franchisees and the advisory board to the Attorney General."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Giglio or Laurino. Mr. Laurino. All right, the Chair has accommodated everyone that requested their Bill to be heard today on Second Reading. We are now prepare to go to Third Readings. We will return to where we stopped yesterday on Third Readings. Representative Laurino, in the Chair. It's the Chair's intention to work until the scheduled adjournment time of 4:00 p.m."

Speaker Laurino: "Proceed to page 29. The Chair will proceed to page 29, House Bill 4030. Representative Cowlshaw, on the Criminal Law. Third Reading. The Lady wishes to move the Bill back to Second Reading. The Lady asks leave to move this back to Second Reading. Does she have leave? It appears she does. The Bill will be put on Second Reading."

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

Speaker Laurino: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 becomes the Bill. It is the Amendment that was agreed to in the committee. I have checked the Amendment with...both with Representative Petka and with Representative Homer. Both of them have agreed that this is precisely what was to be done. All this Bill now does is to add a couple of more items to those that are used in DNA markings testings in those cases where there is a felony that involves a sexual offense. And I move for the adoption of Amendment #1."

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Speaker Laurino: "The Lady moves for the adoption of Amendment #1, to House Bill 4030. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Third Reading. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Consent Calendar. Second Reading. Second Day. House Bill 36...Mr. Clerk, read the Consent Calendar Bills."

Clerk O'Brien: "Consent Calendar, Second Reading, Second Day. House Bill 3607, a Bill for an Act to amend the Code of Criminal Procedure of 1963. Second Reading of the Bill."

Speaker Laurino: "Third Reading. House Bill...Now the...we'll go to Civil Law. Third Reading, page 28 of the Calendar. House Bill 3869, Representative Homer...69. (House Bill) 3869, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3869, a Bill for an Act to amend the Associate Judges Act. Third Reading of the Bill."

Speaker Laurino: "Representative Homer."

Homer: "Thank you. The...This Bill would change the population category from 335,000 to 329,000 for the purpose of having 11 associate judges. It's offered specifically for the 10th Judicial Circuit, where, because of the loss of population with the census, that...they would have been required to lose one of their current associate judges. This simply allows them to retain the same number that they had during the decade of the 1980s even though their caseload is substantially higher than it was during that decade. House Amendment 1 added in committee would make a similar adjustment for Cook County so that Cook County would be able to retain the same number of associate judges it now has, would not be required to give up associate



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judgeships because of any loss of population in the 1990 census. Again, a review of the pending caseload in Cook County would show that that the court filings are up considerably. The caseload has increased and now is not the time to reduce the available judges to hear those cases. So I would...I would try to answer questions. I would urge adoption...adoption of this House Bill."

Speaker Laurino: "Further discussion. Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, what is that...that statue called that represents justice? It's always on top of the courthouses. Figure has some scales and... The Scales of Justice?"

Homer: "The Scales of Justice?"

Black: "Now, I'm beginning to see why that statue wears a blindfold, if you follow my drift here."

Homer: "It doesn't have any eyes. I've never seen one with eyes."

Black: "What?"

Homer: "I've never seen one of those things with eyes."

Black: "Well, I haven't either. I think they wear a blindfold. I guess the only question we really have on this, if we're going to come in after every census and lower the population so that counties or judicial circuits can keep the same number of judges, then aren't we defeating the whole purpose of why we take a census?"

Homer: "Well, this is...this is circuits. This isn't counties now, this is circuits..."

Black: "Well, I mean...yeah, I understand that. But if the circuit loses population, they should lose judges."

Homer: "Well, I suppose that argument would have merit if, in fact, the caseload that these judges are called upon to

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handle was going down with the population. Representative Black, there's probably few...There's probably no other area that gets citizen's scorn or complaint, than the backlog of cases in the court system, particularly in Cook County, where it takes anywhere up to 3 or 4 to have a case brought to trial. If we start lowering...taking away judges they have now, then, I think, the whole system, administration of justice, is going to be in even greater crisis. And so, while, yes, the population may have slightly declined, the judicial caseload has literally exploded. And you would find that today, even with fewer people living there, that each judge has a greater caseload than they did 10 years ago under the previous census."

Black: "All right. But I...and, I...I appreciate what you said about the backlog, and I think we could have an interesting discussion, but the hour grows late, about why that...why that backlog may exist. But, anyway, I...What does this cost? I mean if we're gonna keep the same level of judges regardless of what our population does, I assume that, while the state does not pick up all costs of the judiciary, (and, again, we might discuss that someday), this does create a...a burden on the state tax coffers, does it not?"

Homer: "Well, it would...Do you understand that this Bill does not add any new judgeships. It simply maintains the same number that are there now. Let me...let me suggest this also, that in my circuit, we have to send judges to Cook County each year for up to 2 or 3 weeks because the caseload in Cook County is heavier than it is throughout the rest of the state. The Supreme Court now has jurisdiction to send downstate judges up to Cook County, and without leaving these number of judges in Cook County,

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then they're going to take more judges from my county and your county away from handling the litigation and judicial business of our...our area. So I think the entire state has a vested interest in seeing that there are sufficient judges in Cook County to handle the...currant caseload."

Black: "But, and I'll defer to your legal expertise, but I guess what we're going to do here, eventually, is we're going to have to come back in every circuit because I can see that in the 5th Circuit, my judges are going to say that if they can keep it at 29,000 per judge, then that's what we want. We don't want to lose an associate. We certainly don't want to lose a circuit judge. And, I guess, the ultimate question, Representative, is where does it stop or does it stop?"

Homer: "Well, you know, they maybe the ultimate answer is that we need more judges in this state and, eventually, I think that will be the answer. We just simply can't afford it now. All this Bill does is try to maintain status quo to allow an already overburdened judicial system to try to cope with ever-increasing caseloads."

Black: "Okay, well, I...I appreciate your patience and your time in answering these questions."

Speaker Laurino: "Further discussion? Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of...House Bill 3869. The 10th Circuit is unique in many respects. The caseload there certainly justifies the maintenance of the current number of judges. There is no justification for reducing the number of judges. It seems to me that what is really appropriate here in terms of considering the number of judges is to look at the caseload and not any arithmetic formula, which may, in fact, result in too many judges or

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too few judges. So I rise in support of the...the Bill. I believe it's...necessary to provide the judicial manpower that's needed in the 10th Circuit."

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

Homer: "We've had a good discussion of the Bill. I would move for the passage."

Speaker Laurino: "The Gentleman moves for the passage of House Bill 3869. All those in favor indicate by voting 'aye', opposed, 'nay'. The voting board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 74 'aye', 37 'nay', 1 voting 'present', having received the Constitutional Majority, is hereby declared passed. House Bill 3926, John Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3926, a Bill for an Act to amend the Sale of Tobacco to Minors Act. Third Reading of the Bill."

Speaker Laurino: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill that we need to keep moving because there is a federal mandate moving through the United States Congress which may very well provide that there are no block Grants unless you're actively and aggressively enforce...regulation regarding the sale of tobacco to minors. So we need to move this Bill along. Appreciate your 'aye' vote."

Speaker Laurino: "The Chair would like to remind the Body that this is...this Bill is on Short Debate. Representative Black."

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

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Speaker Laurino: "Indicates he will."

Black: "Representative, is this a...This started out as a vehicle Bill. did it not? Have you now..."

Dunn: "It still is."

Black: "It still is a vehicle Bill?"

Dunn: "Yes. It's a vehicle because, as I explained a moment ago, there is a federal mandate moving through the United States Congress. There is some concern it may have already passed Congress and be at the Presidential level which will deny block grants to those communities who do not aggress...and states, I guess, who do not aggressively enforce regulation with regard to tobacco sales to minors so this Bill is moving along against the possibility that we need to do something to comply with that mandate."

Black: "The Bill is moving along in the federal government?"

Dunn: "This Bill is moving along against the possibility that the State of Illinois may need to take action to comply with the federal mandate that is moving through Congress."

Black: "But by the time the federal Bill moves, you could probably age next year's tobacco crop. Would you not agree?"

Dunn: "I don't...I don't know the Congress may be acting as we speak. The President may be acting as we speak."

Black: "And they certainly may be. Thank you, Representative. Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3926, by the Sponsor's forthright admission, is a vehicle Bill. It may be used and come back to you with a penalty section on the sale or use of tobacco to minors, et cetera. I don't know that we really need this vehicle Bill out at this time. I don't intend to vote for it because I'm not sure what form it's going to come back to us in. So, perhaps, this Bill could be side-tracked and if a Bill is

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necessary by the time the federal government gets around to acting, I'm sure we can find an appropriate Bill at the appropriate time. I...I would urge a 'no' vote on this vehicle."

Speaker Laurino: "Representative Dunn to close."

Dunn: "Mr. Speaker, take the Bill out of the record."

Speaker Laurino: "Out of the record. House Bill 4009, Representative Young. Out of the record. House Bill 4024, Representative Keane. Representative Keane on the floor? Out of the record. House Bill 4059, Representative Davis. Monique Davis. Out of the record. Proceed to Criminal Law, Third Reading. On page 16, House Bill 2132, Representative McDonough. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2132, a Bill for an Act in relation to insurance fraud. Third Reading of the Bill."

Speaker Laurino: "Representative McDonough."

McDonough: "Thank you, Mr. Speaker. This Bill addresses the growing problem of insurance fraud by making it a crime punishable under the Criminal Code."

Speaker Laurino: "Further discussion? Representative Wennlund."

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

Speaker Laurino: "He indicates he will."

Wennlund: "The noise level of the House was a little bit loud during the explanation. I'm sorry. I didn't hear it. Could you explain what this Bill does as amended?"

McDonough: "This Bill addresses the growing problem of insurance fraud. It creates an offense of insurance fraud, aggravated insurance fraud and insurance fraud conspiracy."

Wennlund: "Does it increase penalties?"

McDonough: "Yes, it does."

Wennlund: "Can you tell us how?"

McDonough: "For \$3,000 ...if it's more than \$3,000...I mean \$300

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but not more than \$10,000, it's a Class 3 Felony. If it's more than \$10,000 but not more than \$100,000 it's a Class 2 felony."

Wennlund: "So...so if somebody defrauds an insurance company of say \$75,000, it would be a Class 2 felony?"

McDonough: "Could you repeat your question?"

Wennlund: "If somebody defrauds an insurance company out of a \$50,000 car or something, it would be a Class 2 felony?"

McDonough: "That's correct."

Wennlund: "And how long does a person go to jail for a Class 2 felony?"

McDonough: "I believe it's 3 to 7 years."

Wennlund: "Is this your first Bill, Representative?"

McDonough: "Yes, it is."

Wennlund: "Okay. Now what other penalties have we increased here? It appears that...What if it's over \$100,000?"

McDonough: "It becomes a Class 1 felony."

Wennlund: "Does he go to jail for life for that?"

McDonough: "Four to 10 years."

Wennlund: "Four to 10?"

McDonough: "Four to 15."

Wennlund: "Four to 15?"

McDonough: "Yes, Sir."

Wennlund: "And what would the impact be on the Department of Corrections by increasing that penalty for an additional 15 years?"

McDonough: "They did not have a correctional note."

Wennlund: "The correctional note that I have in the file here indicates that the population of the Department of Corrections exceeded 30,000 people this week. What will the total impact be on the correctional system? And how many additional inmates will we bring in with these

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increased penalties within the next year?"

McDonough: "We hope none."

Wennlund: "None?"

McDonough: "We hope none."

Wennlund: "Oh, so this Bill doesn't do anything? It's not going to put anybody behind bars? Is the Bill not going to put anybody behind bars?"

McDonough: "Yes, it will."

Wennlund: "Pardon. I'm sorry. I didn't hear you."

McDonough: "Yes, it will."

Wennlund: "It will. Is there any estimate how many people it will put behind bars a year? How many more people..."

McDonough: "Not to my knowledge. I don't know."

Wennlund: "And...and how much does it currently cost to incarcerate an individual in Illinois per year?"

McDonough: "Eighteen-thousand."

Wennlund: "Eighteen-thousand (dollars) a year. Okay, is that a round figure, \$18,000?"

McDonough: "Yes, it is."

Wennlund: "It is? Okay. And where did the...the idea for these increased penalties come from?"

McDonough: "The State's Attorney of Cook County."

Wennlund: "The State's Attorney of Cook County?"

McDonough: "Yes."

Wennlund: "State's Attorney Jack O'Malley?"

McDonough: "That's correct."

Wennlund: "Hey, yes I'm getting to like this Bill more and more as we go along here. It sounds like a good Republican measure to me. However, however, I wish to...and to the Bill...thank you very much for answering my questions. Ladies and Gentlemen of the House, I wish to point out that the Department of Corrections' population now exceeds



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30,000 people. We simply have no more room, even though this is a good idea and the genesis, Republican State's Attorney Jack O'Malley, has an excellent suggestion here, the State of Illinois is simply not in a position to increase its population. We have no place to put 'em. We have no money to build new jails. We have jails that are on hold now and I think that the timing of this Bill is just simply wrong because we don't have the jail space available. And even though it's a great idea, great Sponsor, this is just in the timing is not just not right. And the Bill I would urge my colleagues to vote 'no' at this particular time but we thank you for bringing this to our attention."

Speaker Laurino: "Further discussion? Representative Matijevich."

Matijevich: "Oh, yes, Representative McDonough, I know you'll respond to a couple of quick questions. This Bill relates to insurance fraud and aggravated insurance fraud. Can you give the Body an example of insurance fraud and an example of aggregated...aggravated insurance fraud? And kind of tell us, where, when do you jump over that line from insurance fraud to aggravated insurance fraud?"

McDonough: "Yes. Insurance fraud is one act. Aggravated insurance fraud is 3 or more acts in 18 months."

Matijevich: "In other words, it could be the same act. In other words, an insurance company could defraud me, but if they do it three times, they really socked it to me. Is that the difference? That's what makes it aggravated or is it the magnitude of what they do? What really is aggravated insurance fraud? Could you tell me."

McDonough: "It's three phony claims in one year. Three phony claims in one year would be an example..."

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Matijevich: "In other words, it's how many times they do it, not what they do?"

McDonough: "Three or more. Yes."

Matijevich: "Don't you think that aggravated insurance fraud ought to be something...not just the times they do it but what they do? Don't you think? In other words, you know, the act that they do ought to make it aggravated, too don't you think? In other words, I'm trying to improve your Bill a sight."

McDonough: "They always punish habitual criminals."

Matijevich: "I hope I'm not aggravating you."

McDonough: "No."

Matijevich: "Because I'm afraid I may be the subject of aggravated fraud if I am. What...Who becomes an organizer of an insurance conspiracy? How do I get to be that type of guy?"

McDonough: "When two or more people conspire together and not only do they have to conspire they also have to take an action."

Matijevich: "Okay, now, in other words, if you and I and DeLeo get our heads together and get together and try to conspire, I'd better not use that...We could be a...responsible for such an act. Now, the Bill was a...Who amended the Bill? Was it you or the committee or one of us?"

McDonough: "It was the...the Sponsor."

Matijevich: "Oh, the Sponsor, that's you."

McDonough: "I amended it."

Matijevich: "You amended it. Now, I gather just by your talking to us, that you're a proponent of stiffer penalties. Aren't you? Don't you want stiffer penalties?"

McDonough: "I want stiff penalties."

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Matijevich: "But the Amendment makes it a weaker penalty? Right?"

McDonough: "No, it makes it consistent with other theft crimes..."

Matijevich: "But it makes it weaker than what you introduced? Can you make up your mind? Do you want a weaker or stronger penalties?"

McDonough: "I want it consistent with the..."

Matijevich: "Now, now, you're beatin' around the bush, Representative McDonough. You want strict penalties, you should never have amended your own Bill and you know it. Will you admit to it? I think for a first Bill, you got a lousy Bill. think my colleagues are going to, too, and...but I hope they change their mind later."

Speaker Laurino: "Further discussion? Representative Morrow."

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

McDonough: "Yes."

Morrow: "Representative McDonough, I understand this is your first Bill. I understand this is your first term in office. Will this Bill possibly get you a chance to run for mayor? You gonna to run for mayor if this Bill passes? He might? Well, he's from the 11th Ward, so I just...I wanted to make sure. I'm waiting for an answer, Representative."

McDonough: "Not at this time."

Morrow: "Not at this time. I've always had to sit right behind you for four years at De LaSalle and see the back the of your head, and I've seen that hair loss just go and go."

McDonough: "I'm leaving my options open."

Morrow: "Your options are open. Well, since your options are open and mine aren't, I'm going to ask my colleagues on both sides of the aisle to vote 'no' on House Bill 2132."

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Speaker Laurino: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Will the Sponsor yield, of course, he will. Representative, Representative, you have separate offenses here of insurance fraud and aggravated insurance fraud. Is that correct?"

McDonough: "Yes."

Lang: "And you've tried to explain the difference, but let me ask you a question: 'If somebody committed insurance fraud on you would you not be aggravated?'"

McDonough: "If I owned an insurance company."

Lang: "I beg your pardon."

McDonough: "If I owned an insurance company."

Lang: "Wonderful. The Bill also talks about being an organizer, I like this, an organizer of insurance fraud conspiracy. Can you...Is that like an Acco fastner? What...What is an organizer of insurance fraud conspiracy?"

McDonough: "It's the leader, the ring leader of the conspiracy."

Lang: "The leader...the leader, and is there a definition of that in the Bill? Does the Bill define that?"

McDonough: "Yes, it does."

Lang: "What is the definition? Where is it?"

McDonough: "It's Chapter 38..."

Lang: "No help, no help from the sidelines."

McDonough: "...new paragraph..."

Lang: "...We want your answer to this question..."

McDonough: "I'm bringing you to that chapter..."

Lang: "Thank you very much."

McDonough: "...38, new paragraph 45-4."

Lang: "Forty five dash four. Wait a minute, I'm looking for it. Oh, I see, a person commits organizer of an aggravated insurance fraud conspiracy when he does all of these things? What about if she does all of these things. Is

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there some reason why this is a sexist Bill? Representative, I don't think your help can help you with this one; it's a simple question."

McDonough: "I...I can't hear you."

Lang: "Oh."

Speaker Laurino: "Further discussion? Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Will the Sponsor yield? I, too, as the previous speakers indicated have a little bit concern about the intent of the aggravated division of this Bill and as you are probably a witness, as many others were about two weeks ago, we had a little bit of a tussle over on this side of the aisle. One of those two individuals was an insurance agent, and I want to know if the other individual involved in that little tussle might be convicted under this clause of aggravation against an insurance agent. Well, and...and I want to know if...if I help him plan that assault if I'd also be guilty under the intent."

McDonough: "Are you referring to Jane Barnes?"

Weaver: "No, actually she was one who helped kind of solve the intent there, but just...just one last question, Representative. Slightly before your time, we used to have a Chief of Staff over here named McDonough. You wouldn't really be her brother, would you?"

McDonough: "No."

Weaver: "I noticed you didn't have red hair, so I didn't make the connection, but I just wanted to check for sure."

McDonough: "Thank you."

Weaver: "Thank you."

Speaker Laurino: "Seeing no further discussion as requested, normally we give a Sponsor a chance to close on his Bill, but I don't think it would help but maybe we'll give you a

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chance to explain your vote, Representative McDonough. The question is, 'Shall House Bill 2132 pass?' All those in favor will indicate by voting 'aye', those opposed will vote 'no.' The board will be open. Representative Leitch, for what reason do you rise, Sir?"

Leitch: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. In the event the Gentleman has trouble passing his Bill, I would like to invite him to join the Bald Men's Conference that will be convening shortly."

Speaker Laurino: "Have all voted who wish? Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I've asked my seat mate, my new seat mate, where he got this Bill because he's got this atrocity laying on my desk here. Pam Munizzi gave him this Bill. Now, she went to the Senate and they're on the way home right now. So, we can't even attack her so I think we've got the appropriate red votes up there."

Speaker Laurino: "Have all voted who wish? Representative Homer."

Homer: "I'd like to clarify that last point. Yes, that is true that Representative Munizzi did have that Bill, but she got it from former Representative, now Senator, Daley, so I think you should take that into account."

Speaker Laurino: "No, it's Commissioner Daley now. Have all vote who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 114 'ayes', and zero voting 'nays' and zero voting 'present', having received the Constitutional Majority, is hereby declared passed. Just think, you did that without a closing argument. Congratulations, John. Adjournment Resolution."

Clerk McLennand: "A message from the Senate by Ms. Hawker,

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Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution and the adoption of which I am instructed to ask to concurrence of the House of Representatives, to whi; Senate Joint Resolution #164, resolved by the Senate of the 87th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Thursday, May 14, 1992, they stand adjourned until Tuesday, May 19, 1992, at 12:00 noon. Adopted by the Senate, May 14, 1992. Linda Hawker, Secretary of the Senate'."

Speaker Laurino: "Representative Matijevec moves for the adoption of the Adjournment Resolution. All those in favor indicate by saying, 'aye' opposed, 'nay.' The 'ayes' have it. The Motion is adopted. Agreed Resolutions."

Clerk McLennand: "House Resolution 1953, offered by Representative Phelps; House Resolution 1954, offered by Representative Balanoff; House Resolution 1955, offered by Representative Matijevec; House Resolution 1956, offered by Representative Mautino; House Resolution 1957, offered by Representative Wojcik; House Resolution 1958, offered by Representative Novak; House Resolution 1959, offered by Representative Hoffman; House Resolution 1960, offered by Representative Hoffman; House Resolution 1961, offered by Representative Hoffman; House Resolution 1962, offered by Representative Hoffman; House Resolution 1963, offered by Representative DeJaegher; House Resolution 1964, offered by Representative DeJaegher; House Resolution 1965, offered by Representative Parke; House Resolution 1966, offered by Representative McNamara; House Resolution 1967, offered by Representative McNamara; House Resolution 1968, offered by Representative Black; House Resolution 1969, offered by

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Representative DeLeo and Speaker Madigan."

Speaker Laurino: "Representative Matijevec moves for the adoption of the Agreed Resolutions. All those in favor indicate by saying, 'aye' opposed 'nay.' The 'ayes' have it. The Agreed Resolutions are adopted. Mr. Clerk, any other Resolutions? General Resolutions."

Clerk McLennand: "House Resolution 1970, offered by Representative Santiago and House Joint Resolution 132, offered by Representative Schakowsky."

Speaker Laurino: "Committee on Assignment. Mr. Clerk, do you need any perfunctory time? Perfunctory time for Committee Reports and Introduction of Bills. The House now stands adjourned until 12:00 noon, Tuesday, May 19."

Clerk McLennand: "Committee Report. Committee Report, offered by Representative LeFlore, Chairman from the Committee on Human Services Appropriations to which the following Bills were referred, action taken on May 14, 1992, reported the same back with the following recommendations: 'do pass' House Bills 3530, 3524, 3525, 3529, 3720, 2874, 2873, 2872, 2871, 2840, 2839, 2838, 2832, 2704, 2700, 1116, 382, 3534, 3533, 3532, 3531 and House Bill 3535. Introduction of First Reading of Bills. House Bill 4209, offered by Representative Matijevec, a Bill for an Act to amend the Public Utilities Act. House Bill 4210, offered by Representative Matijevec, a Bill for an Act to amend the Public Utilities Act. House Bill 4211, offered by Representative Curran, a Bill for an Act to amend the Illinois Pension Code. House Bill 4212, offered by Representative Curran, a Bill for an Act to amend the Illinois Pension Code. Senate Bills - First Reading. Senate Bill 1499, offered by Representative McGuire, a Bill for an Act to amend the Illinois Vehicle Code. Senate Bill



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1516, offered by Representative Kubik, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Senate Bill 1519, offered by Representative Hicks, a Bill for an Act to amend the Illinois Banking Act. Senate Bill 1531, offered by Representative Hicks, a Bill for an Act to amend the Illinois Development Finance Authority Act. Senate Bill 1536, offered by Representative Persico, a Bill for an Act to amend the School Code. Senate Bill 1539, offered by Representative Hartke, a Bill for an Act to amend the Revenue Act of 1939. Senate Bill 1550, offered by Representative Woolard, a Bill for an Act to amend the Wildlife Code. Senate Bill 1565, offered by Representative Schoenberg, a Bill for an Act to amend the Air Rifle Act. Senate Bill 1606, offered by Representative Hartke, a Bill for an Act concerning local government. Senate Bill 1624, offered by Representative Black, a Bill for an Act to amend the School Code. Senate Bill 1628, offered by Representative Obrzut, a Bill for an Act to exempt energy intensive manufacturers from municipal utility taxes on gas and electricity. Senate Bill 1629, offered by Representative Balthis, a Bill for an Act to amend the Liquor Control Act of 1934. Senate Bill 1635, offered by Representative Parcels, a Bill for an Act to amend the Clerk of Courts Act. Senate Bill 1641, offered by Representative Keane, a Bill for an Act to amend the Revenue Act of 1939. Senate Bill 1648, offered by Representative McGuire, a Bill for an Act to amend the Juvenile Court Act of 1987. Senate Bill 1650, offered by Representative Wolf, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1664, offered by Representative Novak, a Bill for an Act concerning bikeways and trails. Senate Bill 1677, offered by Representative

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Obrzut, a Bill for an Act to amend the Illinois State Auditing Act. Senate Bill 1688, offered by Representative Hartke, a Bill for an Act to amend the Township Law of 1874. Senate Bill 1693, offered by Representative Rotello, a Bill for an Act to amend the Unified Code. Senate Bill 1740, offered by Representative Hicks, a Bill for an Act to amend the Metropolitan Pier and Exposition Act. Senate Bill 1764, offered by Representative Walsh, a Bill for an Act to amend the Environmental Protection Act. Senate Bill 1770, offered by Representative Capparelli, a Bill for an Act to amend the Illinois Pension Code. Senate Bill 1782, offered by Representative Parcels, a Bill for an Act authorizing the Historic Preservation Agency to charge site user fees. Senate Bill 1806, offered by Representative Edley, a Bill for an Act to amend the State Prompt Payment Act. Senate Bill 1808, offered by Representative Hartke, a Bill for an Act to amend the Illinois Insurance Code. Senate Bill 1823, offered by Representative Bugielski, a Bill for an Act to the Cook County Forest Preserve District Act. Senate Bill 1825, offered by Representative Hicks, a Bill for an Act to amend the Revenue Act of 1939. Senate Bill 1828, offered by Representative Hartke, a Bill for an Act to amend the County Code. Senate Bill 1831, offered by Representative Bugielski, correction-offered by Representative Laurino, a Bill for an Act to amend the Counties Code. Senate Bill 1832, offered by Speaker Madigan, a Bill for an Act concerning the validation of appropriation and tax levy ordinances. House...Senate Bill 1861, offered by Representative Dunn, a Bill for an Act to amend the Code of Civil Procedure. Senate Bill 1896, offered by Representative McCracken, a Bill for an Act in relation to Department of Conservation fees. Senate Bill

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1897, offered by Representative Regan, a Bill for an Act to amend the Children and Family Services Act. Senate Bill 1901, offered by Representative Kubik, a Bill for an Act to amend the Illinois Horse Racing Act of 1975. Senate Bill 1902, offered by Representative Manny Hoffman, a Bill for an Act in relation to the powers and duties of the Department of Alcoholism and Substance Abuse. Senate Bill 1903, offered by Representative Hasara, a Bill for an Act to amend the State Finance Act, and Senate Bill 1910, offered by Representative Stange, a Bill for an Act concerning the population in state-operated facilities. First Reading of Senate Bills. Being no further business, this House does stand adjourned until 12:00 noon on Tuesday, May 19."

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