

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

51st Legislative Day

May 16, 1991

Speaker Keane: "The House will come to Order. Members, please be in your seats. The Chaplain for today is Pastor Henry Sills from the Body of Christ Ministries in Macon, Illinois. Pastor Sills is the guest of Representative Noland. Our guest in the gallery may wish to rise for the invocation."

Pastor Sills: "Heavenly Father, we pause for a moment to give You thanks and reverence and call Your attendance here in this Legislative Body. Father, we thank You for being the wisdom that is needed here in this Session, Father God, and You'll grant wisdom and understanding in knowing how to deal wisely. Father God, as Solomon of Old said, 'Father, grant me wisdom that I may know how to be wisely in the affairs of human lives.' And, so, Father, we ask You to anoint these men and women who come to make these Bills, Father God, that it'll do good. And, Father, to help those individuals on this floor, Father, who stand for the right even though it may be unpopular. God, give them the strength and encourage to stand for that which is right and form good and godly laws. Lord, we ask You bless each and every one here today, and throughout this entire Session and the year. In Jesus' wonderful name. Amen."

Speaker Keane: "We'll be led in the Pledge by Representative Hartke."

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

Speaker Keane: "Roll Call for Attendance. Representative Matijeovich, any excused absences?"

Matijeovich: "Mr. Speaker, let the record reflect the excused absence of Monroe Flinn due to his injuries and Joel

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Brunsvold, due to a death in the family."

Speaker Keane: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Let the record reflect that Representative Barnes is absent...excused due to an illness."

Speaker Keane: "115 Members answering the Roll Call. A quorum is present. We have a few Bills on the Agreed Bill list that have to come back for Amendments and what we'll do first is we'll handle those. On the Agreed Bill list is House Bill 237, Representative Anthony Young. Representative Young asks for leave by the use of the Attendance Roll Call to return the Bill to Second Reading for purpose of an Amendment. Is there leave? Leave, and the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 237. This Bill's been read a second time, previously. Floor Amendment #2, offered by Representative Anthony Young."

Speaker Keane: "Representative Young."

Young: "Floor Amendment #2 is a technical Amendment. I move for its adoption."

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

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 1260, Representative Giorgi. Out of the record. We'll go to House Bill 2042, Representative Steczo. The Gentleman asks leave to bring the Bill back to the Order of Second Reading for purposes of an Amendment. Is there leave? By use of the Attendance Roll Call, leave, and the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2042. This Bill's been read a second

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time, previously. Floor Amendment #2, offered by Representative Steczko."

Speaker Keane: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 is an agreement between the State Board of Education, the educational administrators and the gifted education community. It just indicates that, with regard to funding, that the implementations of plans shall be done between the State Board, local districts, when adequate funding becomes available, as determined by separate line item and in appropriation. I would move for the adoption for Amendment #2."

Speaker Keane: "I'm sorry, Representative Steczko, could you repeat your Motion...your move?"

Steczko: "Mr. Speaker, I have explained the Amendment. There is no opposition. This is an Agreement. I would move for its adoption."

Speaker Keane: "The Gentleman moves for the adoption of Amendment #2 to House Bill 2042. All in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Representative Persico on House Bill 2174."

Persico: "Mr. Speaker, Ladies and Gentlemen of the House. Could I have leave?"

Speaker Keane: "The Gentleman asks leave to take the Bill back to Order of Second Reading, by use of the Attendance Roll Call. Is there leave? Leave. Then, the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2174. This Bill has been read a second time, previously. Floor Amendment #4, offered by Representatives Saltsman and Kulas."

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Speaker Keane: "Representative Kulas."

Kulas: "Yes, thank you, Mr. Speaker. Floor Amendment #4 just puts the fair market value on the Bill which is already there, so, I move for the adoption of the Amendment."

Speaker Keane: "Has the Amendment been printed and distributed? We'll just stand at ease for a second and get a copy down to you. While we're waiting, we'll take Amendment #3 out of the record, I'm sorry, Amendment #4 out of the record, and go to Amendment #3, which is the proper way to do it."

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

Speaker Keane: "Representative Persico."

Persico: "Thank you, Mr. Speaker. Amendment #3 simply adds four more pieces of land that the Department of Transportation either wants to sell their access rights for sale, or sale the land outright. I'd ask to adopt this Amendment, please."

Speaker Keane: "Representative Matijevich on Amendment #3."

Matijevich: "Who's the land being sold to?"

Persico: "The appraisal's all been filed with the Clerk. These parcels of land are releasing easements or restores access right. One, to Woodford County, one to Rock Island County, one to Madison County, or, two to Madison County, one to Sangamon County."

Matijevich: "Now...the release of the easement for \$500, that's released easement to whom, now? Is that to the county?"

Persico: "It's not to the county. It's to a private individual who inquired about the lease."

Matijevich: "And, that is at the appraisal price? Is that it?"

Ask the

Persico: "That is correct."

Matijevich: "Ask the guy next to you if he's going to support my Bill? Mine is a helluva lot more important than this one, but okay, I'll go along with you."

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Persico: "Thank you."

Speaker Keane: "Any further discussion? There being none, the question is 'Shall the House adopt 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: "Floor Amendment #4, offered by Representatives Saltsman and Kulas."

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. Amendment #4 is the IDOT Amendment. It just puts the appraised value into the Bill and I would move for the adoption of it."

Speaker Keane: "Is there any discussion? There being none, the question is 'Shall Amendment #4 be adopted?' 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 2135, Representative Santiago? Mr. Clerk is there leave? House Bill 1260. Gentleman asks leave to return House Bill 1260 to the Order of Second Reading for the purpose of an Amendment. Is there leave by use of the unanimous Roll Call? Out of the record. Return it to...I...leave the Bill on Third Reading. On the Order of Government Regulations, Second Reading. Appears House Bill 488, Representative Currie. Out of the record. Ladies and Gentlemen, we may not make it back to this Order of Business again, so, if it is on...you remember what I said. Thursday at 9:37 a.m. This Order of Business, we may not go back to. So, you've heard it and don't cry if we don't get back to it. House Bill 1322. Representative Doederlein. Out of the record. House Bill 1487, Representative Capparelli. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1487, a Bill for an Act relating to drugs. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2486, Representative Currie. Out of the record. On Third Reading. Government Regulations. House Bill 291. Representative Giglio. Representative Giglio. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 291, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Keane: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What 291 does is that it allows the first yime offenders to have a judicial driving permit that people got arrested for, for drunken driving. As you know now, the only permit is that they have is a hardship to go back and forth to work and those that are going to school for their treatment, or, I believe there's one more, but truthfully, I can't think about it. We had a good discussion in committee and what we're trying to do is expand it for those people that are in the household and those people that are retired who do not work. Many people feel, like the housewife who's at home, with the children or has to go the store, has to go to the doctor or dentist, can't do that while the husband or the breadwinner is at work. We feel that it should be expanded at least to one more, and that's for those people that are home. You take the person that doesn't work, that's retired and the first time that is arrested for DUI is home, can't go to the store, can't go to the doctor, the dentist and they don't have the

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opportunity to apply for a judicial driving permit. So, that's what this is all about, and if there's any questions, I'd be happy to try and answer them."

Speaker Keane: "Representative Cronin."

Cronin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield for some questions?"

Speaker Keane: "He indicates he will."

Cronin: "Representative, what you seek to do is to expand the parameters in which a JDP can be granted by a court. isn't that right?"

Giglio: "That's correct, for the first offense only. Yes."

Cronin: "So, really, your Bill has no impact, whatsoever, on the RDP issue...the restrictive driving permit that's issued by the Secretary of State. Right?"

Giglio: "Yes, that's my understanding."

Cronin: "So, the problem that most of us in the General Assembly face, with respect to constituent services and complaints about people who can't get their driver's licenses back, at least in my experience, it's been about, overwhelmingly, in regard to those people who want to get it through the RDP process or through the Secretary of State. Has that been your experience?"

Giglio: "I'm sorry. I was detained, Representative."

Cronin: "Would you agree that most of the complaints from our constituents, when it comes to their wanting to get their drivers' licenses back, has to do with the RDP process? The process that...comes into effect after their license has been revoked?"

Giglio: "Yes."

Cronin: "Okay, I guess the point I'm trying to make is that this particular Bill will have no effect, whatsoever, on the overwhelming number of cases that deal with those people who can't get their license back after it's been revoked.

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Representative, you indicated that the original intent of the JDP was to provide for travel to and from work, school and for treatment. Correct?"

Giglio: "That's correct. That's my understanding. Of those that get the permit on...for restricted driver's license, most of those are people that have to go work."

Cronin: "Under your proposal, this would expand the original intent of the JDP Law. Correct?"

Giglio: "That's correct."

Cronin: "Let me ask you one question. If someone...if your law...if your Bill was to become law, and someone wanted to go out and buy a bag of groceries and just put it in the back seat of their car and drive around anytime they wanted, how would your law prevent them from violating the intent of the JDP Law?"

Giglio: "It's my understanding that once you go and ask for a JDP permit that the judge stipulates the place time and that you can go back and forth. As if the housewife had to take her child to the doctor or dentist, that she'd have to say, 'Well, I'm gonna go to a certain place, and this is where I'm going,' and that would be stipulated, or if she had to go to the grocery store, say 'Well, I shop at the A & P, and this is where I will go.' That would all come under...and written out by the JDP before he gave the permit out."

Cronin: "So, in order for your Bill to work, the JDP order would have to be very specific about what 7-elevens any particular person could drive to, and what 7-elevens that they couldn't."

Giglio: "That's correct because it's only for...a specific time and specific place and that's the only way, in my judgment, a judge would do it. Let me just say one thing. We had Judge Sullivan, from the Second District out the Bridgeview

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Court, from the County of Cook, testify in Committee, and out of the 3,000 cases that he heard, not one, not one violated that first judicial driving permit privilege, not one out of 3,000 cases. So, in his courtroom, it's working."

Cronin: "My biggest problem is, and maybe you can shed some light on it, from a practical standpoint, how would a police officer on the street ever be able to determine whether or not a motorist is actually going to the grocery store, or to the church, or to the 'Y' for essential household purposes, how could he determine that from some other purpose?"

Giglio: "Well...I'm sure...if the person was stopped, I'm sure they'd have...they'd have...to talk to that officer and tell him exactly where they're going, if that officer knows his area he's patrolling. I don't think there'd be that much of a problem, and, if they're going to violate it, like anybody else who has a permit, especially going back and forth to work, if the person lies, saying that he works over here and he doesn't work over there, I'm sure the police officer, if he knows the surrounding area where he's patrolling, would know when the person's lying right off the bat."

Cronin: "Okay. Mr. Speaker, to the Bill. I rise in opposition to the Gentleman's Bill. I understand the intent, and he's trying to make a situation that may be difficult for some people more convenient, but I urge the Members of this Body to recall that the original intent of the JDP Bill was not to make a motorist's life more convenient. The idea was to get that motorist off the road for a period of time. This Bill would provide a very unworkable, impractical situation. There's no possible way a judge would be able to designate which grocery stores, which Y.M.C.A.s, which

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churches, a motorist could go to, and which ones he couldn't. It would be a nightmare for policemen on the street. This undermines the whole intent of the drunk driving laws, and I urge a 'nay' vote."

Speaker Keane: "Representative Lang."

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

Speaker Keane: "He indicates he will."

Lang: "The Bill talks about 'essential household related activities.' How does that get defined? I don't see it defined in the Bill. Who defines it?"

Giglio: "Mr. Speaker, could the radio man turn it up? I can't hear."

Speaker Keane: "No. If Representative Lang would speak into his microphone, address the Chair, rather than Representative Giglio, the system works fine."

Lang: "I'll try that. Thank you. Frank, I'm wondering how you define the words, 'household activities' in the Bill? I don't see it defined here, anyplace."

Giglio: "Well, household, in the way of, as I understand it, is the wife at home that her essential household duties that have to take the children or have to go to the emergency clinic or have to go to the store for something that they really need for the household facilities."

Lang: "Well, I think I know where you're going with the Bill, but it seems to me to be a bit vague. Is it possible you could put some guidelines in here, so that there can be some sort of restriction on what these household activities might be?"

Giglio: "Are you asking we can put some guidelines in? I guess we could. But, my understanding was, from listening to testimony from Judge Sullivan, that...that would come under the JDP permit when he issues it, and he would stipulate those things, in the JDP permit when he wrote it out, and

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the person would have to carry that on their possession when they're in the car."

Lang: "So, the actual permit the person is given has restrictions on it, it doesn't just say 'household activities'?"

Giglio: "Yes, that's my understanding."

Lang: "Thank you. I'm supporting your Bill."

Speaker Keane: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. The necessity for Representative Giglio's Bill lies in the fact that, currently, housewives and senior citizens are discriminated against because there's no provision in the law to give judges the discretion that they need to give a JDP to a housewife to carry on and conduct her household activities, caring for the children, taking them to the doctor. Whereas, if there was a man in the house and employed with a 9 to 5 job, they could drive to and from their work. Or, a senior citizen, who needs to go to get health care. There's no provision in the law that gives a judge the discretion to be able to provide for that necessity. That's why this Bill is needed, and why there was an omission in the original legislation. The Bill is designed to give judges discretion to permit travel by those individuals, also. It's a fair Bill, and I rise in support of it."

Speaker Keane: "Representative McCracken."

McCracken: "Thank you. I rise in opposition to the Bill. I was involved in the passage of the original Act, and I can tell you that this drives a hole the size of a truck right through the entire law and intent of the law. The whole issue here is whether we want the judges to have more discretion than they do now. I say, the answer to that should be 'no'. The most effective enforcement mechanism to deter drunk driving is the prompt suspension of the

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driver's license. If you look at this language in what is defined to be essential household or family related activities, it could include everything from driving the kids to school to taking them to a movie. Now, look at this definition. That term means matters relating to the educational or social welfare of immediate family members. Now, if you don't think that a smart lawyer could justifiable claim taking kids to a movie is not within this definition, think again. This is not a good idea. It takes away from the law all of its teeth. All of its teeth. Our problem's historically, has always been, that judges were exercising their discretion to the detriment of the public good on this issue. It was the reason we provided for summary suspension. This, in effect, restores us to the status quo, prior to the passage of the original Bill. There is virtually no circumstance that would not be encompassed by this definition. I rise in opposition."

Speaker Keane: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I have to...in spite of my high regard for the Sponsor, I have to join the previous Gentleman. I don't think that we should approve this Bill. The Bar Association has a Bill that Representative Young currently sponsors. It's House Bill 2173, and the Bar Association is negotiating with the Secretary of State's Office and MADD and the other interested parties, to try to come up with an Agreed Bill dealing with this and other matters affecting DUI. This item is on the table in the negotiations of the other Bill. I think it would be imprudent of us to pass this Bill on its own. It should be a part of those negotiations. The problem with the 'essential household activity permit' is that it defies specific limitations in the JDP. Where you have a JDP for 'educational purposes', the judge can clearly indicate what

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the times are that it can be utilized, based upon the education class schedule. When you have a JDP for work purposes, the judge can put in there the time limitations of when the person works and the commuting to and from. But when you're dealing with essential household purposes, there's no way that a court can limit a JDP so as to make it meaningful. As a consequence, what you've done is pretty much, just say, that the restrictions no longer apply. I don't think we're ready to make such a far-reaching statement to erode the purpose of the suspensions that are executed under the DUI laws, and I think this Bill would do that. The proper place for consideration of this issue is, as I say, in the discussions and negotiations of House Bill 2173. The bar has put forth this provision, previously, but has dropped it in trying to reach accord with the other side, but I believe that's the proper place for the continued discussion and I'm going to vote 'no' on this Bill."

Speaker Keane: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All of us in the chamber applaud the efforts of everyone involved to reduce drunken driving. No one should drive drunk. However, we're talking about a system of justice in this state, and what this legislation provides is that while someone who is convicted of that particular offense is, in effect serving their penalty, that they shall be considered for allowance of the privilege to drive for household activities, and the language of the Bill provides that this is to be done so the petitioner can demonstrate that there are no alternative means of transportation reasonably available. This is a good Bill. This is not something that opens doors. This is not something that lets the cat out of the bag. This is not something that

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undermines the DUI program. The DUI program is in place, is intact, and, as a matter of fact, the statute which is currently on the books, the current legislation, allows for a judicial permit where the person must drive for educational purposes. So, if we will allow someone to drive for educational purposes, and I presume that means to school, to high school or to college, certainly we ought to allow them to drive to the grocery store. This is excellent legislation. I commend the Sponsor for this fine Bill, and I urge everyone in this chamber to cast an 'aye' vote on this piece of legislation. Thank you."

Speaker Keane: "Representative Ropp."

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

Speaker Keane: "He indicates he will."

Ropp: "Representative. Under your proposal, or even current law, is the provision, which would allow the judge to send that person who was involved in a DUI, to a drug rehab program? Would it allow..."

Giorgi: "I think they have to go. I think the law is, they have to go. Yes."

Ropp: "Okay, and what your provision would, be that this would allow him to drive to that rehab program, among other things, but he would be able to drive?"

Giglio: "That's correct."

Ropp: "Okay. Are you aware, according to our analysis, that, potentially, we may lose some federal road funds because of this provision, should it become law?"

Giglio: "Did you say we would lose some?"

Ropp: "That's what we have on our analysis."

Giglio: "I...I...don't see how you would lose some. I...I don't see how they would lose some, Representative, because if they would lose some...they would lose it for those people who have a hardship already. I think that's probably

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wrong."

Ropp: "I've just been informed that the agency was in error in their presumption."

Giglio: "We all make mistakes."

Ropp: "I can't imagine State Government making a mistake, but maybe it happened this once. Mr. Speaker and Members of the House, it is extremely important that people who have been involved in these particular instances should learn by their errors and it seems like even though this is a first time offense, if we allow this to occur, we really haven't attempted to impress upon them the importance of knowing when to drive and when not to drive, and for that reason, I would oppose the passage of this Bill because, at least, for a temporary period of time, we're allowing people who have been convicted of a crime of driving, that we are saying it's okay right away to get back on the street and carry on. I maintain that there needs to be a learning process, and, surely, friends, neighbors or public transportation can assist in making what this Bill attempts to do become a reality."

Speaker Keane: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. I move the previous question,"

Speaker Keane: "The Gentleman moves the previous question. You heard the Gentleman's Motion. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the previous question's been moved. Representative Giglio, to close.

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we've heard enough debate on it, I think everybody understands it, and, actually, what we're trying to do, if you're gonna do it for those people who have the hardship now that're going to work, it's...in my judgment, it's just as important for that housewife, who's home

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taking care of the household duties, raising the children, if she has to go out and she needs a judicial permit 'cause she made a mistake, like the breadwinner or anybody else, in my judgment she should be entitled to apply for a judicial driving permit. A person who's retired, who has to sit home, has no job, I feel it's just as important to him to have a judicial driving permit as it is for those. If it's the intent of this General Assembly not to pass this, then I would ask that those who are really serious about what we talked about, ought to consider what they do in New Jersey and that's once you get arrested for DUI, nobody gets a judicial driving permit, nobody gets any kind of permit, you automatically have your driver's license suspended for six months. Period. And, with that, Mr. Speaker, I would ask for a Roll Call."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Representative Wojcik wants to explain her vote and drive the knife even deeper."

Wojcik: "I just wanted to know if this is the Sponsor's first Bill."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 21 voting 'aye', 72 voting 'no', 10 'present', and the Bill fails. House Bill 1891, Representative Phelps. Representative Phelps. 1891. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1891, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Keane: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. 1891 addresses a problem in some of the downstate regional superintendant's districts, if not other parts of

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the state, where there's a vacancy on the school board and it's not filled within 30 days, we're asking...they pass it the regional superintendant as responsibility...that's right ... Mr. Speaker, Mr. Clerk, can I take this...request to take it back to Second Reading? I forgot we have an Amendment."

Speaker Keane: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purpose of Amendment. Is there leave? Representative Black, for what purpose do you rise?"

Black: "Mr. Speaker, I would object to him taking this Bill back to Second Reading for purpose of the Amendment that he wants to put on it."

Speaker Keane: "The Gentleman moves to return the Bill to the Order of Second Reading and on that issue to...the Gentleman moves to return the Bill to the Order of Second Reading for purpose of an Amendment. On that issue, those is favor say 'aye', the opposed 'no'. The 'ayes' have it, and the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "On the Order of Second Reading. House Bill 1891. Amendment #2 is being offered by Representative Santiago."

Speaker Keane: "Representative Santiago."

Santiago: "I...I...move to withdraw Amendment #2, please."

Speaker Keane: "The Gentleman asks to withdraw Amendment #2. Any further Amendments?"

Clerk Leone: "Floor Amendment #3 is being offered by Representative Santiago."

Speaker Keane: "Representative Santiago."

Santiago: "Yes. Thank you, Mr. Speaker. Amendment #3 provides that any full-time teacher in the public school system of the district, who has taught in that system on a full-time basis for a least 3 consecutive years and holds an early

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childhood, elementary, high school, or special certificate issued under Article XXI, shall be awarded a permanent full-time teaching assignment, automatically, at the end of that third year. Basically, the reason for this Amendment...this Amendment addresses a problem that we have in the Chicago School System. Traditionally and historically, the Chicago Board of Education uses unfair labor practices when it comes to hiring blacks, Hispanics and especially young teachers. What they do is, they hire these people as temporary teachers and leave them there for 10, 15 years, which means that these teachers will never get their salary, will never get their tenure, and at the same time, they're providing the same services and the same educational environment to those kids as any other child. And, I think, what we're trying to do is...with this...Amendment is provide fairness for those teachers. And, let me add a footnote to this, I have been a victim of this process, I have been a victim of this system and I think it's time that we should send a message to the Chicago Board of Education that we're not going to tolerate unfair labor practices."

Speaker Keane: "On that issue, Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair. I don't believe Amendment #3 has been printed and distributed. None of us have it over here."

Speaker Keane: "Has Amendment #3, Lee, has Amendment #3 been printed and distributed? He indicates the Amendment has been printed and distributed. Representative Cowlshaw. Representative Cowlshaw."

Cowlshaw: "Has Representative Black's question been answered?"

Speaker Keane: "I've answered his question. His inquiry has been answered. Are you interested in speaking on this?"

Cowlshaw: "Yes, please, if I may."

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Speaker Keane: "Proceed."

Cowlshaw: "Will the Sponsor of the Amendment yield for a question, please?"

Speaker Keane: "He indicates he will."

Cowlshaw: "Representative Santiago, I'm not quite sure that I understand what problem it is that you're trying to address, but from your opening remarks, I gather that you believe that there is a situation with the Chicago Public Schools in which some people who are employed as teachers, but not as full-time teachers, are kept in those less than full-time positions over a long period of time, in a way that is discriminatory, and that is a problem that you are trying to correct with this Amendment. If my assessment of what the problem is that you are trying to correct is accurate, then, this Amendment does not address that problem. This Amendment says that if you have taught in the Chicago Public Schools on a full-time basis for three consecutive years, you then have to be given a permanent assignment. You have permanent tenure forever, once you've taught for three years on a full-time basis. If the people you believe are experiencing discrimination are put in positions where they don't have full-time jobs, I hope I'm making myself clear, then this Amendment does not address that problem. This simply gives permanent and unquestioned, permanent, absolutely permanent tenure to anybody who just happens to have taught for three years on a full-time basis in the Chicago Public Schools."

Santiago: "If I may answer your remarks, I think you're confusing the issue. I'm not talking about day-to-day substitutes, I'm not talking about cadres, I'm talking specifically, those teachers that have met all of the state requirements for certification and have everything that you need and at the same time, what the Chicago Board of Education does is

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make these people what they call F.T.Bs full-time temporary basis and they do that just specifically to the minorities that come into the system, and, I think that's unfair. I'm not referring to a day-to-day substitute, I'm not referring to a cadre, I'm specifically referring to those individuals that have met all the state requirements for certification and that have a state certification."

Cowlshaw: "Yes, I understand that, Representative, but what I'm trying to say to you is, if the Chicago Board of Education has some name or title that is used for these people who are not really full-time people, and your Amendment refers to full-time people, then you are not addressing the problem that you have perceived that we have."

Santiago: "But, I'm specifically addressing the problem of full-time teachers. They do that on purpose. You come in, and automatically they say, 'We'll give you a job; we'll give you a F.T.B. status.' Why should these minorities be given an F.T.B. status when they have met all the teacher requirements? That's what I'm trying to correct."

Cowlshaw: "Why, thank you very much, Representative Santiago. Mr. Speaker, to the Amendment. I believe that, first of all, this Amendment does not do what the Sponsor believes that it does. If there is something called a full-time yet permanent...yet temporary teaching position in the Chicago schools, it would seem to me that is what he would want to do away with, rather than the language that he has in here. Consequently, and number one, I don't believe this Amendment does what the Sponsor wants it to do, and secondly, I think it's a very bad concept, and I stand in opposition to this Amendment."

Speaker Keane: "Representative Black."

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

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Speaker Keane: "He indicates he will."

Black: "Representative, basically, what your Amendment does is to say that if you have been, even though the Board of Education of the City of Chicago may classify you as, a, what we would call a full-time/part-time, you would automatically grant those people tenure after three years of being so certified, assuming that they were certified by the state, et cetera, but you make no reference in your Amendment to evaluation. Are you going to automatically give them continued contractual status without reference to favorable evaluation?"

Santiago: "Well, Representative Black, every teacher goes through an evaluation every year, and if they're not qualified, I would not recommend that they would be given a full-time basis position, but what this does, is, and it specifically will tell you, if that individual has met all the requirements, and some of these individuals, they keep them for 5 or 10 years, okay? That's what I'm trying to correct, that system that is trying to put these people on the side and treat them as second-class citizens."

Black: "Well, I...I can appreciate that, but one other question. Has not the Chicago Teacher's Union filed an unfair labor practice with the Ed-labor Relations Board on this issue?"

Santiago: "Representative Black, that's a different story, which I'm trying to deal with them, and you know how labor negotiations go through in the City of Chicago. Let me add another footnote. This is the language that came from the State Board of Education. I've worked with them to try to find the best language to address the problem, and this is their language."

Black: "Alright. Thank you for your patience."

Speaker Keane: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. I think the Gentleman, in this Amendment, addresses a very real problem that continues to exist, with respect to the Chicago Board of Education. Prior to 1985, the Chicago Board had separate authority to certify teachers and so they created various categories of teachers, substitutes, including this category of full-time substitutes. In 1985, we moved the authority for certification from the Chicago Board to the state, and we provided that anybody who is certified as a full-time teacher by the State of Illinois should be eligible to be a full-time teacher in the City of Chicago, as well as anywhere else in the state. What has unfortunately happened is the City of Chicago Board has continued to do what the law intended to change, and that is, eliminate the authority for the Chicago Board to set additional standards. We have individuals who are fully certified by the State of Illinois who apply as teachers in Chicago and rather than being put on the list as teachers full-time teachers, who can get health benefits and a reasonable standard of pay, they're put in a category called F.T.B., and when the principals dip into the categories to fill vacancies, these individuals are not in the category of full-time teachers. The Gentleman, by this Amendment, attempts to address this issue to say that in 1985, when we gave the state the authority for certification, we meant the state to have that authority and for the Chicago Board not to impose additional requirements. I think the Gentleman's Amendment may not be perfect at this point, it may need some redrafting which can be done in the Senate, but I think he addresses a very real issue and one that this General Assembly ought to support reforming. I support Amendment #3."

Speaker Keane: "Representative Ropp."

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

Speaker Keane: "He indicates he will."

Ropp: "Representative, in these full-time/part-time people, do they receive the same salary that what we would consider a full-time teacher would get, each year?"

Santiago: "They will get the same salary until they reach step 5. After step 5, there's no more raises."

Ropp: "So, they're not really a part of the salary schedule that would be established for that particular district?"

Santiago: "Only up to the fifth step. After the fifth step, that's it."

Ropp: "So, in other words, they could teach 5 years?"

Santiago: "That's right. No! They could teach 20 years, and they will hold them on the fifth step."

Ropp: "But, presumably, if you start at the first step, you'd normally go up a step a year, don't you?"

Santiago: "Sometimes."

Ropp: "It would seem like they, normally, would do that. Now, maybe they don't in Chicago. However, I guess, these people, are they members of the Teacher's Union, in any way?"

Santiago: "All the teachers are members of the Teacher's Union."

Ropp: "So, they have never filed under the Labor Relations Board to resolve this problem?"

Santiago: "They have tried, but there's always some problem between the...a...I'm trying to find the correct phrase so that...I don't want...and attack against the...a..."

Ropp: "You want to a just use the word, 'Chicago?'"

Santiago: "Yes, 'Chicago'."

Ropp: "Well, I guess, when we establish that particular provision in the law to resolve these labor disputes, too often it seems like we come back to the Legislature to actually tell that particular group what they should do, and although I

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think many of us have sympathy for the needs of Chicago, as some have indicated already, this really establishes almost a mandated tenure, and I think that's something that we ought not to consider at this particular time. Thank you."

Speaker Keane: "Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. I, too, rise in support of Amendment #3. People may not know this, but F.T.Bs in the City of Chicago, may be teachers who have taught 15 or 20 years, but, for whatever reasons, are kept at a so-called relatively substitute status. Many times they may work until they have 2 years and 8 months, and then they're let go and another person is chosen; then they're given another assignment and the same thing occurs. In other words, it's some kind of method of not allowing them to become certified teachers even though they're doing, on a daily basis, what a certified or tenured teacher certainly does. I believe, with the shortage of teachers, that we know, we know, it's right before us, there is a vast shortage of teachers right before us. We need to include this group of people in order that they can qualify for some of the other educational resources that are available to a regular teacher, in order to enhance their skills. It's a group of people who are being, for whatever reason, kept out as certified people, and we do have an obligation, in my opinion, as well as a responsibility, to bring them in to being certified people. Certainly, if they're not needed, then they will not be hired, but it's unfair to hire them for two months, I'm sorry, 2 years and 9 months and then, before that tenth month, which would make them a 3 year certified person, they're let go. It's really an unfair thing. Representative Santiago, I wish I had thought of this. It's an excellent piece of legislation."

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Speaker Keane: "Representative Santiago, to close."

Santiago: "Thank you, Mr. Speaker. I know there's some confusion among some of the Republican Members of the aisle, but, basically, what I'm trying to do is correct a historical problem that has taken effect upon the blacks, Hispanics and young teachers that come into the Chicago School system. It is unfair. These are teachers that have gone through college, have met all of the state requirements, they're certified teachers, some of them have taught in the school system and are still teaching, some have spent 10, 15 years, and the board of education purposely keeps them as temporary teachers. I think that's unfair, and I think we must do the right thing. We must send the Board of Education a message that this Body is a fair Body, a Body that stands for all the people in the State of Illinois. And, I think what this Body should do is do the right thing. Send the Chicago Board of Education a message. Let's be fair. Thank you very much, and, I hope, and I wish, that everyone here open up their mind and give me a fair chance. Give the people...give these people a fair chance. There's about 5,000 F.T.B. teachers in the school system and most of them are minorities, and the young white teachers are coming into the system, and I think we should send them a message. If the union doesn't do it, then, we must do it. Thank you very much."

Speaker Keane: "The question is, 'shall this Amendment be adopted?' All those in favor say 'aye', all opposed 'no'. The Gentleman has asked for a Roll Call. Those in favor vote 'aye', those opposed vote 'no'. Representative Black."

Black: "Thank you very much, Mr. Speaker, to explain my vote. The Gentleman explained his Amendment, and I think he did a good job of explaining it. I think if he'd have staff look

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at it more closely, I don't think the Amendment does what he wants it to do. I think he's addressing full-time teachers and not full-time temporaries. I really think the Amendment is drafted in error and will not address the very problem that he is attempting to address by his legislation, and for that reason, I vote 'present'."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take the record. On this Amendment there are 65 'ayes', 39 'nos' and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Representative Tenhouse on House Bill 2489? This your last chance. Okay. Out of the record. We will now go to the Regular Calendar on Labor, Second Reading. Appears House Bill 824, Representative Mautino. Out of the record. Go to Human Services, Second Reading. House Bill 2050, Representative Steczo. Representative Steczo? Out of the record. House Bill 2510, Representative Currie. Mr. Clerk, read the Bill."

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

Speaker Keane: "Third Reading. On Constitutional Officers. Second Reading. Appears House Bill 1592, Representative Williams. Out of the record. On Agriculture and Environment is House Bill 345, Representative Richmond. Out of the record. House Bill 580, Representative Schakowsky. Out of the record. House Bill 742, Representative Granberg. Out of the record. House Bill 2252, Representative Kulas. Out of the record. On the Order of Consumer Protection. Second Reading. House Bill 1981, Representative Hartke. Consumer Protection. Out of the record. On the order of Economic Development. Second

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Reading. House Bill 882, Representative Wyvetter Younge. Out of the record. House Bill 1876, Representative Morrow. Out of the record. On House Bill, Second Reading. Housing. House Bill 2003, Representative Davis. Out of the record. On Government Operations. Second Reading. Appears House Bill 208, Representative Schakowsky. Out of the record. House Bill 225, Representative LeFlore, on Government Operations. Out of the record. On House Bill 318, Representative Currie. Out of the record. House Bill 478, Representative McAfee. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 478, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted, previously."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative McAfee?"

McAfee: "Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #2 provides that this begins with the school year 1992 and 1993. I urge its adoption."

Speaker Keane: "The Gentleman moves the adoption of Amendment #2. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 885, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 885, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

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Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #2 becomes the Bill and makes clarifications and changes as to the school accountability provisions in the original Amendment, original Act. It restructures the school recognition system. If, after 2 years the schools fail to show improvement, there are provisions to deal with that. It, also, allows the state superintendant, relating to some issues that have arisen, to waive administrative rules, when doing so will result in improvement...improving student or school performance, and this Amendment becomes the School Accountability Bill that the...Superintendent Leininger, and the State Board of Education addressed here with the special meeting last Wednesday. So, Mr. Speaker, I would move for the adoption of Amendment #2."

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

Cowlshaw: "Thank you very much, Mr. Speaker. This is an Agreed Amendment. I urge its adoption. Thank you."

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

Clerk Leone: "No further Amendments"

Speaker Keane: "Third Reading. House Bill 1365, Representative Schoenberg. Out of the record. House Bill 2193, Representative Currie. Out of the record. On the Order of Second Reading. Municipal, County and Conservation Law. House Bill 1537, Representative Marinaro. House Bill 1537. Out of the record. House Bill 2149, Representative McGann."

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Out of the record. On the order of Second Reading, Real Estate Law. House Bill 909, Representative Turner. Out of the record. House Bill 1926, Representative Woolard. Real Estate Law. Out of the record. House Bill 1929, Representative Levin. Representative Levin. Out of the record. House Bill 2266, Representative Flowers. Out of the record. On the Order of Transportation. Second Reading. House Bill 1197, Representative Obrzut. Out of the record. We'll go back to Second Reading. Government Operations. House Bill 1365. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1365, a Bill for an Act relating to real property. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. On the Order of House Bill, Second Reading. Revenue. House Bill 1830, Representative Currie. Out of the record. House Bill 1852, Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1852, a Bill for an Act to amend an Act to identify and abate toxic. Second Reading of the Bill. Amendment #1 was adopted, previously in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 would become the Bill. I talked to Representative Ronan, the original Sponsor of the Bill. The original Bill had to do with lead poisoning inspections. He no longer needs that Bill and I talked to him regarding an incident that occurred in Lake County just last week. It is the second time within four months that a

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worker who was in a ditch, being on a construction site, lost his life because of the...lack of shoring and lack of re-enforcement of the ditch that was being excavated. The Amendment #2 to House Bill 1852 would allow units of local government to have the authority to inspect ditches of more than 5 feet deep, in depth, on a construction site within its boundaries, to determine whether the ditch is secured with re-enforcements and shoring. If, following inspection, they find that the ditch has not been re-enforced, the local government shall order the cessation of work until the reenforcement and shoring are fully installed. I have checked, and this does not conflict with the OSHA powers of enforcement. When this occurred in Lake County, I was just, it was just unbelievable to me, an admission of the spokesman for OSHA, that they don't have the manpower to inspect the work site construction places for safety regulations, and, I thought, well, if they don't have the manpower to enforce, it is actually a green light to contractors to ignore safety regulations. We have lost two lives within four months unneedlessly, or, needlessly, and this Amendment, I believe, in fact, a local authority, when questioned, said, 'We'd inspect, but we don't have the authority to do so.' So, at least, those in the local authority, whether it be a municipality and county, could check to make sure these ditches are properly enforced. I would move the adoption of Amendment #1852, and, by the way, I did check with Bob Maher of the Illinois Contractors Association, and they are looking at the Amendment. I told them that I would hold the Bill to make sure that...I think it's a good Amendment, but, if there's any wording that has to be done, I would, also, cooperate with them. So, I move the adoption of the Amendment."

Speaker Keane: "On that question, Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "Representative Matijevec, I'm just concerned about, 'a unit of local government' doesn't appear to be defined in the Amendment. What is the intention...is your intention as to what 'a unit of local government' is. Is it a township, a county, or a village, or a city?"

Matijevec: "Well, the unit of government would be, if the construction site is in a municipality, it would be a municipality. If it is otherwise, it would be in the county. That would be the unit of local government which would have jurisdiction."

Wennlund: "The purpose of your Amendment is a good one; no question about it and I fully support it but I think that you ought to take a look at a definition of 'unit of local government', whether or not...because in some instances that applies to a park district. I just...to tighten it up,"

Matijevec: "I understand. If we have to redefine to make it clear because my intent was, for example, the municipalities have inspectors, and in those municipalities that don't, when it's in an unincorporated area, the counties do. That's my intent. I appreciate that."

Wennlund: "I support, you know, the purpose of the Bill, it's just the question of what we should probably add a definition at some point in time to govern assent of what a local government is."

Matijevec: "I think you bring up a good point, Larry. This just came up over the weekend. We hurriedly drafted this, and, as I told the Illinois Contractors' Association, I might have to refine the language, and I surely will, with regard to your point."

Wennlund: "Well, I think that the Contractors' Association will

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support this, and it's because people get in a hurry and decide they're not going to shore on a construction site and that's when people get killed, but I support the purpose of it. I just think that if we defined it a little bit better, I think it'd be a better Bill."

Matijevich: "Thank you. We'll do that."

Wennlund: "Thank you."

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to support the Gentleman's Amendment. Representative Matijevich and I spoke to Representative Ronan yesterday on this Bill. Representative Ronan agreed to relinquish the Bill for this Amendment, and I would urge everyone to support this Amendment."

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

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. On the order of Second Reading. Revenue. Appears House Bill 1982, Representative Bugielski. Out of the record. House Bill 2152, Representative Turner. Out of the record. House Bill 2194, Representative Currie. Out of the record. House Bill 2392. Out of the record. House Bill 2363, Representative Schoenberg. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2363, a Bill for an Act to amend the Revenue Act."

Speaker Keane: "Out of the record. Veterans. Second Reading. House Bill 1816. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1816." A Bill,"

Speaker Keane: "We're on House Bill 816. 8-1-6."

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Clerk Leone: "House Bill 816, a Bill for an Act to amend an Act relating to employee compensation. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Floor Amendment #1 would just take the Bill and would add to it, local and municipal employees, for the purposes of this...these benefits to the Persian Gulf veterans."

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

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

Speaker Keane: "Representative Hoffman."

Hoffman: "I want to table #1 and go with #2, if that's possible."

Speaker Keane: "The Gentleman asks...the Gentleman moves to table Amendment #1. Those in favor say 'aye', all opposed 'no'. The 'ayes' have it. Amendment #1 is tabled. Any further Amendments?"

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

Speaker Keane: "Representative Hoffman."

Hoffman: "I apologize, Mr. Speaker. We want to run with Amendment #2. It does what I said Amendment #1 does, but, in addition, it has an exemption for Cook County because Cook County has already given these benefits."

Speaker Keane: "The Gentleman has moved the adoption of Amendment #2. All those in favor say 'aye', all opposed 'no'. The

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'ayes' have it, and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. We'll go back to pick up House Bill 882 on the Economic Development. Second Reading. Mr. Clerk, 882. Mr. Clerk, 882, please?"

Clerk Leone: "House Bill 882, a Bill for an Act to amend an act in relationship to East St. Louis. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative Wyvetter Youngue."

Speaker Keane: "Representative Youngue."

Youngue: "Thank you, Mr. Speaker. Floor Amendment #2 would make the funding source for the enterprise zone demonstration cooperation tax increment finance moneys, or local moneys. I move for the adoption of the Amendment."

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

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

Speaker Keane: "She indicates she will."

Wennlund: "Representative. Is this the Amendment that would remove the objections of the Department of Commerce and Community Affairs?"

Youngue: "I can't say that, conclusively. This Amendment would change the source of funding from earnings tax to tax increment finance. I am under general discussion with DCCA about the Bill, but I can't say that this will. It is neutral on the Bill. DCCA is neutral on the whole Bill."

Wennlund: "They are neutral on the entire Bill?"

Youngue: "Yes."

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Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there're 81 'ayes', 13 'nos', 17 voting 'present', and House Bill 1696, having received the Constitutional Majority is hereby declared passed. House Bill 1741, Hicks? Out of the record. 1749, Laurino. Out of the record. 1891, Phelps. 1891? Call the Bill. Read the Bill."

Clerk O'Brien: "House Bill 1891, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Saline, Representative Phelps on House Bill 1891."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. The Bill, as amended, contains three provisions. Provides that whenever a vacancy occurs in the school board, the remaining members shall fill the vacancy within 45 days, which is changed from present law which says 30 days. After that time the regional superintendent of school will fill the vacancy. Secondly, it provides that teachers may, at their option, renew their teaching certificate for 3 years or each year. If the teacher chooses the 3 year option, they simply pay three times the annual fee of \$4 to the regional superintendent. Lastly, provides that teachers on a full-time basis, who've taught for a least 3 consecutive years, have met all the teacher requirements for a high school, elementary school, or a special, or early childhood certificate, shall be awarded a permanent, full-time teaching assignment at the end of 3 years. This is exactly the same procedure used for regular teachers in Chicago. This was Representative Santiago's Amendment that went on the Bill last week. So, the Bill has the support of IEA, and I don't know of any opposition. Appreciate your 'aye' vote."

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Wennlund: "And what this Amendment does...it...a...deletes the provision allowing the city's governing body to propose a local income tax on businesses and individuals, and it says that now it's going to be funded by tax increments allocations?"

Young: "Yes. That's correct. That's the change."

Wennlund: "Thank you."

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

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. We will now go to the Order of Third Reading. Labor. House Bill 175. Representative McPike. Out of the record. House Bill 589, Representative Curran. Out of the record. House Bill 2104, Representative DeJaegher. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2104. House Bill 2104, on page 32 of the Calendar, a Bill for an Act to amend the Prevailing Wage Act. Third Reading of the Bill."

Speaker Keane: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 2104 deals with the Prevailing Wage Law. It makes laws applicable to the tax increment financing district projects, as well as projects financed with loans made available under the Illinois Enterprise Zone Act. It goes without saying that, basically, what we're trying to accomplish with 2104 is that we're trying to protect the workers of the State of Illinois. It also creates equality for workers of the state; it also creates honest competition for developers. Take it out of the record, please."

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Speaker Keane: "Out of the record. On the Order of Health Care, I'm sorry, on the Order of Human Services. Third Reading. Is House Bill 426. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 426, a Bill for an Act in relationship to Public Aid. Third reading of the Bill."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker. I would request leave to return the Bill to Second Reading for purposes of an Amendment."

Speaker Keane: "Representative Currie requests leave to return the Bill to the Order of Second Reading for purposes of an Amendment by use of the Attendance Roll Call. Is there leave? Leave. Then, the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 426 on Second Reading. Amendment #5 is being offered by Representative Currie."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. The Amendment clarifies a provision in the Bill at the request of the Department of Public Aid to say that instead of offering information about the percentage of the standard of need, the Public Aid Appropriation meets each year, that the Appropriations Bill will identify the likely standard of need on its face, and, so, I'd appreciate your support for the Amendment, and I'd be happy to answer any questions."

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

Clerk Leone: "No further Amendments."

Speaker Keane: "Third reading. Representative Currie."

Currie: "I would request leave to hear the Bill on Third

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Reading."

Speaker Keane: "Representative Currie asks for leave by use of the Attendance Roll Call for the immediate consideration of House Bill 426. Is there leave? Leave. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 426, a Bill for an Act in relationship to Public Aid. Third reading of the Bill."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a House Human Services Committee Bill, incorporating several carryover issues from 1990 Welfare Reform Committee recommendations. What the Bill as amended would do would be to provide the opportunity for protective payments for people who are having problems with drug and alcohol abuse. It would establish a client's Bill of Rights and would specify that the Appropriations Bill for Public Aid grants identify the likely percentage of the standard of need that that appropriation meets. I'd be happy to answer your questions and would appreciate your support for House Bill 426."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 70 voting 'aye', 31 voting 'no', and the Bill, having received the required Constitutional Majority is hereby declared passed. House Bill 1195, Representative McGann. Out of the record. House Bill 1644, Representative Shirley Jones. Out of the record. House Bill 1908, Representative Burzynski. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1908, a Bill for an Act to amend the

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Illinois Act on Aging. Third Reading of the Bill."

Speaker Keane: "Representative Burzynski."

Burzynski: "I appreciate and ask for leave to return this to
Second Reading for the purpose of Amendment."

Speaker Keane: "The Gentleman asks leave to return the Bill to
Order of Second Reading for purpose of Amendment by use of
the Attendance Roll Call. Is there leave? Leave, and the
Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1908, on the Order of Second Reading.
Floor Amendment #3 is being offered by Representative
Burzynski."

Speaker Keane: "Representative Burzynski."

Burzynski: "We'd like to table Amendment 3, please."

Speaker Keane: "Gentleman asks for leave to withdraw Amendment
#3. I'm sorry, who's the Sponsor of this Amendment?
Burzynski. The Gentleman asks leave to withdraw Amendment
#3. Leave, and Amendment 3 is withdrawn. Any further
Amendments?"

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

Speaker Giglio: "Representative Burzynski."

Burzynski: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of
the House. Floor Amendment 4 is basically a correction
that was brought up yesterday or day before yesterday in
regards to the establishment of a new commission, Floor
Amendment #4 deletes all wording in regards
to...commission, establishing a commission, and this has
met with the approval of Representative Matijevec."

Speaker Keane: "Has this Amendment been printed and distributed?
Has Amendment 4 been printed and distributed? It has. Any
questions? There being none, the question is 'Shall
Amendment #4 be adopted?' All in favor say 'aye', all
opposed 'no'. The 'ayes' have it, and Amendment #4 is

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adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Gentleman asks leave, by use of the Attendance Roll Call...Representative Matijevich, for what purpose do you rise?"

Matijevich: "Speaker, I support the Bill and I support the Amendment, but just for procedural protection I think we ought to wait 'till it's printed, so we take a look at it. I have no problem at all. I'm going to support you, but I don't want this to be a procedure where others will do this. I think we're better off if we just wait 'till it's printed and then go with it."

Speaker Keane: "Representative Burzynski."

Burzynski: "We'll remove this from the Order for now. Thank you."

Speaker Keane: "Okay. It's on Third Reading. Remove it to Third Reading, Mr. Clerk. The Bill is on Third Reading. Out of the record. House Bill 1930, Representative Wyvetter Younge." Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1930, a Bill for an Act relating to family resource development. Third Reading of the Bill."

Speaker Keane: "Representative Younge."

Younge, W.: "Thank you very much, Mr. Speaker. This is a Bill which has...the basic presentation has been given. It would establish a state community college in East St. Louis, a center where families on General Assistance and Public Aid would be able to engage in a orientation of job preparation. We figure that our major strategy for economic recovery for our very depressed area is for the families with money hardships to be prepared and begin to go into private gainful employment. This Bill has a Fiscal Note of \$500 thousand, and I am convinced at this point that most of these funds can be made available, first of

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all, through the Joint Partnership Training Act. This is a Bill which the Illinois Community College Board, I believe, is anxious to do under the leadership of Mr. Israel because of its obvious benefit and savings to the State of Illinois, if our families can move from Public Aid and General Assistance to private gainful employment. Twenty of the paraprofessionals who would be trained under this Bill, rather than receiving aid checks, would receive part of their \$13 thousand salary as a paycheck, and the other part would be paid by Joint Partnership Training Act funds. In addition, the staff of the Illinois Community College Board is in the process of looking at what other items under the Joint Partnership Training Act would be eligible for funding of this project. There is already a school and a room with teachers at the college that is going to be a part of the funding, so that even the Fiscal Note down to a half-million dollars is not addressing a need for state funding, but is addressing a facility that is already there with Joint Partnership Training Act funds. I am not saying that this will cost nothing. I'm saying that it will primarily be funded out of Joint Partnership Training Act funds and out of funds that are already appropriated for the junior college, plus federal grants such as Project Chance, et cetera. This is a very important strategy. We can not get out of the economic decline that we're in unless and until we have trained our families to be ready to be successful in the private job market, but they must be supported by a human service system that works for them, and that system will be demonstrated in this family resource center, so I ask for your support of this very important matter in an economic recovery for the Metro-East area, and therefore lifting the burden of aid families off the State of Illinois, which is our common objective, and

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for those reasons, and for those policy reasons, I ask you to pass this Bill and send it to the Senate so that we can get the burden of families who are on Public Aid off the state, and get those families in a line of self-sufficiency, taking care of themselves, which is the most important thing that the State of Illinois could do for people, and for those reasons I ask for the passage of that Bill."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. It's been a pleasure for me to work with the Sponsor on many issues and to attend a hearing in her district Saturday. There's no question that she works very diligently for her district. I guess, we reluctantly rise in opposition to this, even though the Fiscal Note has been substantially reduced, it still has a minimum of a half a million dollar impact in a year when all of us know, that the Department of Public Aid's budget is under tremendous strain, and serious cuts will be made to this budget. Perhaps the thing to do at this point is to consider this legislation at a point in time when our financial house is in order, and we can better afford to look at new demonstration projects, not only in the Sponsor's district, but perhaps elsewhere in the state, so we must, or I must, rise in reluctant opposition to the Sponsor's Bill."

Speaker Keane: "Representative Younge to close."

Younge, W.: "Thank you, Mr. Speaker. I think that now is the time that we must do the Family Resource Center Bill. When I first came to Springfield, there were 250,000 people on Public Aid, and now there are half a million. We have got to do something to help our families get off of Public Aid, and go into private gainful employment. Although the state

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does have fiscal problems now, the way to...our question is, what can we do to better spend the money that we appropriate to help people, and how can we get the Bill down? This Bill will transfer people off of Public Aid into private gainful employment by helping to prepare the work force and helping people to be self-reliant. We have made a mistake in Illinois in offering Public Aid rather than private gainful employment, and what this Bill will do will help people go to a private job, and for those reasons I say that now is the time to implement a Family Resource Center, and what I have explained is that it will be basically paid for by Joint Partnership Training Act funds, and by federal funds, and for those reasons I ask you to persist, and let's move forward out of our difficulty."

Speaker Keane: "The question is, 'Shall this Bill pass? All those in favor vote 'aye', all opposed 'no'. The 'ayes'...The voting is open. Representative Wyvetter Younger."

Younger, W.: "Thank you, Mr. Speaker. We have an obligation to the people that we serve to provide knowledge. The only difference between being in poverty and being free and self-reliant is knowledge. Knowledge of how to handle and provide for children. Knowledge as to how to work and how to have a job and how to manage one's resources. I believe we have a responsibility to provide that knowledge to our families, and that is what this Bill is about. This Bill is about taking our Joint Partnership Training Act funds, taking our Project Chance funds and making sure that those families who should be, should be working are adequately prepared to do so. A Family Resource Center theory is an entirely different theory rather than the state assuming the responsibility for people. This Bill says that we will teach people to be responsible for themselves. All of us

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who believe in higher education, all of us who believe in school itself, should be voting 'yes' for the Family Resource Center idea because it supports a basic thrust. If people know how to fish, rather than just giving them a fish, they will go out and fish and not have to rely on the State of Illinois. I ask for your support in this matter."

Speaker Keane: "Will the Lady bring her remarks to a close? Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Resource Development Center for the simple reason, we cannot continue to force people to need Public Aid. Sometimes the policies in the State of Illinois help to increase poverty rather than decrease poverty. An excellent piece of legislation passed out of here a few days ago, and that piece of legislation said it was buy American. That legislation passed, stating that the people in America have a right to work, the people in America have a right to learn how to work, and the people in America have a right to expect their products to be made in this country. In order to have the people who live here make them, we should have some kind of training centers for them. Now the cost of poverty is much higher than the cost of education, and I'd like to add, Mr. Speaker, before I close, Representative Bob LeFlore was a Sponsor of that Bill, that the Chicago Sun Times failed to give him credit for, and it's these kinds of things, Mr. Speaker, my remarks to a close..."

Speaker Keane: "Please bring your remarks to a close."

Davis: "...mean we must end this particular kind of racism and discrimination and attempts to keep people on Public Aid."

Speaker Keane: "On this Bill there are 55 voting 'aye', 49 voting 'no', and the Sponsor requests Postponed Consideration. Is there leave for Postponed Consideration? The Bill is on

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Postponed Consideration. Representative Giglio in the Chair."

Speaker Giglio: "Representative Hicks on 2010. Out of the record. Alright, on Third Reading. Under Constitutional Officers, the following Representatives have Bills. Homer, Matijevich, Curran, Keane and Steczo, and on this Order appears House Bill 316. Representative Homer. Representative Homer on 316? Out of the record. Representative Matijevich, 967. Out of the record. Representative Curran, Mike Curran. Out of the record. Representative Keane, do you want...Mr. Clerk, House Bill 2422. Read the Bill."

Clerk Leone: "House Bill 2422, a Bill for an Act to amend the State Finance Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. House Bill 2422 is a...an Audit Commission Bill, and it deals with lapse period spending. As the Members may know, lapse period spending is a problem for everyone. It was brought up and discussed in the Governor's, I believe it was the State of the State message, and what the Bill does, is its, in its present form, it deals with lapse period and reduces the lapse period from 90 days to 60 days. The Bill is still subject to Amendments. We're working, we'll be working with the Governor's office, the Comptroller's office, and others to further, to make whatever further adjustments are needed as the Bill goes through the process with an understanding that if the Bill is not workable, we will tube it. So, I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2422 pass? All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted

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who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 110 voting 'yes', and none voting 'no', and House Bill 2422, having received the required Constitutional Majority is hereby declared passed. Representative Steczko, on 2511. Read the Bill, Mr. Clerk. Representative Steczko."

Steczko: "Mr. Speaker, just to inform the Chair that the Bill was listed wrong, now it's correct; however, I would like...or ask leave of the House to bring this Bill back to the Order of Second Reading for purposes of an Amendment."

Speaker Giglio: "Sometimes the machine makes a mistake."

Steczko: "Yes, Sir."

Speaker Giglio: "Hearing the Gentleman's Motion, return the Bill back to the Order of Second Reading. Any objection? Hearing none, the Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2531, On the Order of Second Reading. Floor Amendment #1 is being offered by Representative Steczko."

Speaker Giglio: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker and Members of the House. Amendment #1 represents an agreement between the Attorney General's office and the long distance telephone companies in the State of Illinois. The Amendment provides that all auto-dialers that are used in the state cannot be used between 9 p.m. and 9 a.m., and if those auto-dialers are of the old technology, there must be an operator that provides the name and address of your organization, and inquire at the beginning of the call as to whether or not the individual would like to take the call. If the new technology is used, then 30 seconds after a caller would hang up on the computer-generated message, that phone system has to automatically disconnect. I would move for

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the adoption of the Amendment, Mr. Speaker."

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

Levin: "Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Levin: "Okay. Terry, I support your Amendment. I just have a couple of questions. Now, does this...what does this apply to? Does this only apply to companies that use these dialers that are physically located in the State of Illinois? What about..."

Steczo: "No, it applies to all, not only located in the State of Illinois, but located outside the state as well."

Levin: "So anybody who makes...uses a dialer to make a call within the boundaries of the State of Illinois, would have to comply with this."

Steczo: "They would have to comply as they do now, with various state laws. It would be their job to find out what the Illinois law is."

Levin: "We don't have a...there's no...problem or an interference with commerce?"

Steczo: "No, not from what we understand."

Levin: "Yeah, there's no preemption problem in terms of federal law

Steczo: "No."

Levin: "I think this is a good Amendment. I know I had legislation on this subject about 2, 3 years ago. It's something that bothers a lot of people, and this is, I think, a reasonable step in terms of dealing with it, and I support it."

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

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Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman asks leave by the Attendance Roll Call for immediate consideration of House Bill 2531. Does he have leave? Hearing none, leave is granted. The Bill is on the Order of Third Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2531, a Bill for an Act regarding automatic telephone dialers. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker and Members of the House. House Bill 2531 creates the Automatic Telephone Dialers Act as a response to many complaints that have been received by the Attorney General's office. The Attorney General's office, in the complaints that have been received, basically had two. First, that they would be...people would be receiving these computer generated calls between 9 p.m. and 9 a.m., and secondly, if they chose not to listen to the message and hung up their phone, the phone would not disconnect until the message was over. Sometimes it's a minute, sometimes that's two. It became increasingly difficult, and a difficult situation, for businesses such as hospitals or others that had numbers in sequence and in some cases found their entire phone system being...blocked by these messages, so House Bill 2531 attempts to address that by saying that the computer-generated autodial messages cannot be placed between 9 p.m. and 9 a.m. In addition, in cases where there is old technology being used, that an operator or a live person must be on the phone to indicate to the receiver that there is a pre-recorded message coming and asking if they wish to receive that message. If it's the new technology that's being used, that is more efficient in terms of call-ups, this Bill provides that the phone must disconnect within 30 seconds after the caller..receiver

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hangs up the phone. This is an Agreed Bill between the industry and the Attorney General's office now, and I would answer any questions, and, if not, would ask for your 'aye' votes."

Speaker Giglio: "The question is, 'Shall House Bill 2531 pass?' All those in favor vote 'aye', opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 107 voting 'yes', none voting 'no'. Representative Stang votes 'aye', Mr. Clerk. Let the record indicate Representative Stang votes 'aye'. On this question there are 108 voting 'aye', none voting 'no', and House Bill 2531, having received the required Constitutional Majority is hereby declared passed. Representative Shirley Jones, for what purpose do you rise?"

Jones, S.: "Yes, Mr. Speaker. I would like to announce that we have some guests in the House, and they're from...they work with the homeless people all year 'round, and they're from Abler, Rockwell, and Barbara Jean Wright, and I would like these other ladies that really work with some of the homeless people, I would like to give them a hand."

Speaker Giglio: "Welcome to Springfield. On the Order Agriculture and Environment, Third Reading. Satterthwaite, Kulas and Morrow. Representative Satterthwaite, House Bill 1135. Out of the record. Representative Kulas, 2254. Out of the record. Representative Morrow, 2451. Out of the record. On the Order of Third Reading. Banking. Representative Capparelli, House Bill 1488. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1488, a Bill for an Act to amend the Currency Exchange Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Cook, Representative

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Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 1488, under the statutes today, currency exchanges cannot have vending machines in their...place of business. This Bill would let them have soft drink machines if they do wish so...to have them. Amendment #3, which was approved by the Currency Exchange Organization, allows a public recipient and member of the Board of Currency Exchange Advisors. I don't think there's any problem with this Bill. I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1488 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 109 voting 'yes', none voting 'no', and 1 voting 'present'. House Bill 1488, having received the required Constitutional Majority is hereby declared passed. On the Order of Third Reading. Consumer Protection. Andrew McGann, Representative Farley and Representative Granberg. Representative McGann on House Bill 370. Out of the record. Representative Farley. Out of the record. Representative Granberg, House Bill 2026. Out of the record. On the Order of Third Reading. Economic Development. Representative Tenhouse, Wyvetter Younger, Steczo, Giorgi and Granberg again. On that Order, Representative Tenhouse, House Bill 1134. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1134, a Bill for an Act to amend the Illinois Enterprise Zone Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Yes. House Bill 1134 would amend the enterprise zone,

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and provide that if DCCA rescinds a certification of an enterprise zone between 1991 and '96 and certifies another, the number of zones remain unchanged, that they'd give preference to an agricultural business that would likely be expanded or established. We'd like to point out that DCCA was initially opposed to this Bill but now they've removed their opposition, and I would move for the Bill's passage."

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

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

Tenhouse: "Yes, I'd be glad to."

Lang: "Representative, can you tell me what the purpose of creating an agricultural priority is here?"

Tenhouse: "I'm sorry, Representative, I'm having problems hearing."

Lang: "Apparently, if I'm reading your Bill correctly, you're setting up a priority for agricultural business, and I'm just wondering why agriculture is entitled to this priority."

Tenhouse: "No, it's...well, I think one of the things we have to look at, I guess, when you look in terms of the 82 enterprise zones that we have now, virtually all of them are in areas up north, and we're not talking about establishing any new zones. It's just from the standpoint that if these zones are to be established, came down as a choice between the two, that agriculture would be looked at first. I think one of the things you have to look at, that of the 102 counties in Illinois, 80 of them lost population. Virtually all of them were in the area, in downstate in more traditional agricultural areas, but this does not mean that an agricultural zone could not be established in Chicago or suburban Cook or anywhere else because it would just mean that the business would be

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agricultural."

Lang: "I thank you for that response, but I'm still unsure as to why agriculture is entitled to the priority you're trying to give them."

Tenhouse: "Well, I think one of the things we need to look at, I guess, when we talk about the types of businesses that are coming about, agriculture, of course, the backbone of a lot of areas, especially in downstate Illinois. We would certainly hope that in locating jobs...that's really the intent."

Lang: "Thank you. To the Bill."

Speaker Giglio: "Proceed."

Lang: "Thank you, Mr. Speaker. I'm concerned about what I see in this Bill as setting up a priority for agriculture. Certainly we have concern with the agricultural community, with all the communities in our state, and I have a problem, personally, with setting up special priorities for them. Accordingly, I'm going to vote 'no' on this Bill. Thank you."

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

Black: "Thank you very much, Mr. Speaker. If you'll look at the Gentleman's Bill, it isn't creating any new enterprise zones at all. If some are decertified, it simply asks that special consideration be given to creating a zone from one being decertified in an agricultural area. Now, Ladies and Gentlemen of the House, I can't believe, in all honesty, that anyone would get up and say they have a priority, or they have a problem with agriculture being a priority. You know, if you don't eat, you don't come down here to do your thing. Agriculture has always been a priority in the State of Illinois. It always will be. The Gentleman isn't creating anything new. If you'll just take a look at his

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Bill, it's a reasonable attempt to give agriculture a level playing field, just as we all vote for industrial jobs, you'd better protect agriculture unless you're going to come up with something to replace what the farmer grows, and I don't think you can do that. Holy cow, I don't know how anybody can stand up and say they have a problem with creating any kind of a priority for agriculture."

Speaker Giglio: "The Gentleman from Cook, Representative Young. Anthony Young."

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

Speaker Giglio: "Indicates he will."

Young, A.: "Representative, could you explain to me how this...how you envision this preference working? How would this work?"

Tenhouse: "Well, basically, as we have lapses as far as the zones are concerned, and they become available, and then I think the other thing needs to be pointed out is, the Enterprise Zone Act will actually expire on December 31, 1991. At this point, we're not talking about creating any new zones at all. All it would amount to is that, given everything else being equal, that there would be preference given to agricultural...to an agricultural businesses as far as the zone is concerned."

Young, A.:" "Well, tell me, Representative, what does an 'enterprise zone' mean? What does it mean if some area is designated an enterprise zone? How does an enterprise zone work?"

Tenhouse: "Well, of course, we're talking about, you know, we're talking about some tax incentives that can be involved, we're talking about some incentives as far as reduced regulatory burdens, some other things that are going to be coming about...Enhanced government services. We're providing some incentives for people to locate within those

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areas."

Young, A.: "So, basically, the enterprise zone are tax breaks for the businesses to stimulate the economy of an area, right?"

Tenhouse: "Could well be."

Young, A.: "I'm sorry, I didn't hear your response."

Tenhouse: "Yes."

Young, A.: "Okay, so I guess the way I read your Bill, I'm confused because could see a shopping center or an area that services maybe a farm area or agricultural area, but if it's not an agribusiness, maybe it's a shopping center, then would that get the priority under your Bill, or not get the priority if we had non-agriculture businesses in a farm community?"

Tenhouse: "Well, it wouldn't have to be in a farm community..."

Young, A.: "No, but my question..."

Tenhouse: "...but I do think that all other things being equal, if it came down between an agricultural business and a non-agricultural, yes, the preference would be the agricultural."

Young, A.: "I guess, my guess...you didn't answer my question though, Representative. I'm trying to understand when the priority would apply and when it wouldn't apply. So, mind me if we had a downstate agricultural community, but we wanted to set up an enterprise zone for businesses, that wouldn't be agribusiness, but...service the farm community, would the priority apply?"

Tenhouse: "It would apply."

Young, A.: "Okay. So then, consequently, if we had an area in the City of Chicago, or the suburbs, where we had agribusinesses, but not a farm community, then would it apply, also?"

Tenhouse: "Yes, it would. Yes, It would."

Young, A.: "Well then, when would it not apply?"

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Tenhouse: "It would, basically...you...were talking about a commercial development versus business, especially if we were talking about agricultural versus non-agricultural."

Young, A.: "To the Bill, Mr. Speaker and Ladies and Gentlemen of the House..."

Speaker Giglio: "Proceed."

Young, A.: "...of the House, I just don't see how this preference could realistically be applied, because the whole concept of an enterprise zone goes more to business development and incentives for creating, for putting a shopping center in a certain area, and getting certain tax advantages, and I don't think we should try to establish priorities as where those areas should go. Right now they go wherever there's a need. They certainly can't go for farm communities, but with the language of this Bill, I think it would be very difficult to determine when a priority should apply and when it shouldn't apply. I think it's confusing, and it won't accomplish the preference the Gentleman is trying to create."

Speaker Giglio: "Further discussion? The Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Gentleman from Quincy's legislation. I think if you take a look at the history of the State of Illinois, you look at the economy of the State of Illinois, you'll note that the number one industry in Illinois is agriculture, and the facts are that agriculture is just not only farm production, the production of corn and soybeans and other crops, but agriculture is also the processing, the adding of value to those products that come from our farms, and, frankly, an enterprise zone, whether it's in the City of Chicago, in downstate or any of our urban or suburban areas, can benefit from the processing

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and the adding of value to agricultural products. You take corn, you can make fuel out of it to burn in your cars. You take corn, you can make plastics out of it. You take soybeans, you can make plastics. You can make ink, and it doesn't matter where those products are processed. They can be processed right in the City of Chicago. This legislation makes sense. If you look at the economy of Illinois, you'll notice that in the last several years that 80 Illinois counties have lost population in the last decade. Some of those highest losses were in our agricultural counties. Frankly, this opportunity that we have with this legislation, will give priority, yes, it will, priority to the establishment of an enterprise zone emphasizing agriculture, and agriculture, Ladies and Gentlemen, includes the adding of value, the processing of farm products, processing that can be done in every neighborhood in the State of Illinois. This is good legislation. It's going to benefit every man and woman in the State of Illinois, and when we think of, in the last few days, the priority we've given to buying-American, the priority we've given to various groups that we've given preferences for, the priority we've given to various cities and urban areas in the state, maybe it's time that we give the number one industry in Illinois, agriculture, the priority it deserves. I ask for an 'aye' vote."

Speaker Giglio: "The Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "In a further attempt to help clarify this for some people on the other side of the aisle, we would assume by your proposal that there is not going to be any, let's say, industrial development, that's the reason that it is being taken out of an enterprise zone. Is that correct?"

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Tenhouse: "Yes."

Ropp: "Okay. Do you want to say 'yes' so that it goes on the record?"

Tenhouse: "I can't hear what you're saying, Representative. Go ahead. I can't...repeat your question."

Ropp: "Okay, the question is, 'The reason that it is being taken out of the classification as an enterprise zone is because there is obviously no need for or there is no attempt to bring business into that zone to help it expand economic opportunities as the Bill originally was created.'"

Tenhouse: "Yes. One of the things that should be pointed out, and in answer to Representative Young, I can certainly appreciate his concerns, but what the intention of this Bill, it's strictly for zones that are decertified. It has nothing to do with new zones that are being established, only in the case of decertification, so what we'd be talking about here are zones that have not met the criteria, have not attracted the industry or the development, and are not active, and as they become inactive, become decertified by DCCA, then agriculture be given preference. Wouldn't have anything to do with establishment of new zones as far as legislative intent or anything else is concerned."

Ropp: "My...the point is that there is no effort on the horizon for any business to come into that area, and that's why it's being decertified, and so we're saying that we need agriculture to once again take over that community which ultimately was agricultural in the beginning. Obviously, you're not going to have it be converted to a farm if it's in downtown some municipality, so what we're saying here by this area...by this Bill, that where it is in an agricultural area, that it should be designated once again to agriculture so that it can be utilized, get back on the

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tax rolls and actually be a productive taxing authority and taxing body by virtue of the very business that would be given that authority that of an agricultural community. It's a good Bill and we support it."

Speaker Giglio: "The Gentleman from Macon, Representative Noland."

Noland: "Thank you, Mr. Speaker. I, too, rise in support of this Bill. Illinois is not Silicone (sic Silicon) Valley; it is the breadbasket of the world. This Bill only makes sense, it helps us build upon our strengths and that's to make agriculture stronger. I urge an 'aye' vote."

Speaker Giglio: "Representative Tenhouse to close."

Tenhouse: "Yes. Thank you very much. I think we have had a lot of interesting discussion here, and I do think we need to straighten out a couple of misconceptions. First of all, there's no intent to have this legislation impact on new enterprise zones as they are established. This would only apply to decertification of existing zones and how that comes, there may be some that come up in the next few years, there may be not, and I think that's something that needs to be considered. We have 6 zones that are going to be established by June the 30th; you're going to have two wild card zones that are going to be established by December 31st. It will not impact on these. This will only be for decertification of existing zones. To the Bill, I'd like to say that when you look at the numbers, and we've talked a lot here in the General Assembly about jobs, and we have, and we do a lot of browbeating back and forth about where we're going to be going on this, but I come from an area where we've seen terrific loss of jobs. It's been tough to keep things going. In fact, and you look in terms of the population loss, Decatur and one of the downstate cities has one of the fourth largest loss, of

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percent loss, during this last 10 year period, and all of downstate Illinois is impacted by this, but I think you need to realize that this is not strictly a downstate Bill. If an agricultural business wants to locate, be it in Chicago, or suburban Cook or DuPage county, it would also come under this Bill. It's just an intent to attract agricultural business to this state, one of the finest agricultural farm states in the country. The finest. I urge your 'yes' vote."

Speaker Giglio: "Question is, 'Shall House Bill 1134 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question 105 voting 'yes', and 5 voting 'no'. House Bill 1134, having received the required Constitutional Majority is hereby declared passed. House Bill 1580, Representative Wyvetter Young. 1580. Out of the record. Representative Steczo, House Bill 1867. Out of the record. Representative Giorgi, 1935. Representative Giorgi on 1935. Do you wish to have this Bill called, Representative Giorgi? Out of the record. House Bill 2362. 1935, Giorgi. Do you want to have 1935 called? Representative Granberg, 2364. Out of the record. Anthony Young, House Bill 278. Out of the record. Representative Levin, 785. Out of the record. Wyvetter Young, House Bill 1038. Out of the record. Representative Capparelli. House Bill 1091. Read the Bill, Mr. Clerk.

Clerk Leone: "House Bill 1091, a Bill for an Act to amend the Housing Authority Act. Third Reading of the Bill."

Speaker Giglio: "Representative Capparelli."

Capparelli: "Mr. Speaker, I would like to take this Bill...to have leave to take the Bill back to Second Reading for an

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Amendment."

Speaker Giglio: "The Gentleman have leave? Hearing none, leave is granted, and the Bill is on Second Reading. Read the Bill, Mr. Clerk."

Capparelli: "Be...Amendment #3 I think."

Clerk Leone: "Floor Amendment #3, offered by Representative Capparelli."

Speaker Giglio: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Amendment #3 to House Bill 1091 deletes the provision for home bonds from IHDA's bonding authority and reduces the reservation of bonding authority for rehab developments. I would ask for...to pass this Amendment at this time."

Speaker Giglio: "Any discussion on the Amendment? Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, this is the Amendment, I believe, that the development authority brought to you, and it doesn't increase their bonding authority, it's just enabling them to make some transfers to carry out their tasks, and with this Amendment, I don't believe the Governor is opposed to the underlying Bill. Is that correct?"

Capparelli: "That's absolutely right."

Black: "Thank you, I join in support of your Bill. Thank you."

Capparelli: "Thank you."

Speaker Giglio: "Representative Young, Anthony Young."

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

Speaker Giglio: "Indicates he will."

Young, A.: "The bonding authority that you're decreasing, what area is that in?"

Capparelli: "The bonding authority is 2.7 billion dollars."

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Young, A.: "I saw the Amendment, and in terms of the bonding authority reserve for rehabilitation of low- and moderate-income housing, that's also being decreased, isn't it, with this Amendment? It's being decreased, or it's being shifted."

Capparelli: "Yes."

Young, A.: "Do you know where that authority, what the authority will use that the bonding authority that's being shifted from rehabilitation, where will that authority be used?"

Capparelli: "Any other available, the money will go to any other available program."

Young, A.: "Okay. Is it the intent of the Authority to still use that funding for other programs that will still benefit low- and moderate-income housing?"

Capparelli: "Absolutely."

Young, A: "Thank you."

Speaker Giglio: "Representative Capparelli to close."

Capparelli: "Mr. Speaker, I would like to ask that everybody approve this Amendment. Do we have a Roll Call on this Amendment yet?"

Speaker Giglio: "No. All those in favor of the adoption of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman now asks leave for immediate consideration. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, leave is granted. The Bill is on Third Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1091, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Giglio: "Representative Capparelli."

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Capparelli: "Well, now House Bill 1091 clarifies statute regarding prepayment of mortgages, investment policies, participation by community groups and programs, number of units in developments, and delegates absolute language. I know of no opposition, and I would ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1091 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question 111 voting 'yes', none voting 'no', 1 voting 'present'. House Bill 1091, having received the required Constitutional Majority is hereby declared passed. Representative Turner. Art Turner. Out of the record. Government Operations. Representative Hicks. Third Reading. House Bill 687, EPA lender liability. Wish to have that Bill called? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 687, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks on House Bill 687."

Hicks: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 687 amends the Environmental Protection Act in regards to liability for hazardous wastes. The term 'owner' or 'operator' in this legislation no longer would include financial institutions, and I'd be happy to try to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 687 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there

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are 106 voting 'yes', 1 voting 'no', and House Bill 687, having received the required Constitutional Majority is hereby declared passed. The Chair will now go to the House Calendar Supplemental #1, the Agreed Bill list #2. Mr. Clerk, would you read the Bills that were taken off the Agreed Bill list?"

Clerk Leone: "House Bill 714, 1286, 2135 and 2502 have been removed from the Agreed Bill list #2."

Speaker Giglio: "Alright, Mr. Clerk, will you kindly read the Bills that are on the Agreed Bill list on Third Reading? Supplemental Calendar. Gentleman from Vermilion, Representative Black."

Black: "Would you have the Clerk go over the list of Bills taken off the Agreed Bill list one more time, please?"

Speaker Giglio: "Mr. Clerk, could you read the Bills that were taken off the Agreed Bill list?"

Clerk Leone: "There are four Bills that have been removed from Agreed Bill list #2. The first one is 714, offered by Representative Steczo and Kubik. The next is House Bill 1286, offered by Representative Ronan, Wennland - et al. The third is House Bill 2135, offered by Representative Santiago, and the last is House Bill 2502, offered by Representative Cronin."

Speaker Giglio: "Any discussion? Mr. Clerk, proceed with reading the Bills on the Agreed Bill list on Third Reading. Supplemental Calendar #1."

Clerk Leone: "House Bill 2, a Bill for an Act to amend certain Acts in relationship to appointments in State Government. House Bill 121, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 237, a Bill for an Act to amend the Mechanics' Lien Act. House Bill 242, a Bill for an Act to amend certain Acts in relationship to payments upon termination of state employment. House Bill 257, a Bill

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for an Act to amend the Juvenile Court Act. House Bill 262, a Bill for an Act to amend the Deposit of State Moneys Act. House Bill 293, a Bill for an Act to amend the Public Utilities Act. House Bill 341, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 406, a Bill for an Act to amend the Revenue Act. House Bill 455, a Bill for an Act to amend the School Code. House Bill 516, a Bill for an Act to create the Local Tax Reimbursement Act. House Bill 533, a Bill for an Act to amend the School Code. House Bill 554, a Bill for an Act to amend certain Acts in relationship to child support. House Bill 572, a Bill for an Act relating to membership in interscholastic associations. House Bill 628, a Bill for an Act to amend the Uniform Commercial Code. House Bill 714 has been removed. House Bill 770, a Bill for an Act to amend the School Code. House Bill 772, a Bill for an Act to amend the Illinois Human Rights Act. House Bill 859, a Bill for an Act to amend the Mechanics' Lien Act. House Bill 899, a Bill for an Act to amend an Act relating to state officials. House Bill 910, a Bill for an Act to amend the Mechanics' Lien Act. House Bill 1011, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1097, a Bill for an Act to amend the School Code. House Bill 1166, a Bill for an Act to amend the Revenue Act. House Bill 1260, a Bill for an Act to amend the Animal Control Act. House Bill 1286 has been removed from the Agreed list. House Bill 1316, a Bill for an Act to amend the Counties Economic Development Project. House Bill 1333, a Bill for an Act to amend the Counties Code. House Bill 1408, a Bill for an Act regarding substance abuse. House Bill 1497, a Bill for an Act to amend the Illinois Vehicle Code. House Bill 1551, a Bill for an Act to amend the Counties Code. House Bill 1572, a Bill for an Act to amend the Local Government

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Financial Planning (sic Act). House Bill 1659, a Bill for an Act concerning market of grain. House Bill 1684, a Bill for an Act to amend the Public Funds Statement Publication Act. House Bill 1699, a Bill for an Act to amend the Illinois Insurance Code. House Bill 1700, a Bill for an Act to amend the Illinois Insurance Code. House Bill 1741, a Bill for an Act to amend the Gasoline Storage Act. House Bill 1804, a Bill for an Act to amend the Illinois Public Aid Code. House Bill 1842, a Bill for an Act to amend the Code of Criminal Procedure. House Bill 1850, a Bill for an Act to amend the Illinois Oil and Gas Act. House Bill 1857, a Bill for an Act to amend the Medical Practice Act. House Bill 1884, a Bill for an Act to amend the School Code. House Bill 1932, a Bill for an Act to amend the Illinois Municipal Code. House Bill 1940, a Bill for an Act to amend the Department of Mental Health and Developmental Disabilities (sic Act). House Bill 2022, a Bill for an Act to amend the Radiation Protection Act. House Bill 2042, a Bill for an Act to amend the School Code. House Bill 2118, a Bill for an Act to amend the Illinois Banking Act. House Bill 2125, a Bill for an Act to amend an Act in relationship to cannabis (sic and) controlled substances. House Bill 2135 has been removed from the Agreed list. House Bill 2138, a Bill for an Act to amend the Revenue Act. House Bill 2174, a Bill for an Act in relationship to certain described lands. House Bill 2349, a Bill for an Act in relationship to state employees. House Bill 2364, a Bill for an Act to amend the Civil Administrative Code. House Bill 2385, a Bill for an Act to amend the State Finance Act. House Bill 2392, a Bill for an Act to amend certain Acts in relationship to adoption. House Bill 2443, a Bill for an Act to revise the law. House Bill 2471, a Bill for an Act relating to long-term

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care. House Bill 2502 has been removed from the Agreed list, and House Bill 2633, a Bill for an Act concerning the quincentenary of the discovery of America. House Bill 1741 has also been removed from the Agreed list #2. That's House Bill 1741, offered by Representative Hicks. With the removal of that Bill, Third Reading of these Bills."

Speaker Giglio: "Question is, 'Shall these Bills pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Representative Ronan."

Ronan: "Yeah, Mr. Speaker. What do you want?"

Speaker Giglio: "I was going to ask for your attention, but somebody else..."

Ronan: "What do you want me to do, sign language?"

Speaker Giglio: "Relax. On this question there are 100... Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk informs the Chair that the slips of paper are in the well for those that are wishing to vote against any one of these Bills that are on Agreed list, so for those of you that want to change your vote on any of these Bills, please come up to the well, take the list of Bills, mark them and then in approximately two hours we will take the final Roll Call, minus those that wish to be recorded 'present' or 'no' on the Agreed Bills that are posted on the list. On the last two Bills, the printing apparatus of the machine did not print the Roll Call out, on the last two Bills, so we're going to have to run these Bills over again, so House Bill 1091, Representative Capparelli's Bill, which passed by 111 votes we'll have to take another record. Mr. Clerk, read the Bill again. Take the Roll. House Bill 1091, all those in favor vote 'aye', opposed, 'nay'. The voting is open, and this will be final action, hopefully. Have all voted who wish? Take the record, Mr. Clerk. On this question, there are now 109

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voting 'yes', none voting 'no', and 3 voting 'present', and House Bill 1091, having received the required Constitutional Majority is hereby declared passed. On House Bill 687, all those in favor vote 'aye', opposed, 'no'. The voting is open. Take the record, Mr. Clerk. Have all voted who wish? Have all voted who wish? Representative Matijevich. Mr. Clerk, take the record."

Matijevich: "Speaker, I was going to explain my vote..."

Speaker Giglio: "Wait a minute, he says..."

Matijevich: "...this is a Bill that the Environmental...the Rules require any Member to explain his vote."

Speaker Giglio: "Representative Hicks. Hicks. Representative Hicks."

Hicks: "Mr. Speaker, I think you have it wrong up on the board. It's not a housing development rate protection Bill. Would you please change the board?"

Speaker Giglio: "Machine's in bad shape today. Alright, the question is, 'Shall House Bill...' Is it all corrected? Bad machine. Tony, call an electrician. House Bill 687. All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Ah, forget it. Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 81 voting 'aye', 16 voting 'no'. Representative Hicks, 'aye'. White, 'aye'. Jesse White, 'aye'. On this question, now 83 'yes', 15 'no', and House Bill 687, having received the required Constitutional Majority is hereby declared passed. I think we'd better call the electrician, and I think we'd better call the printer, and then we ought to call the company that made the computer, Mr. Clerk, so we can get these three people together so that everything comes out with regard to the synopsis and the number and the person that's sponsoring the Bill. There seems to be too much confusion

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here today. Representative Deering, 721. Are you ready? House Bill 721. Out of the record. We're on Government Operations, Third Reading. Representative Richmond, Bruce Richmond, House Bill 734. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 734, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 734 amends the Illinois Alcoholism and Other Drug-Dependency Act, the State Mandates Act and the School Code. It provides that educational services for persons under 21 years of age at certain licensed residential alcohol or drug treatment facilities shall be provided by the school district in which the facility is located. Now the problem that brought this Bill on occurred at the Hill House, which is one of those abuse treatment centers, licensed by the State of Illinois and is in operation in Carbondale. I'm sure there's some others in the same situation, but the problem arose on how to reimburse the Carbondale School District for educating the students. It's a live-in facility from all parts of the state, and after many meetings with the Board of Education, the means of arriving at this is in this Bill, and it's in total agreement now with DASA, who did oppose the Bill originally, but as amended, they support it, and I ask for your support."

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

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

Speaker Giglio: "Indicates he will."

Wennlund: "Representative Richmond, does...the noise level is a little bit high in the House. Does this amount to a

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mandate on local school districts?"

Richmond: "No, it does not because the current law provides that the local school district from which the student would normally go to school, they would pay the school district where the facility is that does house him and educate him, so it's only fair...for the taxpayers of that district to have that reimbursement come from the taxing district where the student actually lives."

Wennlund: "So, current law would require them to do this anyway."

Richmond: "Yes, that's true. It was just a means of working out the method of it and that's what's taken so long, and it certainly has been a much-needed improvement in the law, and I would ask for your support."

Wennlund: "And it provides for a minimum level at 110%? Is that what the reimbursement is?"

Richmond: "That is not part of this Bill. This Bill, the Amendment is the Bill, and it doesn't mention the 110%. That was part of the original Act."

Wennlund: "But the districts are now required to pay the cost of those educational services anyway."

Richmond: "Yes, that's true."

Wennlund: "Okay, thank you."

Speaker Giglio: "Further discussion? The question is, 'Shall House Bill 734 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Take the record, Mr. Clerk. On this question, 114 voting 'yes', none voting 'no', and House Bill 734, having received the required Constitutional Majority is hereby declared passed. Representative Cowlshaw on House Bill 780. Does the Lady wish to have this Bill called? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 780, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 780 has been worked out very, very carefully to be as narrow and specific as we could make it. It was suggested to me originally by people who are employed at either the Argonne or the Fermi National Laboratories in my area of the state, and all of whom have Ph. D. degrees in either mathematics or some field of science, who have been engaged in research for years, and who, because of the federal government's retirement programs, are able to retire at a fairly young age and would be interested if there were a way to go about that that did not require a great deal of time returning to college classrooms to teach in our public schools, particularly in the secondary schools, and so all that this Bill does is to provide that the State Board of Education shall initiate a pilot program. It is understood that that program would occur only in that portion of the state where Argonne and Fermi are located. It would provide that anyone who has at least a master's degree in mathematics or a discipline of science, and who has worked in that field for at least 10 years, could, by means of taking one intensive methods course, which would be offered by Northern Illinois University, and by having one full semester of full-time practice teaching, which is more than we require for regular teacher certification right now, could then become, once he or she had passed the basic skills test, and the subject matter test, which we require of all teachers, could then become certified to teach that specific math or science discipline in the secondary schools of Illinois. It would, of course, depend upon that person being able to find a job, and there being a job available, but because of the fact that we do face in the

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future some lack of people to teach in science and mathematics fields, but, in particular, I think we have a resource in that area of Illinois through those federal laboratories, for people who are...really have a great deal to offer to our educational system. Now, Mr. Speaker and Members of the House, I realize that probably very few people will take advantage of this, but every one of us has been to school, and every one of us remembers some one or a few teachers who really inspired us, who were absolutely devoted to that field that they were teaching. These people are like that. They could make, even one of them, an immense difference in the life of a child, and it is for that reason that I stand and ask for your support of House Bill 780."

Speaker Giglio: "Any opposition? Hearing none, all those in favor of House Bill 780 vote 'aye', opposed, 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 100 voting 'yes', 7 voting 'no', and House Bill 780, having received the required Constitutional Majority is hereby declared passed. Representative Steczo on House Bill 841. Out of the record. Representative Schakowsky on House Bill 931. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 931, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act. Third Reading of the Bill."

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

Schakowsky: "Thank you, Mr. Speaker, Members of the House. House Bill 931 as amended is a Bill that passed unanimously out of this House last Session, and simply allows the Department of Revenue to tell a municipality who is eligible for circuit breakers so that those senior citizens

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can be eligible for the discount program offered by those municipalities. It cuts through red tape for senior citizens who don't have to have the hassle of proving themselves, their eligibility for circuit breaker. It just allows the Department of Revenue to tell the municipality, while assuring strict confidentiality of that information, and providing penalties if that information should in any way be used for any other purpose or misused. I urge support of this Bill, and I'd be happy to answer any questions."

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

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

Speaker Giglio: "She indicates she will."

Black: "Thank you. On Amendment #2, Representative, could you, for the record, indicate the intent of Amendment #2?"

Schakowsky: "The intent of Amendment #2 was to respond to concerns about confidentiality and the broad use of these lists. It narrows it from all units of local government to municipalities and makes sure that the information provided to those municipalities will remain confidential."

Black: "In other words, it is clearly your expressed intent that no person or group outside of that municipality...strike that. No person or group shall have access to this information for any purpose to be used for a mailing list or any purpose not expressly written into the Bill."

Schakowsky: "Absolutely."

Black: "Thank you very much."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker. I understood also the purpose of Amendment 2 was to address Representative Klemm's concerns that he raised yesterday where he was concerned that there

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would be a revelation of someone's personal income, and that there should be a public policy against making available to the general public information concerning someone's financial condition or their annual income, and since the circuit breaker is eligible only to those 65 or over or disabled who have a family income of more than \$14 thousand, his concern was that by making others aware of the eligibility for that program that the protected information would be revealed. I think the Amendment was designed to prohibit the disclosure of that information in such a way that it couldn't cause any embarrassment to the circuit breaker eligible constituent. I would though, for purpose of legislative intent, say that my intention in voting for this Bill, with regard to the criminal penalty provision, would be that this not be used to prosecute violations of this Act except in cases where the disclosure was done knowingly and with a willful and wanton purpose. I don't think we want to subject someone who makes a casual, inadvertent disclosure subject to six months in the county jail, \$500 fine or both, so I would like to have my comments added that my intention in voting for this Bill would be such that there would not be a prosecution in this case unless it could be established that the alleged offender divulged or used the information in a willful and wanton manner and that a simple, casual, careless disclosure would not subject that person to a criminal prosecution for a Class B misdemeanor."

Speaker Giglio: "Further discussion? Representative Klemm."

Klemm: "Well, thank you, Mr. Speaker. I guess I take the opposite view than the previous speaker that did explain to the Assembly some of my concerns originally. I really think we have the safeguards that this would not be disclosed now. I see nothing wrong with that, but I

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understand the Lady has a problem that wants to be addressed, but if we're going to have a list that we provide to a city government because a few seniors perhaps aren't able to or unwilling to bring information to get their discounted privileges that the city offers, that because of that we're going to end up having a list of all those that are on the circuit breaker, then I don't want that list to either deliberately or accidentally fall in the hands of aluminum siding salespeople, of boilers...furnace repair people, insurance companies to send out Medicare type of supplemental because they know they're under limited income, so we tried to protect these very people from those who aren't as careful as we are, and therefore I will vote for the Bill, but I vote for the provision that they will enforce the penalties opposite from the previous speaker. Otherwise, if we don't, then I don't think we should pass the Bill because we have the safeguards now, the few seniors that are unfortunately not bringing this information to the city of Evanston, if that's the case, probably can do it, and I don't want to open up the entire state senior citizens for possible abuse, possible misuse, to solve a few problems. So I guess, I hope the Sponsor of the Bill in closing will clarify whether they, she wishes this to be enforced, and I mean accidentally enforced I mean those would give it out that they'll be prosecuted, or is this just going to be a sham, saying go ahead and do what you want. We're really not going to slap you on the wrist. I'm just arguing this to the Assembly that we could open it up again, because if that's the case I think we need to know that clearly, because I think the previous Representative I may end up changing our votes then. Thank you."

Speaker Giglio: "Representative Schakowsky to close."

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Schakowsky: "Thank you, Mr. Speaker and Members of the House. The intention of this legislation is to help senior citizens and in no way to jeopardize them. I think the Amendment speaks for itself. I want to protect them from any kind of information about them being spread to people who would use it to exploit them, and I support this Amendment as it is, and I support the Bill, and I urge you to do the same. Thank you."

Speaker Giglio: "Question is, 'Shall House Bill 931 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 99 voting 'yes', 2 voting 'no', and House Bill 931, having received the required Constitutional Majority is hereby declared passed. House Bill 938 Representative John Dunn. Out of the record. Representative Kirkland on House Bill 1029. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1029, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. This Bill amends the Code of Corrections to provide that persons eligible for parole, which is now called mandatory supervised release, or MSR, shall have a term of one year regardless of the offense committed. The current law spreads that MSR from three years...anywhere from three years to one year depending on the severity of the sentence. The Bill is designed to increase supervision of released inmates on parole during the critical period when research of Illinois experience shows that they are most likely to commit violations. The fact of the matter is two-thirds of the violations committed on parole are committed in the first...are

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committed indeed in the first year of the parole period. The change was originally recommended in a 1989 Senate...1989 task form (sic force) on prison release issues that was...that met and issued a report pursuant to a Senate Resolution. The overall effect of the Bill would be to reduce numbers of individuals under supervision, allow existing resources to focus on reentry and service issues, but that without jeopardizing public safety, and provide a cost-effective service to the state. All too many of the parole violations that occur after the first year are so-called technical violations, and there's a great need to reduce the caseload, as so many people here know, of the parole agents. Their caseloads are often now in excess of a hundred, or near a hundred, and if the parole agents survive the current budget crisis in the same numbers that they exist now, within about a four year-period they'd get down to around a 45-person caseload range which is within the guidelines of the American Correctional Association, the ACA, which currently accredits all Illinois Department of Corrections adult institutions. I move for passage. Let me mention one other thing. A Bill much similar to this passed this House last year 106 to 2 to 3, but did not get through the Senate. move for passage."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. To the Bill, with all due respect, Representative Kirkland, as a point of advisory to the Members, the Law Enforcement Advisory Commission, which is composed of law enforcement groups from around the State of Illinois, was unanimous in their opinion that this Bill should not pass. Thank you."

Speaker Giglio: "Representative McNamara."

McNamara: "Yes. Will the Sponsor yield for a question?"

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Speaker Giglio: "He indicates he will."

McNamara: "Yes. Representative, what I'm wondering on this Bill, is it reduces from 3 to 1 year."

Kirkland: "3 to 1 year. 3 to 1 year for the most serious offenses, that's correct."

McNamara: "Now, that's supervision after parole, or parole itself?"

Kirkland: "Say it again."

McNamara: "Okay. What is the reduction?"

Kirkland: "From 3 years to 1 year for the most serious offenses, for the mid-offense felony offenses it's from 2 years to 1, and the 3 a felony...let's see...class 3 and class 4 felonies are now 1 year."

McNamara: "So, but...it reduces the supervision after the parole, is that correct?"

Kirkland: "No. It reduces the supervision after they're released from prison. Mandatory supervised release, MSR, is parole. It was renamed under the 1978 changes, I believe. It is parole. We're talking about the period right after their release from prison."

McNamara: "Okay, so it is parole, and we are reducing that parole time."

Kirkland: "That's correct, and with the idea that to reduce the caseloads and concentrate the time of parole agents in the critical period when most of the serious violations occur."

McNamara: "Okay. To the Bill, I would encourage that everyone take a very close look at this piece of legislation. It does reduce the parole supervision time from 3 to 1 year. With our present crime rampant in the streets today, I am wondering if that is the proper way of doing it. There must be a better solution. I would encourage you all to take a very close look at this Bill."

Speaker Giglio: "Representative Homer."

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Homer: "Will the Gentleman yield, Mr. Speaker?"

Speaker Giglio: "Yes, he will."

Homer: "Representative Kirkland, the Bill last year, how did it differ from this?"

Kirkland: "The Bill last year reduced those three levels of...different levels of MSR periods each by a third so that three-year periods for the most serious violations were reduced to two, of the two-year periods were reduced to 16 months and one-year was reduced to eight months."

Homer: "Well, Mr. Speaker, to the Bill. I think the Bill last year was certainly preferable to this one. I understand what the Gentleman is trying to do. The fact is right now there are 16,000 people that have been released from prison, who are now on supervised release or parole. 16,000. How many people are supervising them? The answer is right around 115 parole agents. Which works out to a caseload of something like 150 per parole officer. Which, of course, has reduced the parole program to paper shuffling. In fact, it's quite common now that parole officers don't even meet the people that they're supposed to be supervising. They never meet them. They only require them to submit a written report once a month. The total...the fact of the matter is that the system is totally broken down, and the Governor in his budget message, proposed further elimination of parole officers, so that if that were to be accomplished really would be...this Bill's pretty much moot because there's no parole system that's in effect anyway, but the fact of the matter is since the budget address was made, the Governor now has proposed a program called pre-start, which is an idea where the 30 days prior to the release of an inmate they would undergo an intensive in-house rehabilitation reorientation program and then there would be 19 service centers set up

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throughout the State of Illinois and...that would be there if the parolee needed them. There would be no requirement that most of parolees report at all. The only exceptions would be sex offenders and a few other specially designated categories, would even report to a parole officer at all. All others would be...they could go for service if they wanted it to these 19 centers. Now, it seems to me that if the pre-start program is adopted, and it seems to be moving along at a pretty fast clip, then this Bill is no longer needed because it won't matter how long a person is on parole because under the pre-start program they're be no supervision of these people anyway other than the one's that have been specially designated. So, I think, Representative Kirkland, that your idea was advanced as a potential solution to the fact that we don't have enough parole officers, but what I'm here to say is that now the administration is pushing an alternative plan called pre-start and if the pre-start program goes through, and it's very controversial and it's currently very much opposed by the parole officers, but if it goes through, it would obviate the necessity for your plan, and so I'm going to oppose your Bill for two reasons. One is because it's not as good as the Bill last year and secondly, it's not needed if the administration goes forward with the prestart program."

Speaker Giglio: "Representative Kirkland to close."

Kirkland: "Thank you, Mr. Speaker. Well, I appreciate all the Gentlemen's comments. The fact of the matter is the idea of the legislation is to...and we have no guarantees at this point and so if we learn later that the pre-start program in fact is able to be implemented, the Gentleman from Fulton County may indeed be correct, but until that happens the need is to reduce the caseloads of the parole

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officers that currently operate by reducing the length of the supervision periods. They would be able to supervise more, they would be able to supervise the persons on parole more intensively, give them better guidance, rather than be so spread out, so hung out, over three years when most of the violations occur in the first year and, you know, I just think until pre-start is in place, it makes a lot of sense to give them a better opportunity to supervise more intensively. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 1029 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Williams."

Williams: "I just rise to explain my vote. I'm voting 'aye' on this Bill because I believe that what the Gentleman is saying is honestly true. The reality of it all this that we're talking about parole people who are, out...who've been basically served their time, we cannot afford to give them...we can afford to give them intensive probation and supervision for one year as opposed to little or no supervision for little or no supervision for three years. The reality says that we're A, the state saves money and B, we actually do something good. So, I know this won't make a difference in 80 votes, but this is one that should be considered."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 27 voting 'yes' and 81 voting 'no', 7 voting 'present'. House Bill 1029 fails. Representative Granberg. Representative Mautino. Representative Mautino."

Mautino: "A point of personal privilege, if I may, Mr. Speaker. I would like to remind the Members of the House that this legislation was on the Consent Calendar and I took it off

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the Consent Calendar. Please recommend that you watch those very closely."

Speaker Giglio: "House Bill 1198, Representative Granberg. Do you wish to proceed with this Bill? Representative Currie, 1245. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1245, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

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

Currie: "Thank you, Mr. Speaker, Members of the House. As amended the Bill would provide that the Department of Public Health, in cooperation with the Department of Insurance and Public Aid, would create a plan to consider how we might provide insurance coverage for health purposes for youngsters who today in the State of Illinois do not have access to health care services. I'd be happy to answer your questions, and I would appreciate your support for the Bill."

Speaker Giglio: "Any discussion? The question is, 'Shall House Bill 1245 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question 114 voting 'yes', 0 voting 'no' and House Bill 1245, having received the required Constitutional Majority is hereby declared passed. Representative McPike in the Chair."

Speaker McPike: "Representative McPike in the Chair. House Bill 1283, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1283, a Bill for an Act to amend an Act concerning pregnant women. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This Bill provides as amended that the Department of Public Health shall provide home visitation services through

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county health departments to the extent that appropriations are available for that purpose. The effort here is to try to see that new families get support and help in figuring out how families are supposed to operate. There are new federal mandates, healthy kids programs and so forth, which means that any money that we spend would be reimbursed...every dollar would be...would bring in more than a dollar from federal funds for families that are at and below 133% of poverty, which is to say \$17 or \$18,000 per year. I would be happy to answer your questions and would appreciate your support for the Bill."

Speaker McPike: "On the Motion, Mr. Black."

Black: "Thank you very much, Mr. Speaker. Because of the Amendment put on it, I'm aware of no opposition. We stand in support of the..."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there is 109 'ayes' and 0 'nays'. House Bill 1283, having received the Constitutional Majority, is hereby declared passed. House Bill 1297, Representative Hicks. Mr. Hicks. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1297, a Bill for an Act to amend the State Finance Act. Third Reading of the Bill."

Speaker McPike: "House Bill 1302, Representative Hasara. Representative Hasara here? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1302, a Bill for an Act to amend the adoption Act. Third Reading of the Bill."

Speaker McPike: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. A number of years ago, in Illinois, we adopted an adoption registry, and that registry permits anyone seeking information about a natural

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parent or an adopted child may file a slip with the Department of Public Health who makes a match. At that time the statute required that a fee be paid sufficient to meet the Department's administrative expenses. The Auditor General found that the Department was not in compliance with that Act. They have been charging a \$40 fee, and they say it would actually cost \$128 to make a match under the registry which would prohibit most people from being able to seek that kind of help."

Speaker McPike: "Is anyone against this Bill? The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. On this Bill, there are 100...Mr. Clerk, take the record. On this Bill there was 114 'ayes' and 0 'nays'. House Bill 1302, having received the Constitutional Majority is hereby declared passed. House Bill 1608, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1608, a Bill for an Act concerning orders of protection. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This Bill would provide that a domestic violence order of protection would take precedence over other kinds of orders that might be entered by a court. The Bill was proposed by people at the House of the Good Shepherd, a program run by an order of Catholic nuns in the City of Chicago. Their concern was that sometimes when an individual has an order of protection filed against him or her, that individual is able to go to another court, another venue, get another kind of order and thus take custody of the child or find out the child's physical presence. This Bill is supported by the Illinois State Bar Association, a committee on family law by the Illinois Coalition Against Domestic

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Violence and by the Illinois Chapter of the National Organization of Women, and I don't know of any opposition, but I'd be happy to try to answer your questions."

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

McCracken: "Yes, was there ever an Amendment adopted to this Bill?"

Speaker McPike: "Representative Currie."

Currie: "Not this Bill. This was not one that we discussed an Amendment for."

McCracken: "Alright. I think we did talk about that. At least, that's my recollection. I would like to address the Bill."

Speaker McPike: "Proceed. Proceed, Sir."

McCracken: "Yes, thank you. Yes, I think this...I think we did talk about this. Orders of protection under current law may be entered ex parte, meaning that they may be entered by one party outside of the presence against whom they are directed. That makes these orders potentially subject to abuse that would not exist if they had to be entered in the presence of the respondent party. By according these, I should say, by according all types of protective orders entered under this Act priority over all others, you create a situation by where or whereby a...an ex parte order entered...I'm sorry it's lunch time, I'm hungry, can take priority over an order entered in the presence of the respondent, so what it means is this. If a man is the subject of an ex parte protective order, and he later goes to court say divorce court and he gets an order entered relative to this issue, the order entered in his presence when he had an opportunity to respond is not...is not going to be accorded greater weight than one that was entered ex parte and I know the explanation is not in its most lucid terms, but I do think unless you amend this Bill to require this priority to pertain only where the respondent had a

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chance to respond and appear before the court in getting the order in the first place, you'd do potential great injustice. I...I oppose it on that basis and that basis alone. If you want to work out a system of priorities, I'm not opposed to that, in principle, however, this is not the Bill to do it."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. I rise in support of the Lady's Bill. These protective orders are only sought and only given when there is a real chance of, or already has been, physical violence within the home. When somebody has been beaten around, that's when a protective order is sought. So to give that protective order, ordering someone to leave the premises, ordering someone to leave an individual, a spouse, alone and not interfere with that person, that's when a protective order is sought and issued, and those orders should be given priority and whether or not the individual showed up in court, if an ex parte order was had, it was only given...is only issued under very extreme circumstances when there's a real fear that the person that the order is against may harm the person seeking the order. So, I think it's a very good Bill."

Speaker McPike: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. As I say, the State Bar Association's Family Law Committee supports this Bill, so do the people who work with victims of domestic violence. The protective order has a very short life span and anyone against whom an order has been entered ex parte has reasonable and prompt opportunity to go into court and present the evidence that would encourage the court to withdraw the order. That's the appropriate procedure, and I think this Bill makes good sense, so I

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urge your support."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 83 'ayes'...Representative Kirkland from 'no' to 'aye'. On this Bill there are 84 'ayes', 24 'nos'. House Bill 1608, having received the Constitutional Majority, is hereby declared passed. House Bill 1749, Representative Laurino. House Bill 1892, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1892, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House.

This Bill is an effort to address a problem that can arise on occasion when a school board will subcontract out for services. We know, obviously, that a school district can either hire janitorial people or perhaps they'll subcontract that out to an agency. Perhaps they'll have a kitchen crew or perhaps they'll subcontract the cooking out to some agency, and all that is fine. We want to not in any way limit their ability to do that, we want to give the school boards every opportunity to look at alternatives and adopt the best one. However, what we want to insure is that when they do let a contract, a subcontract to do these things, that the individuals who are brought in are also insured through liability insurance at the same level that the rest of the school employees are insured. So, this Bill says that the school board should make the subcontractors provide liability insurance at the same level as all the other employees at the school. It shouldn't cost the school boards anything because they'll simply put it into the contract specifications when they

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let the bids. The people know exactly what the school boards expect, they'll place their bids for the school board to decide what to do, but, in any case, if there is a problem these people will be insured. That's what the Bill does, and I'd ask for your 'yes' vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 109 'ayes', 1 'no'. House Bill 1892, having received the Constitutional Majority is hereby declared passed. House Bill 1956, Representative Hensel. Read the Bill. Out of the record. Representative Giorgi, House Bill 2048. Out of the record? House Bill 2078, Representative Churchill. 2309, Mr. Steczko. Terry Steczko? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2309, a Bill for an Act to amend the Illinois Public Library District Act. Third Reading of the Bill."

Speaker McPike: "The Gentleman wants to bring the Bill back to Second Reading. Does the Gentleman have leave? Leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker and Members of the House. Amendment #1 to House Bill 2309 is a product of some discussions between the Illinois Municipal League and the Illinois Library Association, about what happens when a municipality annexes territory that is currently part of a library district but is also served by a municipal library. This provides that the, when an objection is filed by the library district that the judge may take certain things

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into consideration and also provides him with options as to what rulings he may provide. For instance, the judge after listening to the information provided to the court, may provide a denial this disconnection or he can provide the disconnection of the territory, some combination of that or submission of the question to the electorate and let them decide which of the two they would wish to belong. I would answer any questions on the Amendment, and if not, would move for its adoption, Mr. Speaker."

Speaker McPike: "The question is, 'Shall Amendment #1 be adopted?' All those 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. The Gentleman asks leave to call the Bill on Third Reading at this time. If there are no objections, the Attendance Roll Call will be used. The Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2309, a Bill for an Act to amend the Illinois Public Library District Act. Third Reading of the Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #1 becomes the Bill, and we have discussed that. There are still some discussions going on to try to refine a couple points related to this entire issue, but for the most part there is an agreement by municipalizing again the library district..."

Speaker McPike: "The question is?"

Steczko: "...if necessary, so I would ask for a 'yes' vote."

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

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this Bill, there is 112 'ayes' and 0 'nays'. House Bill 2309, having received the Constitutional Majority is hereby declared passed. House Bill 2337, Representative Deering. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2337, a Bill for an Act to amend the Public Water District Act. Third Reading of the Bill."

Speaker McPike: "Representative Deering."

Deering: "Mr. Speaker, may I have leave to bring the Bill back to Second Reading for an Amendment?"

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

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

Speaker McPike: "Representative Deering."

Deering: "Yes, this Amendment just clears up a flaw that was in this Bill concerning the election in terms of the board members."

Speaker McPike: "This is a technical Amendment. All those in favor of the Amendment say 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to call the Bill on Third Reading at this time. If there are no objections, the Attendance Roll Call will be used. The Bill's on Third Reading. Mr. Clerk, call the...read the Bill."

Clerk O'Brien: "House Bill 2337, a Bill for an Act to amend the Public Water District Act. Third Reading of the Bill."

Speaker McPike: "Representative Deering."

Deering: "Yes, this provides for an elected water district board instead of appointed board by the county...instead of a

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board appointed by the county. It's a basic Bill. I feel it's a good piece of legislation, and I would entertain any questions."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there is 110 'ayes', 0 'nays'. House Bill 2337, having received the Constitutional Majority is hereby declared passed. House Bill 2458, Representative Currie. Insurance. Third Reading. House Bill 1141, Representative Santiago. House Bill 1603, Representative Mautino. House Bill 2149. House Bill 2105, Representative Balanoff. House Bill 579, under Municipal, County and Conservation Law. Out of the record. House Bill 705, Representative Steczo. Terry Steczo? Representative Lang, you have four Bills. The next four Bills are yours. House Bill 794 and 95. Whose Bills are those? Representative Hartke? Would you like to pass these Bills? Mr. Hartke, could you...Oh...House Bill 798. 79...Representative Hartke."

Hartke: "Yes, I would like leave of the Body to handle Representative Brunsvold's Bills. 794."

Speaker McPike: "Do you want to start with 794?"

Hartke: "Yes."

Speaker McPike: "Alright. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 794, a Bill for an Act to amend the Downstate Forest Preserve District Act. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Yes, this is a Forest Preserve District Act, a Bill, it's a shell Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye'...Representative Black."

Black: "Thank you very much, Mr. Speaker. The Republicans would

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like a brief Conference at this time. 118."

Speaker McPike: "In the middle of the Bill?"

Black: "It's also in the middle of my lunch, but...approximately one hour, Mr. Speaker."

Speaker McPike: "In the middle of this Bill or did you want, in a few minutes...or what is your request?"

Black: "Well, I think the Gentleman should proceed with this Bill, by all means."

Speaker McPike: "Do you want to proceed with the Bill? Representative Hartke."

Hartke: "Let's take 794 out of the record."

Speaker McPike: "Alright. The Bill's out of the record. Representative Black. Mr. Black, the Members have until 2:00 to change their votes on the Agreed Bill list, so we're going to extend that until 2:15. The Republicans will have a caucus in Room 118 immediately for one hour. We'll go back in Session at 2:00, and you will have 15 more minutes to file your changes after that. The House will stand in recess until the hour of 2:00 p.m. The House will come to order. Messages 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 titles, and instruction of which I am asking concurrence of the House of Representatives, to wit; Senate Bill #1, passed by the Senate, May 15, 1991, at the First Special Session thereof. Linda Hawker, Secretary.' 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 titles, and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #33, 41, 43, 56, 61, 62, 64, 73, 89, 92, 98,

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99, 111, 115, 118, 126, 131, 139, 140, 150, 151, 155, 165,
169, 188, 191, 192, 193, 197, 198, 201, 216, 220, 223, 233,
234, 240, 242, 256, 265, 280, 283, 296, 312, 325, 384,
385, 388, 391, 404, 422, 428, 432, 433, 434, 444, 462, 495,
496, 502, 503, 521, 527, 534, 535, 545, 562, 563, 564, 567,
587, 619, 625, 627, 629, 630, 631, 633, 635, 637, 646, 678,
679, 680, 681, 689, 700, 703, 706, 708, 723, 724, 728, 729,
751, 763, 772, 791, 792, 796, 799, 808, 810, 811, 829,
835, 838, 843, 844, 845, 846, 864, 872, 874, 875, 891,
908, 909, 923, 947, 963, 973, 1006, 1019, 1023, 1030,
1033, 1042, 1050, 1093, 1098, 1131, 1151, 1160, 1161, 1190,
1205, 1210, 1211, 1223, 1244, 1246, 1248, 1249, 1250, 1264,
1279, 1281, 1286, 1299, 1312, 1318, 1345, 1348, 1350, 1428,
1439, 1451, passed the Senate May 16, 1991. Linda Hawker,
Secretary."

Speaker McPike: "House Bills. Third Reading. When we recessed,
we were on House Bill 794, Representative Hartke. I
believe you were handling the Bill. Mr. Clerk, 794. The
Bill has been read a third time. Representative Hartke."

Hartke: "Mr. Speaker, let's take that one out of the record. I
think we've got an Amendment that's coming on that, that
the Republicans are wishing that we don't have yet."

Speaker McPike: "How about 795?"

Hartke: "Yes. We'll run 795."

Speaker McPike: "Mr. Clerk, read the House Bill 795."

Clerk O'Brien: "House Bill 795, a Bill for an Act to amend the
Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Is there an Amendment been filed on this?"

Speaker McPike: "The Gentleman asks leave to return it to Second
Reading for purposes of Amendment? Does the Gentleman have
leave? Leave is granted. The Bill's on Second Reading.
Mr. Clerk, are there any Amendments?"

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

Hartke: "Representative Black."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. The Amendment #3 to House Bill 795 allows a municipal clerk in municipalities under 500,000 of population, with approval by ordinance of the corporate authority, to designate a person to sign documents for the clerk. Now that is all it does. I would urge your favorable consideration of Amendment #3."

Speaker McPike: "Any objections? The question is, 'Shall Amendment #3 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 Hartke asks leave to call the Bill at this time. No objections, the Attendance Roll Call will be used. The Motion carries. Representative? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 795, a Bill for an Act concerning local government. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "If I'm correct, this Bill now has Amendment #2 and #3 on the Bill. Amendment #2 amends the Municipal Code adding provisions that...provisions that home rule units may by ordinance...adopt ordinance which prohibits absent members from later voting on a question before the body. And then Amendment #3, you've just heard, presented by Representative Black. I would ask for your support on this piece of legislation."

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

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On this Bill, there are 106 'ayes', 0 'nays'. House Bill 795, having received the Constitutional Majority is hereby declared passed. House Bill 798. Representative Hartke, 798? Representative Hartke?"

Hartke: "Call these out of the record."

Speaker McPike: "All of them?"

Hartke: "798, 99, 800 and 801."

Speaker McPike: "Out of the record. On page 72, Representative Turner. Mr. Turner? House Bill 942, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 942, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "Thank you, Mr. Speaker. This Bill is a vehicle Bill. I discussed it with the other side of the aisle. I don't think there's any opposition."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 110 'ayes' and 0 'nays'. House Bill 942, having received the Constitutional Majority is hereby declared passed. House Bill 1188, Representative Giglio. Representative Giglio? House Bill 1479, Representative Steczo. Mr. Keane, House Bill 2147. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2147, a Bill for an Act to amend the Revised Cities and Villages Act. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "I ask leave to return the Bill to Order of Second Reading."

Speaker McPike: "The Gentleman asks leave to return it to Second Reading. No objections, leave is granted. The Bill is on

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Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Mr. Keane."

Keane: "Thank you. Amendment #1 becomes the Bill. It provides that the City of Chicago may establish community based committees consisting of community leaders to advise the city in connection with designated state, federal, human service programs, except where prohibited by law. I move for the adoption of the Amendment."

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

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

Speaker McPike: "Yes."

Black: "Representative, the only thing that we are having trouble understanding about this Amendment and I know Chicago is treated differently under all the codes. But, most any city can establish whatever committee they want to do for what every purpose. Does Chicago need statutory authority to do this?"

Keane: "No. They could do it under home rule, but like anything else, like so much of our statute book, it's permissive, it allowsit allows the groups that do have this to feel that they have some status within their area and that there's someone..."

Black: "Is there any other purpose that we should be aware of as to what this Bill...?"

Keane: "It could well become a vehicle somewhere down the line."

Black: "Thank you."

Speaker McPike: "The question is, 'Shall this Amendment #1 be adopted?' All in favor say 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

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its adoption."

Speaker McPike: "The question is, 'Shall the Amendment 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. The Gentleman asks leave to call the Bill. No objections. Attendance Roll Call is used. The Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2148, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "As I said, the Bill. The Amendment is the Bill, it's very similar to the previous...the Amendment on the previous Bill and I move its adoption."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 70 'ayes', 36 'nos'. House Bill 2148, having received the Constitutional Majority is hereby declared passed. Public Utilities, Third Reading. Representative Young. Anthony Young, House Bill 164. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 164, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 164 is a Bill that has passed this chamber on two prior occasions. It's a very simple proposition. It says the service charge, charged by utility companies will have to reflect the cost of service. I move for its passage and will be happy to answer questions."

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to hear the Bill at this time. No objections. Attendance Roll Call will be used. The Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2147, a Bill for an Act to amend the Cities and Villages Act. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "The Amendment was the Bill. I move for a favorable vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Representative LeFlore, 'aye'. On this Bill there are 74 'ayes', 27 'nos'. House Bill 2147, having received a Constitutional Majority is hereby declared passed. House Bill 2148. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2148, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Representative Keane."

Keane: "A leave to return the Bill to Second for an Amendment."

Speaker McPike: "The Gentleman asks for leave. No objections. Leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Mr. Keane."

Keane: "Thank you. The Amendment becomes the Bill. It adds language to the Illinois Municipal Code promoting historical research and markings of locations of significant scientific discoveries, premises serving as sites of significant culture, political and social events. It's much like the previous Amendment and I would move for

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Speaker McPike: "And on the Bill, Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, we've seen this Bill before. I laud what you're trying to do, but I still have to...the same concern exists that we had last year, and I think...let me...ask you this question? Is this not, in its simplest and purest form, a device that will simply shift costs from some rate payers to other rate payers?"

Young: "Absolutely not. Right now the costs are being shifted from some rate payers to other rate payers. What this does is simply say that users of utility services should pay for what they use and that a service charge should reflect the cost of delivering the service. Period. This would not cost the utility companies any money and all it would do is allow people who really don't use a lot of a particular utility, and this mostly affects electricity, to have their bill reflect what they use."

Black: "Let me ask you another question. Has, to the best of your knowledge, the Citizens Utility Board acknowledged that by forcing down the service charge the cost per kilowatt-hour or the cost per therm of gas, could go up."

Young: "I don't know the answer to that question. I guess you would have to ask the Citizens Utility Board."

Black: "Thank you very much, Representative. Mr. Speaker and Ladies and Gentleman of the House, based on the information that I have, the Citizens Utility Board has acknowledged forcing down the service charge may increase the cost of kilowatt-hour and the cost per therm of gas. What will happen then, in many farm customers in my district, would see their utility bills increase. Further, if the information we have is accurate, for many customers of

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Commonwealth Edison, CILCO and CIPS, the formula in this Bill, could, indeed, facilitate an increase in the service charge and not a decrease. No matter how laudable these Sponsors' intent might be, it appears that there are some serious flaws in this Bill, and I would urge a 'present' vote."

Speaker McPike: "Representative Young to close."

Young: "Thank you, Mr. Speaker. Again, I have to disagree with the last speaker and particularly in terms of the farm issue. Any farmer who has a residential billing, it will not affect him if he has residential service and business service. This deals with residential service. Now, any farmer who has his business service on his residential line, then it could possibly affect him, right now, Commonwealth Edison and CIPS have the largest customer service charges in the country. In the country. This Bill will be good for those people who are particularly on fixed incomes and low users. And again, it says that you determine the service charge based on what it was intended for which is how much is a meter, how much does it cost to read the meter, how much does it cost to read the lines. That's what it costs to deliver the service and then everyone else will pay for what they use and that's as it should be. I move for its adoption."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Representative Ackerman, did you wish to explain your vote, Sir? Proceed."

Ackerman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I oppose this Bill because it certainly could affect any farming operations. As many farmers live in small communities all over the state, that do not live on the farm, this would definitely affect them. It also will

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affect many people living in rural downstate areas, so I ask for a 'no' vote on this Bill."

Speaker McPike: "Have all voted? Have all...Representative McCracken? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 73 'ayes', 36 'nos'. House Bill 164, having received the Constitutional Majority, is hereby declared passed. House Bill 244, Representative Turner. Mr. Turner. House Bill 619, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 619, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, could I have leave to return the Bill back to Order of Second Reading for purpose of an Amendment?"

Speaker McPike: "Are there any objections? Hearing none, leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, I would first ask leave of the Body to table Amendment #1, there was an omission in Amendment #1 and Amendment #2 would take care of that omission."

Speaker McPike: "The Gentleman moves to table Amendment #1. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #1 is tabled. Amendment #2."

Matijevich: "Mr. Speaker, in Amendment #2, we had thought in Amendment #1 we had complied with the agreement with the People's Gas, people's energy, but we left out the part of a sentence, that part left out would be that 'applicants would provide proof of application to the utility for the

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energy assistance program. I would move for adoption of Amendment #2."

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 O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks...Representative McCracken."

McCracken: "Yes, on the assumption that he's going to ask leave here today, I'm going to object. I'd like to have a day to digest this."

Speaker McPike: "The Bill is out of the record. House Bill 990, Representative Deering. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 990."

Speaker McPike: "Do you want this Bill called now, Sir? Do you want this Bill called now?"

Clerk O'Brien: "A Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Deering."

Deering: "Mr. Speaker. We vote...it's in Postponed Consideration, right?"

Speaker McPike: "Yes, it is."

Deering: "Okay. This Bill is a Bill that we voted on yesterday, I believe. I think it's a good Bill, limiting the telecommunications companies to have a cost benefit analysis be performed. It was amended by Representative Lang to limit the type of advertising that can be used in non-competitive areas. It's being done right now by the power companies, by the gas utilities, and I feel the telecommunication companies could fall in line with the same. I ask for a favorable vote."

Speaker McPike: "And on that Motion, we have Representative

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Wojcik."

Wojcik: "Yes, Mr. Speaker. Would the Sponsor yield for questions?"

Speaker McPike: "Yes."

Wojcik: "Representative, do you still have that Amendment on there or did you withdraw the Amendment for the elected Commerce Commission?"

Deering: "That Amendment is not on this Bill."

Wojcik: "It's not on the Bill. Okay, thank you."

Speaker McPike: "Representative McCracken."

McCracken: "Speaker. Will the Gentleman yield?"

Speaker McPike: "Yes."

McCracken: "Does this apply to long distance only or does it apply to local service as well?"

Deering: "Mr. Speaker, can I yield to the Sponsor of the Amendment?"

Speaker McPike: "Yes. Representative Lang. A question from Representative McCracken."

McCracken: "Yes. Does this apply to long distance or just local or what does it apply to?"

Lang: "This applies only to non-competitive areas of telephone service, so it would not include long distance, it would not include purchase of telephone service of any kind, it basically includes local calls when you call your own city, when you call my area."

McCracken: "I see. Is there a way, in your mind, to distinguish, what if the local phone is part of a...an inescapable part, of a larger advertising scheme or a larger offering of services? Is it something that can be segregated and taken out?"

Lang: "I don't see..."

McCracken: "Without undue..Yes, I'm sorry go on."

Lang: "I'm sorry. I don't see any reason why it couldn't be

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segregated. The whole point here is that we're being charged millions of dollars for advertising for non competitive services. It's basically, as it relates to local service, Tom, the telephone company has a monopoly. There is nowhere else you can go besides Illinois Bell to get your local phone service. Why should they have to advertise and charge us for that?"

McCracken: "Now, for example, then, that would not apply to local pay telephone services because that is competitive?"

Lang: "That's correct. It would also not apply to any type of educational advertising. For instance, when the suburbs around Cook County went to a the 708 area code, and Illinois Bell needed to advertise that would certainly be alright because we needed to know that information."

Speaker McPike: "Representative?"

McCracken: "Alright, that's it. Thank you."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Is this the same proposal as House Bill 618 that failed in Public Utilities Committee receiving only 4 votes?"

Speaker McPike: "Representative Lang?"

Lang: "Why do we keep going through this, time and time again? Yes, it failed in the Committee. Yes, it only received 4 votes. Yes, it was only 2 votes short. This is a House with 118 Members, let's not go through a whole story about how a Bill is 2 votes short in committee."

Wennlund: "Is this the same proposal that failed on House floor yesterday with...receiving only 55 votes?"

Lang: "That's correct with many Members off the floor."

Wennlund: "Thank you. And that's how many it should receive again today because to the Amendment for the Bill, this

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proposal does not take into consideration the fact that electric companies and gas companies are entire monopolies. The telephone company is not a monopoly, ever since Judge Green deregulated the telephone industry and they remain competitive in the fact it saves dollars because the more the phone company sells its services, the lower that they can produce the rate for the customers and that's why this Amendment and Bill should be defeated again."

Speaker McPike: "Representative Lang."

Lang: "Thank you."

Speaker McPike: "Do you want to close for Mr. Deering?"

Lang: "Sure, I'll close for Mr. Deering. The part of this Bill that seems to be causing the problem is my Amendment. Let's be clear, whatever the judge did regarding deregulation of phone companies aside, this has nothing to do with that. We keep hearing things from the other side of the aisle that have nothing to do with this Bill, that have nothing to do with the Amendment that is put on this Bill. What this Amendment is about, what this part of the Bill is about, is why are we charged \$62,000,000 each year for the privilege of Illinois Bell advertising to tell us that we can pick up our phone and call our grandmother, that we can pick up our phone and call our neighbor. This is only talking about the non-competitive areas. It's only talking about the areas where the telephone company does have a monopoly and let me remind you that the gas company and the electric company are already held to the same standard. There is no reason the telephone utility shouldn't be on the same playing field as the others. If Illinois Bell wants to advertise, for non-competitive service, if they want to do good will or image advertising, let them do it, let their stock holders and investors pay for it, just as the gas and electric stock holders and

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investors pay for the same advertising. This is a good Bill, it was a good Bill yesterday, and I urge your 'aye' votes."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Representative Black to explain...Have all voted? Representative Harris, to explain his vote."

Harris: "Thank you, Mr. Speaker. Just my brief explanation of vote. I think the Amendment, which the Representative from Cook put on the Bill, is the most significant part of the Bill. There's a difference between the telephone company and the gas company, the difference is promoting the use of gas, promoting the use of natural gas or electricity in essence uses up a natural resource. That's not the case with the telephone. The telephone is like a big computer sitting there. It's a fixed cost. If you don't use it, it's just costly. Use of that computer benefits all of the rate payers because it generates more income which holds rates down for everyone. It's not similar to a utility company, like the gas or the electric company, and I think the Bill's in error on that, and it deserves a 'no' vote."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 58 'ayes' and 28 'nos'. The Gentleman asks for a poll of those not voting. Mr. Clerk."

Clerk O'Brien: "A poll of those not voting: DeJaegher. Deuchler. Farley. Giglio. Keane. Kulas. Martinez. Novak. Richmond. Ronan. Rotello. Santiago. Stange and Stern. No further."

Speaker McPike: "Rotello votes 'aye'. Representative Rotello votes 'aye'. Representative DeJaegher votes 'aye'. On this Bill, there are...Representative Satterthwaite. Representative Stern. Representative Stern votes 'aye'.

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Representative Ronan 'aye'. Representative McCracken, do you wish to verify? Representative McCracken has asked to verify the roll. On this Bill, there are 62 'ayes' and 28 'nos'. Mr. Clerk, read the Affirmative."

Clerk O'Brien: "Balanoff. Balthis. Black. Bugielski. Burke. Burzynski. Capparelli. Cronin. Curran. Currie. Deering. DeJaegher. DeLeo. Dunn. Edley. Flowers. Giorgi. Granberg. Hannig. Hartke. J. J. Hoffman. M. Hoffman. Homer. Hultgren. Klemm. Kubik. Lang. Laurino. Levin. Marinaro. Matijevich. Mautino. McAfee. McAuliffe. McGuire. McNamara. McPike. Mulcahey. Munizzi. Obrzut. Persico. Petka. Phelan. Phelps. Preston. Ronan. Rotello. Ryder. Saltsman. Satterthwaite. Schakowsky. Schoenberg. Steczo. Stepan. Stern. Walsh. Weaver. Weller. White. Wolf. Woolard and Mr. Speaker."

Speaker McPike: "Representative Kirkland."

McCracken: "Change my vote to 'aye', please and leave to be verified."

Speaker McPike: "Mr. McCracken, Yes. Mr. Clerk, change Mr. Kirkland from 'no' to 'aye', and the Gentleman is verified."

McCracken: "Thank you. Representative Preston?"

Speaker McPike: "Mr. Preston? Mr. Preston? The Gentleman here? He's not. Remove him from the Roll."

McCracken: "Representative Dunn?"

Speaker McPike: "Representative Dunn. Don Dunn? He's here."

McCracken: "Representative Balanoff?"

Speaker McPike: "Representative Balanoff? Mr. Balanoff? The Gentleman is not here. Remove him from the Roll."

McCracken: "Representative Turner?"

Speaker McPike: "Representative Turner. He's voting 'present'."

McCracken: "Oh, I'm sorry."

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Speaker McPike: "He's voting 'present'."

McCracken: "I'm sorry. Representative Bugielski?"

Speaker McPike: "Representative Bugielski?"

McCracken: "He came in."

Speaker McPike: "Representative? Excuse me. Representative Ann
Stepan is right here. She would like to be verified."

McCracken: "Yes."

Speaker McPike: "Representative Bugielski?"

McCracken: "He's here. I saw him, Mr. Speaker."

Speaker McPike: "Alright."

McCracken: "Representative Saltsman?"

Speaker McPike: "Representative Saltsman is in his chair."

McCracken: "Representative Petka?"

Speaker McPike: "Representative Petka. Mr. Petka here? He is
not. Remove him from the Roll."

McCracken: "Representative Flowers?"

Speaker McPike: "Representative Flowers. Mary Flowers? Alright,
he's not here. Remove her from the roll."

McCracken: "Representative Balanoff?"

Speaker McPike: "We've removed Balanoff already."

McCracken: "Okay. Sorry. Representative Obrzut?"

Speaker McPike: "Representative Obrzut is here."

McCracken: "Representative Hicks?"

Speaker McPike: "Representative Hicks. Representative Hicks?
Voting 'present'."

McCracken: "I'm sorry. Representative Granberg?"

Speaker McPike: "He's here."

McCracken: "Representative Williams?"

Speaker McPike: "Voting 'present'."

McCracken: "Okay. I have to get these people in the right
habits, you know, we're starting over this year.
Representative Lou Jones."

Speaker McPike: "Mr. McCracken, did you..."

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McCracken: "I don't need that one. They all voted 'present'."

Speaker McPike: "Yes. You have to verify the Affirmative."

McCracken: "I'm making the mistake of just looking at the sheet rather than the score board. Representative Homer. No, he's here. Representative Morrow. That's all. Oh. Wait. Wait. Wait..."

Speaker McPike: "Now, Mr. McCracken, you said that was all. You said that was all. No further. Any furthers? Oh, Representative Younge. Wyvetter Younge?"

Younge: "How am I voting?"

Speaker McPike: "You're voting 'no'. Mr. Farley would like to vote 'aye'. Mr. Farley is 'aye'. Representative Younge, we're just asking. On this Bill there are 60 'ayes' and 27 'nos'. House Bill 990, having received the Constitutional Majority is hereby declared passed. House Bill 992. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 992, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Deering."

Deering: "Mr. Speaker, I would like leave to bring it back to Second Reading for an Amendment."

Speaker McPike: "The Gentleman asks leave. No objections. The leave is granted. The Bill's on Second. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative Curran."

Curran: "Withdraw Amendment #2."

Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

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

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. House Bill 992 and Floor Amendment #3 is an elected Illinois Commerce Commission. As you all know, we've been grappling with in this General Assembly the mistakes and the confusion in the insolence of the Commerce Commission as it now stands, that is to say 'appointed'. I know that the same people that elected this group of people is wise enough, tempered enough, studied enough, knows the issues well enough, to make good decisions on determining who should be the elected members of the Illinois Commerce Commission. If you were to suggest to me that those people in your district are not smart enough to elect the State Representative then I would say perhaps those Members are also not smart enough to elect an Illinois Commerce Commission member, but I want to suggest to each and every one of you that you would not want to say to me that the voters in your district are not smart enough to elect an Illinois State Representative, and you should also not be saying that they're not smart enough to elect an Illinois Commerce Commission member. Mr. Speaker, I move the adoption of Amendment #3."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye'. Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker. To the Amendment. For many years this proposal has been made in the General Assembly and has failed many years, and there are a good reasons why it should fail, the same reasons this Amendment should fail. This is the same proposal that was part of House Bill 556, which failed a do pass Motion in the Utilities Committee, getting only 4 votes. The same old proposal, year after year. We've all heard the arguments against them. The Amendment should be defeated and I ask for..."

Speaker McPike: "Representative Wennlund? What did you ask for?"

Wennlund: "I asked to turn my light off. Thank you, Mr.

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Speaker."

Speaker McPike: "Representative Curran to close."

Curran: "If you believe that the voters in your District are smart enough, well enough schooled, pay close enough attention to elect good State Representatives, then you should also believe that those people are intelligent enough, well enough informed to elect a good member of the Illinois Commerce Commission. The vote you cast now is a vote whether you are in favor of the intelligence and the fact of being well read of the voters in your district or you do not have faith in the voters in your district. I move the adoption of Amendment #3."

Speaker McPike: "The question is, 'Shall Amendment #3 be adopted?' All in favor vote 'aye', opposed vote 'no'. Representative McCracken."

McCracken: "To politicize the regulatory process more than is already the case is absolutely the wrong way to go at this. The states that have tried it in recent years have often repealed it. It has been a failure. It is a panacea, which will not deliver anything. It is a placebo that is all it is. You will not get lower rates, you will not get more efficient service, you will not get more reliable utility service. That is a sham. This is to placate people who don't want to look any further for their problems than exist already in a monopoly that is regulated by law. There is no savior in an elected ICC. It's an absolute sham."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. As it's well aware, I have a conflict of interest on Floor Amendment #3 to House Bill 992 and because of that I will vote 'present'."

Speaker McPike: "Representative Levin."

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Levin: "Mr. Speaker, Ladies and Gentleman of the House. The Commerce Commission keeps getting worse. We've had seven rate increases that have been reversed by the courts. They're not doing their job. It can't get much worse. We ought to try something that brings accountability to the Commissioners. This will do it. I urge a few more 'aye' votes on Amendment #3."

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I think the issue on this is very clear. It is a very clear issue when we take a look that we believe in representative government. We believe in elections, the right of the people to choose. We are down here because of that right for people to choose. I think it only makes common sense that we go forward and make sure that we have elected representation on the ICC. I think it is a very important issue because once we do that we can hold people accountable for what their actions are. It is obvious that we cannot do worse than the present ICC that we have now, so why not make the change and make it better? I urge your 'aye' votes."

Speaker McPike: "Representative Olson. Myron Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Let me mention a few names of people whom we all know who have said they do not support a elected Commerce Commission. Senator Adalai Stevenson, candidate for Governor; former Attorney General Neil Hartigan, Candidate for Governor; former Governor Jim Thompson. They have all spoken against elected Commerce Commission because the minute they took their seat they would have exhibited a prejudice and, therefore, should not sit on a rate case."

Speaker McPike: "Representative Balanoff."

Balanoff: "Yes, Mr. Speaker, to explain my vote. You know, I don't understand what the problem is. I live in the City

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of Chicago, like many people here, and in the City of Chicago we pay the absolute highest electrical rates in the entire nation. Now, I don't want to mislead you, we pay the highest electrical rates in the nation with the exception of one small island in Hawaii. Rate payers couldn't do any worse with an elected ICC, and certainly we could have input into the process, and I really urge everybody to think very carefully about the 'no' votes or 'present' votes or those who have not voted yet and to vote in favor of Amendment #3."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I am certainly not voting in opposition to this because I feel that people in my district are not smart enough to know good people from bad people. I think that one of the things that we have too often is that we have an awful lot of people that we elect at each election. I use the example of the University of Illinois, and, I dare say, there isn't one person here that can name every member on the University of Illinois Trustees. Not that that means that we aren't very intelligent, but I think this is an area where we do elect the Governor, who is a person that is attempting to do what is well and who selects people for this particular very important position based on their previous experience, based on expertise, based on balance, and that's what makes this a good current way of providing members for the Commerce Commission. I think that too often people would get involved in this and say one thing just for political purposes only, just to get elected, when, in fact, their expertise would be absolutely zero. I think this is a bad concept, and I urge a 'no' vote."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the

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House. This issue has been around for awhile. I think I've heard the same arguments for and against it every year. The only thing that we have failed to do is to say, 'Let's try it.' What do we have to lose? If it doesn't work, maybe Representative McCracken's suggestion is the one we should take and repeal it. Let's try it. Let's put the proof in the pudding, and let's see if it works."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker. Like all of us here, I'm a realist and I have no dreams that we'd ever elect the Commerce...a Commerce Commission. It won't pass the House, if it passed the House, it won't pass the Senate. If it passed the House and Senate, the Governor would veto it. However, I think we ought to send a message to the Commerce Commission. This vote, I believe, ought to be a vote that we are very disgusted, very discouraged, over what the Commerce Commission has done. They have not been responsible. Now let's tie this Bill into the last Bill. You know the last Bill, many of you voted to allow the rate payers to pay for \$60,000,000 of advertising for only one utility, Illinois Bell. Can you imagine...can you imagine the influence that \$60,000,000 worth of advertising buys for that public utility? That's only one public utility. Imagine the influence that buys. The rate payer doesn't have a chance. Our vote here at least tells the Commerce Commission that we don't like what they are doing. We're never going to get elected Commerce Commission. We all know that, but at least let's tell them how we feel about what they are doing."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Frankly, I don't understand any 'no' votes or 'present' votes up on the board. This Amendment is about two things. First, it's about

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consumers. It's about rate payers. We've discussed for several days, some of my Amendments and some of the other things that we have talked about. We've talked about an ICC that gives us the highest rates in the world, I think. We've talked about an ICC that allows a billion dollars in refunds to be due and owing from Commonwealth Edison to rate payers that remain unpaid. We talk about an ICC that allows over \$60,000,000 in wasted phone advertising to be charged the consumers, and we talk about constituents that call our offices and say, 'What gives with the ICC? Why are we paying such high rates, and why do we get such lousy service?' I don't understand why we don't react to our consumers' needs, but let me talk about another issue and that issue is the issue of democracy. Well, some of you may think it's time, but I think it's time that we finish this conversation. All of us have been elected by our constituents. All of the elected officials in the state have been elected by constituents. Mr. Speaker, can I have a little order?"

Speaker McPike: "Give the Gentleman some attention, please"

Lang: "Thank you, Mr. Speaker. It seems to me that if we're going to rely on democracy, we're going to rely on people to make decisions about what's best for them, that should also be involved in the Commerce Commission decisions as well. Where this has been tried there have been some successes and, I admit, some failures in making rates better, but there have been no failures in the issue of what has been best for consumers and what's been best for democracy. We should be allowing people to vote for people that make decisions that affect our lives like these. A 'no' vote and a 'present' vote is a bad vote for consumers and is a bad vote for democracy. Please vote 'aye'."

Speaker McPike: "Have all voted? Have all voted who wish? The

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Clerk will take the record. Mr. McCracken, do you wish to verify this, or we could put it on Third Reading and call the Bill? This is Second...this Amendment. On this Amendment are 54 'ayes' and 52 'nos'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Mr. McCracken, Mr. McCracken should we call the Bill today? Out of the record. House Bill 1392, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1392, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative McNamara."

McNamara: "I would like to have leave to take this back to Second Reading for purposes of Amendments. Leave being granted, it is now on Second Reading. Mr. Speaker?"

Speaker McPike: "The Gentleman asks leave to return to Second Reading. The Gentleman has leave. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. What Floor Amendment #1 does is takes the data that was given before the courts by Commonwealth Edison and tries to get some semblance of order in a percentage figure which would trigger that audit. What we have done by this data is taken a look at it and over the passed 20 years, there would have been a requirement for only five audits, and I urge your approval in this case."

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

McCracken: "You know, we act as if the power companies cut out the power on purpose. We act as if they have an interest

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in screwing people into the ground. That's the message you want to send to the ICC, and that's the message you want the public to buy, and this is consistent with that message. Do you think they're out there cutting the power out so they can't bill anybody so the consumers can get mad at them? These audit reports are just bureaucratic make-work. Period. They are not out to do this on purpose. It isn't like we have recalcitrant children and we're going to give them report cards so we can tell them they've been bad. They don't want the power to go out. They offer to help when it is their fault. They made offer of payment even if it wasn't their fault on occasion. The management audits are just another device to attack the utilities. The hostility against the utilities knows no bounds, and this is another example of that hostility."

Speaker McPike: "Representative McNamara to close."

McNamara: "Thank you, Mr. Speaker. That is not the purpose of this. This Amendment is not to punish the utility companies. We have so many power outages and so many losses in this state, that it is incumbent upon us to take a bureauracy that exists within Commonwealth Edison to rate that bureauracy and take a look for the citizens of our state to take a look every once in a while at what they are doing for the advantage of management. There is no reason in the world that we should shirk our responsibility and not look after the people of this state. I urge the adoption of Amendment #1."

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 Cowlshaw and McNamara."

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Speaker McPike: "Representative Cowlshaw or Representative
McNamara on Amendment #2."

McNamara: "Thank you. This is Representative Cowlshaw's
Amendment to..."

Speaker McPike: "Representative McCracken."

McCracken: "I don't think it's been printed and distributed. Has
it? We haven't seen it out."

Speaker McPike: "Yes, it is."

McCracken: "Of course, they don't give them to me anymore, do
they?"

Speaker McPike: "Representative Cowlshaw?"

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and
Gentleman of the House. This Amendment was added to this
Bill with the cooperation, and I am certainly grateful to
him for that, of the Sponsor, the chief Sponsor,
Representative McNamara. This Bill...underlying Bill has
to do with accountability to the customers for outages and
surges in electrical power, but that applies under in the
underlying Bill only to those utilities that are regulated
by the ICC. Municipally owned utilities are not regulated
by the ICC and, consequently in order to be certain that
there was some accountability for municipal electric
departments, as well as those that Representative McNamara
is concerned with, we offer this Amendment, which simply
requires that municipal electric departments shall to the
best of their ability, keep records of the outages and
surges and make those records available for public
inspection."

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

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to call the Bill on Third Reading at this time. Hearing no objections, the Attendance Roll Call. Representative McCracken objects. He objects. Out of the record. House Bill 1405, Representative Wennlund. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1405, a Bill for an Act to amend the Illinois Underground Utility Facilities Damage Prevention Act. Third Reading of the Bill."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. This is a Bill that was called yesterday that's a technical change requested by the administration. It has been approved by the other side. I move for its adoption of the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' Representative Wennlund, there's an Amendment that's not on the Bill. Amendment #2. The Gentleman asks leave to return the Bill to Second Reading. He has leave. The Bill's on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Mr. Wennlund."

Wennlund: "Floor Amendment #2 is the agreed Amendment that I just spoke about. I move for the adoption of the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. 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. The Gentleman asks leave to call the Bill at this time. No objections, the Attendance

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Roll Call will be used. The Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1405, a Bill for an Act to amend the Illinois Underground Utility Facilities Damage Prevention Act. Third Reading of the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there is 107 'ayes' and 0 'nays'. House Bill 1405, having received a Constitutional Majority is hereby declared passed. House Bill 2056, Representative Giorgi. Read the Bill, Mr. Clerk. House Bill 2056."

Clerk O'Brien: "House Bill 2056, a Bill for an Act to amend an Act in relation to Public Utilities. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is a Bill that we will need later on in the Session. It's a shell Bill, and I'd like to pass it out."

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

Balanoff: "A point of personal privilege, Mr. Speaker. I would like the record to reflect that had I known how controversial House Bill 990 was, I voted 'aye', I walked out, and they did the purification and removed me from the rolls, so I would like the record reflect that I voted 'aye', that I would have voted 'aye'."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? Have all voted? Have all voted who wish? The Clerk will take the record. Representative McCracken."

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McCracken: "Yeah, I'd like to verify. We don't want to move vehicles if there's no agreement to their use. Is that so unreasonable, such a small minority as us?"

Speaker McPike: "Representative Morrow would like to be verified. He's right here. Alright, Mr. Clerk, poll those not voting."

Clerk O'Brien: "Poll of those not voting."

Speaker McPike: "Excuse me, McNamara 'aye'."

Clerk O'Brien: "Poll of those not voting. Deering. Hensel."

Speaker McPike: "Hannig. Representative Hannig 'aye'. Proceed."

Clerk O'Brien: "Poll of those not voting. Deering. Hensel and Preston. No further."

Speaker McPike: "Alright. Mr. Clerk, proceed with the Poll of the Affirmative."

Clerk O'Brien: "Balanoff. Bugielski. Burke. Capparelli. Curran. Currie. Davis. DeJaegher. DeLeo. Edley. Farley. Flowers. Giglio. Giorgi. Gramebrg. Hannig. Hartke. Hicks. Homer. Lou Jones. Keane. Kulas. Lang. Laurino. McClure..."

Speaker McPike: "Mr. McCracken, could we verify Representative Matijevich? Yes. Representative McCracken."

McCracken: "I don't know that it's a contract written in blood, but I'm told that Representative Giorgi has told our side that this is to be used, if possible, for the coal industry. I was going to save us a verification."

Speaker McPike: "Representative Giorgi."

Giorgi: "Never sponsored a coal Bill in my life."

McCracken: "It's for Commonwealth Edison and coal?"

Giorgi: "Never sponsored a coal Bill in my life."

McCracken: "I'll take that as a 'no'."

Speaker McPike: "Proceed, Mr. Clerk."

Clerk O'Brien: "...Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. Mautino. McGann. McGuire."

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McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak.
Obrzut. Phelan. Phelps. Rice. Richmond. Ronan.
Saltsman. Santiago. Satterthwaite. Schakowsky.
Schoenberg. Shaw. Steczo. Stepan. Stern. Trotter.
Turner. Walsh. White. Williams. Wolf. Woolard.
Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker McPike: "Anyone seeking recognition to change a vote?
Deering 'aye'. Representative McCracken."

McCracken: "I phrased the question improperly. Now that I've
heard it properly phrased and answered, I withdraw my
request."

Speaker McPike: "The Gentleman withdraws his request for a
verification. On this Bill there are 64 'ayes' and 36
'nos'. House Bill 2056, having received a Constitutional
Majority, is hereby declared passed. House Bill 2057,
Representative Giorgi. Yes. The Chair announced that we
were going to close the change of votes for the Agreed Bill
list at 2:15. We have held it open now until the hour of
4:00 p.m. The Chair will now close the ability for you to
change your votes. We would tabulate this and announce the
results when we're finished. Mr. Clerk, we're on House
Bill 2057. Read the Bill."

Clerk Leone: "House Bill 2057, a Bill for an Act to amend an Act
in relationship to the Public Utilities Act. Third Reading
of the Bill."

Speaker McPike: "Representative Giorgi. Representative Currie.
Representative Currie will handle the Bill. It's her
Amendment. Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. We
amended this Bill so that all the Bill does is to provide
the opportunity for telephone consumers to check off
additional money at their own discretion and in their own
voluntary generosity to help low-income people access

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telephone services. The Bill provides that the Illinois Commerce Commission will organize the program so that we can be sure that dollars that come into the telephone companies for this purpose are able to access federal funds under the Link Up II program. I'd appreciate your support for the proposal, and I'd be happy to answer your questions."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Lang 'aye'. Have all voted who wish? The Clerk will take the record. On this Bill there's 112 'ayes' and no 'nays'. House Bill 2057, having received a Constitutional Majority, is hereby declared passed. House Bill 2488, Representative Levin. Read the Bill, Mr....House Bill 2643, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2643, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a committee Bill which is intended to be a vehicle if we can reach agreement on the rewrite of the telecommunications. There's been substantial negotiations. Those negotiations are continuing and by passing this Bill out at this point those negotiations can continue over in the Senate. So I would just ask for the adoption of House Bill 2643. At this point it is a vehicle."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Okay, is this the vehicle for the rewrite of the Telecommunications Act?"

Levin: "Yes."

Wennlund: "Didn't we pass another one out?"

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Levin: "Pardon?"

Wennlund: "Did we pass another one out?"

Levin: "There were two that were...that we let out of the Public Utilities Committee. This is the committee Bill which is intended to be the primary vehicle. There was a second one as well."

Wennlund: "Thank you. Thank you."

Speaker McPike: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. My question was the same as Representative Wennlund."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 111 'ayes' and no 'nays'. House Bill 2643, having received a Constitutional Majority, is hereby declared passed. Real Estate...Transportation, Third Reading. Appears House Bill 5, Representative Trotter. House Bill 153, Representative Matijevich. House Bill 5, Representative Trotter. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 19 of the Calendar. House Bill #5, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker and Members of the House. House Bill 5 is a consumer protection Bill that closes the loophole in the present statute that literally makes a large portion of our community criminals. This legislation will modify the Class B license that does not allow an individual to drive a two-axle vehicle up to 26,000 pounds when the driver is operating the vehicle to transport their own personal belongings. In the past few weeks, we had a concerted effort in trying to le...alleviate some of the concerns and some of the fears

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that some of the people on this floor have had, and I think we've been able to do that. I've talked with Members from the Secretary of State's office. There is still one small problem with the Bill that they said they will work out in the Senate if we can get it passed out of this chamber, and I would like a positive Roll Call."

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

Wennlund: "Thank you. Just for a question. Has the Secretary of State's office signed off on the Bill, Representative Trotter?"

Trotter: "They have signed off on it, of sorts, to whereas there is a small point that has not been cleared up, but they said they are willing to let the Bill go pass on to the Senate, and we have said that we would agree to hold it in committee until they have finally finalized all their problems."

Wennlund: "Fine, thank you very much."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there's 109 'ayes' and no 'nays'. House Bill 5, having received a Constitutional Majority, is hereby declared passed. Under Professional Regulation appears House Bill 1364, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1364, a Bill for an Act to amend the Structural Engineering Licensing Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. 1364 addresses the provisions that provide for a...an individual who graduated from an ins...an engineering...who graduated from an engineering

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school before the Licensure Act was adopted or certification was provided to the school. What this provision does is very narrowly establishes for one individual who was an engineer working for the State of Illinois, Department of Transportation, Willard Hoffman Engineering, and now with a county health department, the opportunity to take the civil engineer...the professional engineer examination. That's all the Bill does, and I ask for its passage."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there's 110 'ayes' and no 'nays'. House Bill 1364, having received a Constitutional Majority, is hereby declared passed. House Bill 2139, Representative Phelan. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2139, a Bill for an Act to amend the Cemetery Care Act. Third Reading of the Bill."

Speaker McPike: "Representative Phelan."

Phelan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House."

Speaker McPike: "Is this your...is this your first Bill, Sir?"

Phelan: "Yes, Sir. It's my first Bill."

Speaker McPike: "Proceed."

Phelan: "House Bill 2139 amends the Cemetery Care Act and requires the purchasers of cemeteries to keep up all existing agreements. Currently if a privately owned cemetery is sold, the new proprietor is responsible for the continued care of the cemetery, however, nothing requires the owner to honor the exact agreement between the former owner and any other owners holding a grave, lot, or a crypt, but Ladies and Gentlemen, I had a situation in my district where a mom and pop purchased 25 years ago a final

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arrangement package, and dad passed away five years subsequent to that and the final arrangement was honored. Mom passed away last March, and her daughter was informed by the undertaker that there was a need for \$1,500 more in order to have the final arrangements honored, and I just think that's a travesty when you suffer the loss of a loved one and you need to come up with some more money before you can institute this. I would ask for a favorable vote."

Speaker McPike: "The Gentleman moves for the passage of the Bill. Representative Novak."

Novak: "Yes, Mr. Speaker. Would the Sponsor yield?"

Speaker McPike: "Yes."

Novak: "Representative Phelan, is this your first Bill?"

Phelan: "Yes it is, Representative Novak."

Novak: "Well, I've got a question concerning the Bill. You talked about the Cemetery Act. This is in your district, correct?"

Phelan: "It's in my district."

Novak: "Well, how will this Bill affect voter turnout in the 1992 election?"

Phelan: "Well, this particular lady will not vote."

Novak: "Well...well, has it been known that certain cemeteries in the 23rd Ward vote?"

Phelan: "We...we always abide by the rules and regulations of proper voting in the 23rd Ward, Representative Novak."

Novak: "Well...well, one more thought. I think this postcard...this postcard registration might do real well in...if you could tie this into the Act but I just had..."

Phelan: "I believe the particular individual has already been deleted from the rolls."

Speaker McPike: "Representative Matijeich."

Matijeich: "Would the Gentleman yield to a question?"

Speaker McPike: "Yes."

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Matijeich: "I see under the...under the Bill it would provide that all persons holding instruments would also require a new owner to honor these instrument...what type of...you know, you don't define instruments under the Bill. Would you tell...are these band instruments? What type of instruments are we talking about?"

Phelan: "Well, Representative, I believe the...the terminology in the Bill as instruments would be the final arrangement package which would include embalming."

Matijeich: "I didn't hear that. In...including what?"

Phelan: "Pertaining to final arrangements. This...this particular package included...included a tombstone, embalming."

Matijeich: "Well, you know, cemeteries...this...you know, that means something that's...somebody who is passed...I just wonder if the Issues Staff didn't give you a Bill that they thought was going to 'die' and wanted your first Bill to die. Is...could that be a possibility?"

Phelan: "I hope not, Representative."

Matijeich: "Well, Jim, you do a good job. I'm all for you. We...we're going to give you a vote sometime before this Bill is killed."

Speaker McPike: "Representative Shirley Jones."

Jones: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Jones: "When they said, 'instrument', they were saying the reason why they didn't want women in this cemetery, is that the reason?"

Phelan: "Representative Jones, I believe the...the cemetery will accept everybody."

Jones: "Well, what happened to the lady that you were talking about? They didn't want to accept her?"

Phelan: "No, they didn't."

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Jones: "She didn't have her instrument?"

Phelan: "She didn't have enough money."

Jones: "Oh, okay. Well, I think all the Ladies in this House shall vote 'no' on this Bill because since we don't have enough money to get buried, I think we all should vote 'no'. Thank you, Sponsor..."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "Yes, Representative Phelan, what happens when the guy holding the instrument is the guy who's buried there in the cemetery? How are you going to notify him?"

Phelan: "What was that, Representative?"

Wennlund: "I said, what if the guy holding the instrument is the guy who's buried there in the cemetery? How are you going to notify him?"

Phelan: "Notify him?"

Wennlund: "Yeah, how are you going to notify him if he's the guy who's buried there?"

Phelan: "Well, I have...I have an Amendment to be considered that will be added on in the Senate that..."

Wennlund: "What's that going to do? How's that going to provide that...that...that to notify the guy who's buried there in that cemetery?"

Phelan: "Well, they'll have to notify his family."

Wennlund: "What if he doesn't have any family? He's the guy that's holding the instrument. Representative...Matijevich pointed out that...oh...can he vote, too? Well, if...now let me get this straight. You're going to amend it in the cemet...in the Senate to provide some method of notification to the guy who holds the...what's it called here...the instrument issued. He's buried there."

Phelan: "Well, I believe instrument in the definition of the Bill

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means that your family would be notified if the cemetery changed hands."

Wennlund: "Well, now I don't want to dig up a lot of dirt about this Bill, but...but, I'm really concerned about a couple of things. One of them is, has the Cemetery Association signed off on this Bill?"

Phelan: "The Cemetery Association is in agreement with the Amendment that will be added on in the Senate."

Wennlund: "How...how...how about the embalmers?"

Phelan: "I haven't contacted any embalmers."

Wennlund: "Have the...have the funeral directors signed off?"

Phelan: "I...I would have to yield to Representative McGann."

Wennlund: "Alright. Well, I see it's...it's actually not a very...very clean Bill. Now if the...if...is it the notification...is it in writing?"

Phelan: "The notification of a cemetery sale?"

Wennlund: "The notification to the instrument holder."

Phelan: "Well, as..as it is now, it's in writing."

Wennlund: "What if it gets lost? What happens?"

Phelan: "Well, I had a provision it would be sent by certified mail."

Wennlund: "Okay, but now the certified mail might up...might end up in the dead letter box. Alright, I think I'll ask all the colleagues on both sides of the aisle that we really ought to bury this issue once and for all. Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes."

Black: "Representative, just something I need for the record. This Bill needs to be amended, and I think you have agreed with those parties that you will amend the Bill when it gets to the Senate. Is that correct?"

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Phelan: "Yes, Representative Black...with the Cemetery Association."

Black: "Thank you very much. Assuming that it lives to get to the Senate, thank you."

Speaker McPike: "Representative Phelan to close."

Phelan: "Ladies and Gentlemen, I would ask for a favorable Roll Call."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Phelps 'aye'. On this Bill there are 113 'ayes' and no 'nays'. House Bill 2139, having received a Constitutional Majority, is hereby declared passed. House Bill 153, Representative Matijevecich. On the Order of Transportation. John Matijevecich, do you want to call 153? No. Out of the record. House Bill 519, Representative Steczko. House Bill 597, Representative Kulas. House Bill 1183. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1183, a Bill for an Act to amend the Toll Highway Act. Third Reading of the Bill."

Speaker McPike: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like to present House Bill 1183. As far as I'm concerned this Bill doesn't do anything. That's why we should send it to the Senate."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 78 'ayes' and 22 'nos'. House Bill 1183, having received a Constitutional Majority, is hereby declared...Santiago, 'aye'. Representative Balthis, 'no'. On this Bill there are 79 'ayes'...Representative...who wants...Representative Matijevecich?"

Matijevecich: "I was in the middle of something, and I want to be

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recorded 'no' as you might guess."

Speaker McPike: "No? Representative Matijevich 'no'. Representative Obrzut, 'no'. Representative Hensel, 'no'. On this Bill there are...Hensel 'no'. On this Bill there are 76 'ayes' and 26 'nos'. House Bill 1183, having received a Constitutional Majority, is hereby declared passed. Revenue, Third Reading. House Bill 298, Representative Mautino. House Bill 1102, Representative Currie. Representative Mautino, 298. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 298, on page 31 of the Calendar, a Bill for an Act to amend the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the legislation that provides for contiguous enterprise zones to establish...to allow for the sales tax exemption at the local level when they are contiguous by definition being together, not separated by property. Also the Amendment that Representative Hartke placed on this Bill would address the question...I'll get to that, too...address the question of households and the authorization of who is eligible for that tax exemption which the intent is for commercial, industrial as opposed to homeowners, in that regard. This is on Postponed Consideration. We're bringing it back, and we have agreed with the Department of Revenue for an additional Amendment which would provide an agreement between the two contiguous zone operators, or zone program managers, before this would take effect. Since the Bill was called before that Amendment's up, I agree along with Representative Hartke as well, that we will accept the Department of...the Revenue...the Department of Revenue drafted Amendment in

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the Senate if this Bill were to pass. That's basically where we are, and we ask for your acceptance and assistance."

Speaker McPike: "Representative McGann."

McGann: "Yes, Mr. Speaker. I would ask that the Sponsor of House Bill 298 take it out of the record for a little bit and respectfully ask him that we discuss this matter because we've had this before. It was voted on. It lost. It was put on Postponed Consideration. I would ask the Representative take it out if he could."

Mautino: "Sure. What do you want to talk about? I'll take it out with the understanding it come right back to in a few minutes."

Speaker McPike: "Yes. We will return to the Bill in a few minutes. The Bill's out of the record. Representative Currie, House Bill 1102. 1109, Representative Giorgi. 1429, Representative Keane. Read the Bill, Mr....no, wait a minute. Giorgi's here. 1109. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1109, a Bill for an Act to amend the Charitable Games Act. Third Reading of the Bill."

Speaker McPike: "Mr. Giorgi."

Giorgi: "Mr. Speaker, this is the Bill that allows downstate communities to use halls other than the licensed hall under the supervision of the Department of Revenue for Las Vegas nights and charitable night games."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there's 101 'aye', 3 'nos'. House Bill 1109, having received a Constitutional Majority, is hereby declared passed. Repres...Representative Keane, House Bill 1429. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 1429, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker McPike: "Mr. Keane."

Keane: "Thank you, Mr. Speaker. This Bill proposes to make the following changes in regard to that portion of a financial organization's business income where it involves interest and dividends. Interest and dividends from Illinois...from Illinois customers received within Illinois shall meet...will be considered interest and dividends. Interest charged to customers within Illinois, without deduction of any cost incurred thereon. In other words, this financial organization business income is taxable to the extent that interest and dividends were accounted for as received from Illinois customers regardless of the source or sources outside of Illinois from which payments were made. There is...at the present time, the Department of Revenue tells us that we don't know whether this is a...will be a net or positive increase to revenue. I discussed it with...I've discussed it today with the Director of Revenue and indic...asked him to make some input and also join us on this policy in making this policy decision. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 112 'ayes' and no 'nays'. House Bill 1429, having received a Constitutional Majority, is hereby declared passed. House Bill 2190, Representative Currie. House Bill 2579, Representative Hoffman. Read the Bill, Mr. Clerk. We're on Hoffman, 2579."

Clerk Leone: "House Bill 2579, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Hoffman."

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Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill addresses the situation if and when the Persian Gulf veterans get back and are given bonuses for their service to the...to our country and to the State of Illinois that they will not be charged or will not be charged income tax on those bonuses. I think it's the fair thing to do. I think it's the right thing to do. We...we owe it to them for what they have done for us, and I ask for an 'aye' vote."

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

Kubik: "A question of the Sponsor, please."

Speaker McPike: "Yes."

Kubik: "Representative Hoffman, are there any Amendments attached to this Bill at this point in time?"

Hoffman: "No."

Kubik: "So in other words Amendment #1, 2, and 3 were not adopted?"

Hoffman: "Not that I know of. No."

Kubik: "Okay. Thank you."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 108 'ayes' and no 'nays'. House Bill 2579, having received a Constitutional Majority, is hereby declared passed. Now returning, Representative Mautino, are you ready? House Bill 298. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 31 of the Calendar. House Bill 298, a Bill for an Act to amend the Retailers Occupation Tax Act. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the Bill we had just a few moments ago, and I believe that Representative McGann now is...has sufficient information that we will accept the Amendment

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that will be provided by the Department of Revenue on the question of the contiguous enterprise zones. We'll have to do that in the Senate, and I'd be happy to answer any questions."

Speaker McPike: "Representative McGann."

McGann: "Thank you...thank you, Mr. Speaker and Members of the Assembly. I spoke against this House Bill 298 on its previous presentation before this Assembly. I still have some very great concerns, but I believe that Representative Mautino is going to try and work with the Department with an Amendment at the same time, hopefully, to prevent any loss of income from the sales tax in these enterprise zones throughout the state. So I'm satisfied, and at this time I'll be prepared to support House Bill 298."

Speaker McPike: "Representative Klemm."

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

Speaker McPike: "Yes."

Klemm: "Representative, I was wondering, as long as we have...you're working with the Department, are they unable to get the Amendment to you so that we could bring it back to Second Reading, understand what the Amendment is, and then move it on?"

Mautino: "That's basically it. The problem is it's not here you wanna call Bills. There's a whole bunch of them coming up next week. We're...we're going to accept the Amendment. It will be provided to the Senate. Sue has agreed to draft it, and we'd like to get it over there."

Klemm: "Well, I was just curious because we have all next week, and if it's that important, and Representative McGann's got some genuine concern, I thought maybe it would be better if we had the Amendment, put it on, and then move it on out with the assurance that we'd know what we're doing because obviously we're going to get it back with quite

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a...probably quite a bit more put on that Bill than what we are anticipating."

Mautino: "I'm not going to accept anything else, Representative Klemm. If that..."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker McPike: "Proceed."

Kubik: "Representative, you have...you're agreeable to what the Department is proposing with regard to...to the agreement among the communities with regard to this...this provision?"

Mautino: "Yes."

Kubik: "And my, I...I...I guess, you know, it still gets back to, we've got a whole week next week. Why can't we...we wait and...and we'll certainly, with that Amendment on it, certainly makes it a lot easier for some people to vote for that Bill. Without that Amendment on it, it's going to make it a little more difficult for our side to support that...that particular piece of legislation. So, you know, I...I...I understand you want to move the Bill, but...but I think it would be...it would make it a lot easier in terms of setting precedent, and there are some who are genuinely concerned about municipalities being forced to have to accept...give up that sales tax without...without an agreement."

Mautino: "Well, the...the big part about this is the two municipalities involved, the City of Peru and the City of Spring Valley, is the two individual enterprise groups that brought this to me. There is no disagreement between those two municipalities involved in the enterprise zone, but, Jack, I'll tell you something. I've been here for about 20 years. Anybody that tells me that we've got a lot of time next week to do something as minor as this is not being

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realistic, I'm sorry to say. Everybody knows there's going to be a big crunch next week, and your side of the aisle's going to have about six or seven Caucuses, and we're going to have one or two, and I think it's unfair for you to think that, to anybody in this House, that there's a lot of time to do anything by the 24th of May. I really...I really find that unacceptable."

Kubik: "To the Bill, Mr. Speaker."

Speaker McPike: "Yes, proceed."

Kubik: "Well, Representative, we've got tomorrow. We've got next week. You put this Amendment on, it's not going to take that long to do it. You're asking us to vote on a Bill and...and...and support a Bill that...that we know in its final form we...many of us can support, and...and...and probably would like to support, but we don't have that Bill in front of us. We have a different Bill, and so from your side, you're asking us to support a Bill that you think will materialize in the Senate. All we're asking is, we'd like to vote on a Bill which you agree should be in that form, and...and I think we've got a week. We'll be happy to help you get it called. I don't know how much...how much help we'll get in that regard, but we'll certainly help you get it called. All I'm asking is, we'd like to vote on this in its final form, and until we do that I stand in opposition to the Bill."

Speaker McPike: "Representative Virginia Frederick."

Frederick: "Thank you, Mr. Speaker. I also rise in opposition to this Bill, House Bill 298. It seems to me that this flies in the face of the intent of the Sales Tax Reform Act of two years ago when we all spent so much time and worked so hard to pass. With this Bill we are beginning an exemption to the sales tax which only opens the door, in my opinion, to other exemptions and puts us right back where we were

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several years ago before we passed the standardized sales tax. I think a 'no' vote is a correct vote on House Bill 298."

Speaker McPike: "Representative Giglio."

Giglio: "Will the Gentleman yield?"

Speaker McPike: "Yes."

Giglio: "Representative Mautino, is this pertain just to downstate? Does it have anything to do with Cook County?"

Mautino: "I don't know of any other contiguous enterprise zones that are in two counties that this Bill addresses in the State of Illinois. I don't know of any other."

Giglio: "You...you don't. Does it pertain to anything in Representative Hartke's area? Would it pertain to his, too?"

Mautino: "We have his Amendment on the Bill, yes. His Amendment has to do with household exemption which was removed if you happen to have a home within an enterprise zone."

Giglio: "So it doesn't pertain to anything in Cook County. Well, it says...coming from Cook County I'd be happy to support some of my colleagues for something that they want for downstate."

Speaker McPike: "Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. This Bill affects my area to a great extent, and the enterprise zones in my area are not contiguous, and we need this Bill. It's not a new tax. It is no...has nothing to do with the tax reform that we did on sales tax the last two years. That tax is presently there. It just allows the person to use it on a different location. It's not a new tax. It's not a different tax or reform. It just lets a person in small communities that do not have the suppliers of these materials to be taken advantage of, and it's destroying the enterprise zone programs in areas especially the small communities that

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have these enterprise zones. This Amendment isn't going to affect what my Amendment does. The Amendment that Revenue is offering is not going to affect what my Amendment leaves in this Bill, and I'm not...I don't think I'm for the Amendment that Revenue wants. You're hurting the small man. You're hurting the small municipality, and this is going to come back to haunt everybody in this room that's got an enterprise zone. When they start calling you, these contractors, and asking you why they're paying \$17,000-\$18,000 in sales taxes sold when they billed in an enterprise zone, just because they didn't have a place to purchase it, they get a little bit disturbed when they found out that Chrysler and Mitsubishi put a false store front up and robbed us out of millions of dollars worth of sales tax. Now, if you're going to let the Japanese and Chrysler get all this money, you better start taking care of the small contractors and the small companies that are in these enterprise zones. It's not fair to strangle these little agencies."

Speaker McPike: "Mr. Ackerman."

Ackerman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. I completely agree with what the previous speaker said. There are some small enterprise zones in downstate Illinois that would not be able to take advantage of the tax advantages allowed by an enterprise zone, and this would certainly help them. So, thank you."

Speaker McPike: "Representative Mautino to close. The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there's 91 'ayes' and 22 'nos'. House Bill 298, having received a Constitutional Majority,

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is hereby declared passed. Veterans, Third Reading. House Bill 249, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 249, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "Mr. Speaker, I think this is embodied in another Bill, and so it's an Agreed Bill with the Secretary of State, so please take this Bill out of the record."

Speaker McPike: "Should this Bill go in the Interim Study?"

Hartke: "Absolutely."

Speaker McPike: "Would you fill out a slip and get the Bill off the Calendar?"

Hartke: "Absolutely."

Speaker McPike: "Thank you. House Bill 493, Representative Curran. 493, Personnel Code. Read the Bill, Mr. Clerk. 493."

Clerk Leone: "House Bill 493, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 493 is aimed at helping the returning veterans from Operation Desert Storm. It extends an examination preference to active military personnel serving during this time, and I don't think there's any controversy here. I'd be glad to answer any questions. I move for a favorable Roll Call."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there's 109 'aye'...110 'ayes', 1 'no'. Schakowsky 'aye'. On this Bill there's 111 'ayes', no 'nays'. House Bill 493, having received a Constitutional

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Majority, is hereby declared passed. House Bill 614,
Representative Walsh. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 614, a Bill for an Act to amend an Act
concerning veterans. Third Reading of the Bill."

Speaker McPike: "Representative Walsh."

Walsh: "Mr. Speaker and Members of the House. This Bill corrects
a problem in relationship to the veterans homes located in
Mantino, in Quincy and in LaSalle where they're not
receiving a spousal entitlement provision. With this Bill
there will be a spousal entitlement provision provided to
the veterans so they will be able to get into the veterans
facilities as easy as they can get into a...as well as they
can get into a regular nursing home. I'll be happy to
answer any questions."

Speaker McPike: "Representative Wennlund."

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

Speaker McPike: "Yes."

Wennlund: "It's my understanding from the Department of Veterans'
Affairs that it will cut revenue to the veterans homes by
just under a million dollars."

Walsh: "Well, we're not planning on cutting anything.
What...what this does, Representative, is just...it's
a...it's a money move. There's no question about that, but
it's moving which pocket are you going to take it out of
from the standpoint of these people receiving benefits. If
they go into a normal nursing home facility and qualify
under the spousal impoverishment clause of Public Aid,
they're going to receive the same services they're going to
get here. What we're doing with them is making the
provision for the veterans so they can fit into this
category and be covered as they should be and as everyone
else is under the new spousal impoverishment entitlement
programs that are provided by the Illinois Department of

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Public Aid."

Wennlund: "So, this...this would reduce the amount that...that the veterans would have to pay because they can give 50% of their assets away to their spouse?"

Walsh: "That's correct. They'll still be charged the same, but they'll be able to have this spousal impoverishment provision."

Wennlund: "They're not charged the same. In fact, according to the Department of Veterans Affairs, if the, under the new formula, 50% of the income could be transferred to the spouse, and the veteran keeps the first \$80 of monthly income, 90% of the remainder up to \$929 goes towards the cost of the care. So they're not paying the same. Is that correct?"

Walsh: "Well, the charge...the charge is basically the same. It's just the ability of the veteran to pay, that's all. If they...if they can pay, they're going to be required to pay. If they can't pay, then this is what goes into effect. That's the object of the Bill, is to place them in the same provision under the same type of provision as the Illinois Department of Public Aid places all Public Aid recipients who fall under the spousal impoverishment clause which is \$67,500, I believe, in their instance."

Wennlund: "But the bottom line is is that...that the...the veterans going to have the ability to transfer 50% of his income to the spouse so that lowers the amount that would be going to the veterans home."

Walsh: "Well, the basic bottom line is...is just, you know, which...which pocket are you going to take it out of? It's the state that's paying this. No matter what happens it's...it's a state funded situation no matter whether this person is...this veteran is going to be in a veterans care facility or whether they're going to be in a private pay

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nursing home where the veterans going to be involved in the process of...of collecting under Public Aid."

Wennlund: "Thank you. To...to the Bill. It's my understanding that there's still hundreds of veterans that are trying to get into these veterans homes and because of the allowance of 50% of the income to be transferred to the spouse there's just not simply going to be enough room and the...the Department of Veterans' Affairs opposes this because...because of this serious problem."

Speaker McPike: "Representative Walsh to close."

Walsh: "What we're doing here is allowing the veterans the benefits that everyone else in this state is going to be eligible to receive and, in so doing, we're making sure that they're covered, and it's a veterans benefit. We're not denying that. It certainly is a veterans benefit, and that's what it's entitled for. I appreciate a 'yes' vote."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 70 'ayes', 28 'nos'. House Bill 614, having received a Constitutional Majority, is hereby declared passed. House Bill 847, Representative Burke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 847, a Bill for an Act in relationship to the Persian Gulf veterans. Third Reading of the Bill."

Speaker McPike: "Representative Burke."

Burke: "Yes, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 847, I believe, provides a unique opportunity for us in the House of Representatives to demonstrate our appreciation to Illinois service men and women as we welcome home our returning Persian Gulf veterans. This state has followed a precedent set after World War I in compensating veterans who served in active military

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campaigns. The State of Illinois has sent to the Persian Gulf approximately 20,000 of its citizens. This Bill asks that we provide \$300 to each of these brave men and women as a token of our appreciation and esteem. The total cost of this Bill will be \$6 million. The funding mechanism for it will be a dollar surcharge on rental vehicles in the State of Illinois. We believe that the entire compensation Act will be funded in approximately two years, and I would ask for your favorable consideration of this Bill."

Speaker McPike: "Representative Matijeich."

Matijeich: "Yes, Representative Burke. There was a lot of noise going on. Would you tell us how this...would you tell us..."

Speaker McPike: "Give the Gentleman some attention."

Matijeich: "...how this is going to be funded, of what cost it is, and...and how the revenues will be produced?"

Burke: "Yes, Representative. The cost of the Compensation Act would be approximately \$6 million. It's estimated that 20,000 Illinois residents served in the Persian Gulf. We're asking the funding mechanism to be a dollar surcharge on rental automobiles in the state."

Matijeich: "Has...has anybody made an estimate whether the surcharge for rental automobiles will produce the revenue you feel is necessary?"

Burke: "The Secretary of State tells us that there are 55,000 rental vehicles licensed in Illinois. If we were to look at the...full program being 365 days a year, the fund would generate \$28 million in one year. We're asking for six."

Matijeich: "Is this rental of...you know, what vehicles are we talking about? Are we talking about military vehicles or mini-vans or scooters or motorcycles or what types of vehicles? My...my son used to have a bicycle. He started

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with a three wheeler. Are three wheeled bicycles involved?
What...what type of vehicle are we talking about?"

Burke: "Representative, we're talking about motor vehicles licensed by the Secretary of State as rental vehicles in Illinois."

Matijevich: "Well, I've been approached by the rental automobile lobbyists. You probably, being a newcomer, haven't met them yet. Have they taken a position on this Bill?"

Burke: "I have spoken to the lobbyists for the rental people and they did have some concern, but it didn't seem to be too severe, and I have, myself, spoken to owners of automobile rental companies, and they have no objection as long as the legislation doesn't interfere with competition."

Matijevich: "Well, Mr. Speaker. I am having a hard time getting this fellow to buckle. He's doing a hell of a job. So, he's done his homework very well, and I'm going to support him, and, in fact, he had a tougher Bill than this that I thought was going to be his first Bill, but he's done real well, and I'm going to support him after I consider it for a while. Thank you."

Speaker McPike: "Representative...Representative Stange."

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

Speaker McPike: "Yes."

Stange: "Representative Burke, does the veterans from Vietnam have this going for them right now?"

Burke: "The veteran from Vietnam was provided \$100 compensation by the state."

Stange: "I...I...I didn't hear you. I'm sorry."

Burke: "Vietnam veterans were provided \$100 in compensation by the State of Illinois."

Stange: "And now the Persian Gulf veterans are going to be getting \$300?"

Burke: "Pardon me, Representative, I didn't hear your question."

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Stange: "Okay. You're saying the veterans of Vietnam received \$100 per month..."

Burke: "Yes, Sir. That's correct."

Stange: "...and now Persian Gulf veterans are going to get \$300?"

Burke: "We are asking for \$300 in view of the fact of the increase in the cost of living. So we have factored that in, and at this point we're asking for \$300."

Stange: "Okay, we're talking about \$6 million dollars here. That's just for the Persian Gulf. We're talking about \$6 million. Is that correct?"

Burke: "That's correct, Representative."

Stange: "Just for the Persian Gulf veterans?"

Burke: "That is correct."

Stange: "And not the Vietnam veterans?"

Burke: "Representative, as I just answered, Vietnam veterans were provided \$100 in compensation at the time that they returned, and they are discharged from active military duty."

Stange: "I think we all appreciate what you're doing for the veterans for the Persian Gulf. I really do, there's problems with this Bill. The first problem is the State of Illinois does not have \$6 million, number one. As we saw downstairs on the...in the Capitol, all the homeless. We voted on \$300 million for the hospitals yesterday, the recipients from Public Aid. The state has no money. A week ago the state checkbook supposedly was \$8.75. A balanced General Revenue Fund? This is going to be a brand new tax for the state, for the used cars...or for the new cars. Is that correct?"

Burke: "That is not correct, Representative. This is a tax, a dollar surcharge...dollar surcharge on rental vehicles in Illinois."

Stange: "Okay, a surcharge...I'm sorry, a surcharge is not a

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tax?"

Burke: "It is a tax, indeed."

Stange: "But you said something different than that."

Burke: "Okay, this...this is going to be a tax...it's a surcharge, and that is a tax."

Stange: "And it will be a new tax?"

Burke: "That is correct."

Stange: "To the Bill...to the Bill, Mr. Speaker. Again, like I said, I appreciate what Representative Burke is trying to do for the Persian Gulf veterans. We have to look at the whole state economy on this particular Bill like we have to watch on all the other Bills that we've been voting on for the last several months. We have to realize that the state does not have \$6 million at this time. We also have to realize the people of Illinois are fed up with any new taxes, surcharges, or whatever. I recommend to my side of the aisle voting 'no' on this particular Bill, not against necessarily the veterans but we have to be conservative on where we're spending our money, with a tax or without a tax or without a surcharge or with a surcharge."

Speaker McPike: "Representative Robert Olson."

Olson: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker McPike: "Yes."

Olson: "Representative Burke, I am not talking about the compensation side of your Bill, I'm talking about the funding side of the Bill. I believe you said \$6 million were required."

Burke: "That's correct, Representative."

Olson: "And you also said that in one year this tax, based on certain projections, will bring in \$28 million?"

Burke: "I had suggested if every vehicle was assessed a surcharge were rented every day of the year, that would generate \$28 million."

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Olson: "Okay. If I remember your Bill in committee, we ran questioning and answers along this same line, and I suggested that you amend your Bill to terminate this surcharge tax when the \$6 million was in the bank, and I believe that you responded to the affirmative that you would pursue that initiative."

Burke: "Yes, Representative, and that is, indeed, part of this Bill."

Olson: "Is that in the Bill, now?"

Burke: "Yes. Yes, Sir."

Olson: "And it will terminate after the \$6 million is...is...is collected?"

Burke: "Yes, Sir. There is a sunset clause...sundown clause, and that is incorporated in the Bill. When the money has been generated, the tax will stop."

Olson: "So it's...it's...so, it...it's then, Representative Burke, so then you could say this is a temporary surcharge?"

Burke: "Yes, Sir. Temporary surcharge, until \$6 million has been generated."

Olson: "On that premise..."

Burke: "And we guess...the guess is about a year and a half."

Olson: "On that premise I will support your Bill, but if this does not happen that way, I would think it would come back to haunt you. I would encourage those that come back to haunt you that this is a permanent surcharge tax, but we're now on record that it does sunset."

Burke: "Mr. Speaker, I'd ask at this moment that this be taken out of the record."

Speaker McPike: "Alright. The Gentleman takes the Bill out of the record. House Bill 2066, Representative Turner. Mr. Turner? Okay. Out of the record. Under Health Care...Health Care, Second Reading. Representative Phelps.

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Mr. Phelps? Health Care, Third Reading. Mr. Sieben.
House Bill 222. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 222, a Bill for an Act to amend the
Hospital District Law. Third Reading of the Bill."

Speaker McPike: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 222 amends the Hospital District Law.
This law would...this Bill would allow hospital districts
in the state if the residents of that hospital district
chose, they could, by petition and referendum, choose to
elect the directors of that hospital as opposed to the
current law now that hospital district directors are
appointed by the county board. A very simple Bill,
permissive language, does not require any change. It only
allows a process by which the residents of a hospital
district, by petition and referendum, may choose, if they
select, to select their hospital district directors under
this system, and I would move for the passage of House Bill
222."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in
favor vote 'aye', opposed vote 'no'. Have all voted? Have
all voted who wish? Have all voted who wish? The Clerk
will take the record. Matijevich 'aye'. On this...Phelps
would like to change from 'aye' to 'no'. I don't know
what...Representative Hartke."

Hartke: "Thank you, Mr. Speaker, Members of the House. I think
that this is one of the Bills the Hospital Associations
were just down here and many of the directors of the local
hospitals were somewhat objectionable to this Bill, and I
just want to remind them of that fact."

Speaker McPike: "Mr. Clerk, McPike 'no'. Madigan 'no'.
Representative Tony Young, for what reason do you rise?"

Young: "Explain my vote."

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Speaker McPike: "Proceed. We have a lot of people that would like to change their votes. Representative Balanoff, 'no'. Representative Trotter, 'no'. Representative Dunn 'no'. Mr. Sieben, would you object if we dumped the roll call and take another roll call?"

Sieben: "Mr...Mr. Speaker, it appears to me that a lot of people weren't maybe paying attention as the Bill was presented. Maybe I should represent the Bill, and those people that have a question or would like to acknowledge..."

Speaker McPike: "That's fine."

Sieben: "...the hospital associations, we could represent the Bill."

Speaker McPike: "Fine. So we'll dump the roll call, Mr. Clerk. Alright. The Bill has been read a...a third time. The Gentleman would like to explain the Bill again. Mr. Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The hospital district does have some objections to this Bill...the Hospital Association...but the Bill is a very simple one, and it...it goes to the basic root of the question of whether you feel that the members of a hospital district can choose to elect their designated directors on a hospital board. The Bill does not require any changes. There are currently...currently in the State of Illinois, I believe, there are 18 hospital districts that function under district law. There are four different types of public hospitals: city hospitals, county hospitals, district hospitals. I happen to represent a hospital district in Geneseo, and the residents in that district feel that they should have a choice to select their hospital directors since the hospital district directors can levy a tax. It's the feeling of the residents or the constituents in my district since they are subject to a tax

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by the hospital district...hospital district board...that they should have the opportunity to select the directors on that hospital board. Under the current statutes, hospital district directors are appointed by the county board. So the county board appoints those hospital district directors. What this Bill says is that the residents of a hospital district may choose by petition and referendum...there is a process by which they can change the system by which their directors are selected to change to an elected form of hospital director rather than the appointed system. I'd be happy to answer any questions you have or answer the questions that the Hospital Association has presented to you in the paper that they passed around on this Bill."

Speaker McPike: "And on the Gentleman's Motion on 'do pass', Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Representative yield for a question?"

Speaker McPike: "Yes."

Phelps: "Representative Sieben, first of all let me commend you for allowing to take this back. Some of us were not here listening to debate, and I apologize for your delay. My question is in response to a situation where a...a county has jurisdiction over the hospital...has inherited that perhaps as a county hospital, and that county...that...that unit of government has jurisdiction over the well-being and direction of that hospital. They are elected officials. Now, how would this work? Would it unseat those members as being the authority over that if...or does a petition referendum undercut their authority or how does that work?"

Sieben: "Well, the first question you have to answer, 'Is the hospital organized under the Hospital District Law, or is that hospital operating under the County District Law?'"

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Phelps: "I would think there would be two different...both situations could...if you could possibly address."

Sieben: "Okay. If, let's say it is a hospital district, and that's all this Bil does is deal with hospital districts that operate under district hospital law. If this Bill took effect, then what would happen is that the residents of that hospital district would vote to elect the new hospital directors. It would have nothing...it would just say that we will no longer go to the county board and ask them to appoint our directors for us."

Phelps: "Okay. Thank you for answering that. Now, if it's a hospital district, I take it you're talking...it's a taxing district. It levies taxes."

Sieben: "That's right. District hospitals levy taxes as part of their means of support."

Phelps: "Okay. If they levy taxes like a library district, a fire district, or any other district, would they not already have the right to petition a referendum to elect their board members?"

Sieben: "Under current statute they do not have that right."

Phelps: "They're completely excluded from that now you're saying?"

Sieben: "That's correct."

Phelps: "And that's what you're trying to accomplish?"

Sieben: "That's what I'm trying to accomplish."

Phelps: "Okay. Thank you very much."

Speaker McPike: "Representative Anthony Young."

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

Speaker McPike: "Yes."

Young: "Now, under your proposal...how...no, currently how are these directors appointed?"

Sieben: "Under current law hospital district directors are appointed by the county board, by the chairman of the

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county board."

Young: "And how is the county board or the chairman of the county board appointed or selected?"

Sieben: "Well, what's been happening in my district is the people involved with the hospital, the current members of the hospital board, on the administrator of the hospital would make some recommendations to the chairman of the county board and the chairman of the county board would normally select those people that were recommended to serve."

Young: "Well, my question was regarding the actual...the county board chairman. How is he selected or appointed?"

Sieben: "How is the county board chairman...he is selected by the members of...once he's elected as a member of the county board, then the county board votes and elects somebody to be their chairman."

Young: "Right. The point I was making, Representative, is that the person who, or the body that, appoints this hospital director is, in fact, an elected official. Isn't that correct?"

Sieben: "That's correct."

Young: "This is an elected body. So, if the voters in the district are displeased with something that this body does, then they can, in fact, express that displeasure at the polls through the county board members. Couldn't they?"

Sieben: "Yes, they could."

Young: "Okay. To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. This is the Bill where I...I do agree with the points raised by the Hospital Association as to why they're against this particular proposal. First of all, appointed boards will allow the selection of qualified individuals and business people who normally might not choose to go through the rigors of running for office, and secondly, sometimes people who do want to run for office are, in

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fact, people who have...are single-issue individuals and not experienced in all the broad ranges of decisions that need to be made in a very troublesome environment in a hospital situation. The Hospital Association points out that elected rather than appointed boards could lead to a very rapid turnover in board composition which could lead to discontinuity in a hospital situation that is already, in fact, in a crisis environment. For these situations I understand the problem the Gentleman is trying to address, but I think opening up all the hospital districts in the state to the possibility of election rather than appointment is, in fact, going backwards with this serious problem we have, and I think his problem could be addressed by the voters in his district by expressing their opinion on the selections made by the county board at the election of the county board members. So I agree with the Hospital Association and think this is not a good Bill."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Chairman. Todd, when a person is going to be...Todd, when a person is going to be considered for appointment to this hospital board district, do you...do they submit their recommendation to the county board and then the county board approves that? How do you get knowledgeable people to serve on this board? What...what is the mechanism for it?"&tfh;7 Sieben: "Well, in the past, Bob, the county board in Henry County has relied on recommendations from the hospital of people that they feel that they need somebody with a banking background, or somebody with an accounting background, or somebody with a law background to serve on the board, and in Henry County the past few years that's really not been acceptable to some of the concerned citizens about responsible health care in our community who objected to

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the way the hospital was going to expand in its building program. What's happened right now in Henry County is concerned citizens who feel they want more of a voice in how the directors are selected, they have presented some additional names to the county board to consider along with those that were recommended by the hospital administration."

DeJaegher: "Also, would you tell me, does this district also encompass the Colona and Green Rock area or is that not in that hospital district?"

Sieben: "I'm not sure if Colona and Green Rock are in the Geneseo Hospital District. I...I don't know the boundaries of the...the Geneseo Hospital District."

DeJaegher: "Is this...is this privileged legislation, so to speak? Are you only making reference to that particular district hospital which is located in your area?"

Sieben: "No, Representative...Representative, this...this legislation would apply to all district hospitals in the state, and the information I have is that there are currently 18 hospitals in the state that operate under hospital district law."

DeJaegher: "But your requirement is basically the only way a change could take place is if the people petition the county board to conduct an election and then place these people aboard?"

Sieben: "That's correct, it would require a petition and a successful referendum by the voters in that hospital district."

DeJaegher: "Thank you."

Speaker McPike: "Representative Sieben to close."

Sieben: "I think the issue here is whether you feel that the residents in a hospital's district should have the opportunity to make a decision whether they want their

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directors appointed or elected, and the voters or the residents...I bring this Bill to the General Assembly because a thousand people in my district petitioned and said they feel they ought to have an opportunity by petition and referendum to make the decision how their directors are selected. Their feeling is that if the hospital district is going to levy a tax on them, tax their property, that they should have direct representation or direct selection process through an election process for those directors, and I would urge an 'aye' vote on House Bill 222."

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

Giglio: "Thank you...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is great. I think the other side of the aisle, the Gentleman is giving the people an opportunity in that hospital district to voice their opinion through a petition and by referendum. I think that's great legislation, Representative Sieben. I hope some of your people on the other side of the aisle remember this when there's other districts that would like that same opportunity to petition the people. I think it's great, and I would encourage everybody to vote 'yes'."

Speaker McPike: "Have all voted? Representative Matijevich."

Matijevich: "It's a strange Roll Call. The people have voted...and 'no' for an elected Commerce Commission...commissioner are voting 'yes' for this elected hospital district, and the people that voted 'yes' are voting 'no'. I...I haven't had a single person write to me about this. I don't think there's any overwhelming support for it like there was for the elected Commerce Commission. So, I think I'm going to stay in the middle

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and vote 'present'."

Speaker McPike: "Mr. Shaw."

Shaw: "Yes. I...I did have a question because in dividing up these districts I was wondering whether the poor was going to have any chance to sit on some of these districts, whether they can be represented, too. In...in...in terms of this Bill, certainly it seems as though to me that...that if they are going to be elected it should be some provision in here for the poor and the people that are underrepresented on...in most bodies, and I'd like to know, 'Is there a provision in here, Representative Sieben?'"

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 31 'ayes', 33 'nos' and 26 voting 'present'. House Bill 222, having failed to receive the Constitutional Majority, is hereby declared lost. The Clerk has tabulated all of the forms the Members filled out in regards to the Agreed Bill list #2, and the Bills on the Agreed Bill list #2, having received the Constitutional Majority, are hereby declared passed. Yes, Mr. Clerk."

Clerk O'Brien: "Pursuant to House Rule 101 (i) the following Representatives are excused to attend the meeting of Reapportionment Committee: Representatives Ackerman, Burzynski, Deering, Giorgi, Hultgren, Lou Jones, LeFlore, Mulcahey, Noland, Myron Olson, Parke, Rotello, Satterthwaite, Tenhouse, Wait and Walsh."

Speaker McPike: "On Second Reading appears House Bill 735, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 735, a Bill for an Act to amend the Nursing Home Care Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

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Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I request to withdraw Amendment #2."

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

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

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Number three becomes 9% of the Bill. I'll probably try to do with two provisions in this Amendment is to incorporate the idea that residents of a nursing home will have additional protection with personal belongings that are kept by the employer and the owners of that nursing home facility. Right now there is a surety bond that is intact, but we're asking now that they be consistent with the federal omnibus...OBRA Act which allows (sic the) facility to provide self insurance or a surety bond, and that's all we're asking in this one provision, and the other part of the Bill incorporates House Bill 1953, which I sponsored, which brings the consolidation of many health boards within the Public Health Department to one board, 15-member board appointed by the Governor, that is made up of various allied professionals...membership...one senior citizen, four physicians, one dentist, one environmental health practitioner, local public health administrator, health board member, one registered nurse, one veterinarian, one public health academician, one health care industry representative and two citizens at large. So, with that that's the Amendment 3, and I'd be happy to

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answer any questions."

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

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

Phelps: "Yes."

Black: "Okay. Representative, this is what basically was House Bill 1953, is that correct?"

Phelps: "Only the last part that I mentioned. Yes."

Black: "Right."

Phelps: "The first part was part of..."

Black: "As far as I...as far as I know you've worked most of the disagreements out that we had with 1953, and I think now DPH is supporting this...this section, are they not?"

Phelps: "Yes. I did not mention that, but thank you, they have."

Black: "Thank you very much."

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

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

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I'd like to withdraw Amendment #4."

Speaker McPike: "Amendment #4 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Phelps."

Speaker McPike: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. This is the last Amendment...would finish up this Bill. What we tried to do here most of you are aware of the recent outbreaks of measles not only in our youth population but also young adults and even senior adults, and the only way that we can

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completely deal with this and eradicate this threat is to try to cover it in every corner of public facility where people (sic are) gathering in a group in an environment that would be one of a contagious threat, and in order to deal with this we've asked that the college immunization statute now be implemented to require students that attend a junior or community colleges to be involved with this immunization, and I appreciate your support for this Amendment. I'd be happy to answer any questions."

Laurino: "Representative Laurino in the Chair. Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. In all deference to the Sponsor and Ladies and Gentlemen of the House, this Amendment has been around in one form or another for the last three years. Let me explain to you why I rise in opposition. Almost all of you in this chamber have a community college in your district, and it will affect almost every one of you here. Now let's not make any mistake about this. This Sponsor is correct. We do have a problem with measles, but let me remind you why we exempted community colleges three years ago. Don't fall for the red herring that they are commuter students and that's why we exempted them. That's not true. We exempted community colleges because of the vast age differential in students who attend community colleges. The average age of a student attending a community college approaches 30 years of age in this state. Be that as it may, community colleges are now on the cutting edge of high tech, special courses, taking labor members and workers from throughout this state and putting them into intensive six-week courses on robotics, cadcam, or what have you. Those courses must be put together fast and must be run even faster. Now are you going to tell members in your district who are 55 or 56

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or 57 years old that they have to go back to the doctor and bring a health certificate to make sure they're exempt...have their measles immunization before they can take a course at a community college that may save their very job? I don't think you want to do that. Now don't fall for the red herring that we are exempting commuter...commuter students, and we're not doing it at private schools or universities. That was not why we exempted them. We exempted them because you don't want your mothers or fathers or grandmothers and grandfathers to go have to get a measles certificate to attend a course that may save their very job. This is a bad Amendment. I urge a 'no' vote."

Speaker Laurino: "Further discussion. Representative Stern."

Stern: "With regard, Mr. Speaker and Members of the House, regarding what the preceding Representative has just said, yes, there are grandmothers and grandfathers and middle-aged people at community colleges, but they are by no means the majority. Young people attend community colleges too, and we would need just one measles epidemic in a community college to show you the kind of scary damage that could be done by that kind of a disease to adults. I can only tell you I hope we only imagine it and never have to really see it happen. I urge adoption of this Amendment."

Speaker Laurino: "Representative Munizzi, for what reason do you seek recognition? Representative Munizzi. Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield? Representative, with good intentions that you have, let me ask you the following question. Does not the Department of Public Health in some cases provide the vaccine for students free of charge?"

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Phelps: "Representative Ropp, they do. Yes."

Ropp: "In the past several years, has the department had sufficient volumes or vials of vaccine in order to vaccinate every student who wanted to become vaccinated under the current law?"

Phelps: "It is my information that they do at this time."

Ropp: "Well, it is my understanding that they were somewhat short and didn't always have sufficient volumes to do this. I think under current law, isn't it also true that the Department of Public Health has mechanisms by which to go into an area should...an outbreak occur, in order to help prevent the spread of that particular disease that we're talking about. Is that not true, or not?"

Phelps: "I don't think I followed all that question, I'm sorry, but I don't agree with..."

Ropp: "Okay. The question is, under current law, doesn't the Department of Public Health have the means and the authority to go into a community college or private college or any other university and..."

Phelps: "For epidemic proportions, probably, yes."

Ropp: "Okay. So what we're doing in this area, where community colleges generally speaking, few if any have residential facilities, at least in downstate areas, you're saying that they all should be vaccinated, and I think most of the community college people say that since these are non-residential, are older people, that this is not a severe concern as you have indicated."

Phelps: "Well, Representative Ropp, it only requires proof of immunization, not actual immunization, and people that were born prior to 1957, January, are exempt."

Ropp: "Okay, so we're talking about people..."

Phelps: "Next question."

Ropp: "...what, that are 33 years or younger?"

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Phelps: "Yes."

Ropp: "Well, I guess I think that we have made the exemption of this particular portion of our educational arena a few years ago, and since it does not seem like there has been a major outbreak in community colleges, I would oppose it at this time."

Speaker Laurino: "Further discussion? Representative Curran."

Curran: "Mr. Speaker, would the Gentleman yield?"

Speaker Laurino: "Indicates he will."

Curran: "Dave, I don't think, in seven years that we've served together I've ever questioned you on a Bill, but would this mean that Lincoln Land Community College, students there would all have to be vaccinated?"

Phelps: "To show proof of immunization."

Curran: "Well, they couldn't show that they'd all been vaccinated. Do you have any idea what the costs would be for my community..."

Phelps: "If they'd been, the local health department can offer it free of charge."

Curran: "If the local...you're saying they can offer it free?"

Phelps: "If they've been involved with..."

Curran: "Do you know that they do offer it free?"

Phelps: "If they've been involved with a high school immunization program up 'till entrance in junior...community college, they should have proof of immunization, but we feel like there's enough out there that there's a problem that hasn't been taken care of, and outbreaks here and there. In community colleges in Texas was the biggest outbreak."

Curran: "The biggest outbreak..."

Phelps: "Of measles, rubella type, that cause mental retardation in young, pregnant women, under 30."

Curran: "Well, I have doubts about this, Dave, but I've served with you long enough to know that you've researched it well

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and no further questions."

Speaker Laurino: "Further discussion. Representative Munizzi.

Further discussion. Representative Davis."

Davis: "Excuse me, Mr. Speaker. Will the Sponsor yield?"

Speaker Laurino: "Indicates he will."

Davis: "Yoo-hoo, these people are so noisy around me, would you speak loudly, please? Mr. Representative, I didn't hear whether you stated that all college students would have to be immunized or just junior college students?"

Phelps: "Right now, the university students are required for proof of immunization. This includes, who are presently exempt, students in community colleges, junior colleges."

Davis: "So, with today's law, 4 year state colleges require proof of immunization, but are you saying junior colleges do not require proof of immunization?"

Phelps: "That's right. They do not presently require."

Davis: "Did you say that a fee had to be charged the student?"

Phelps: "No. Just show proof."

Davis: "And the student can go anywhere he or she chooses to be immunized?"

Phelps: "Yes, the local health department is in my area would be more equipped to handle that free of charge. There may be other places in your area."

Davis: "Well, let me just...you know, I don't know how many people know this, but many people who receive medical care on a green-card for some reason there is no continuity of care. A person may take his or her child here for this particular immunization, there for another one and someplace else for another one, it becomes a problem even as these children enter regular school, so my point is, if a student has had these, but cannot prove it, then what would they be required to do?"

Phelps: "Well, I believe it's required of the public school

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system to keep immunization record, and the school nurse or those people that's in the system should forward that each grade as they progress, So...although I think there's mistakes and possible files are not updated or not accurate, but for the most part they should be reflected proof of immunization no matter what program they belong to."

Davis: "Representative, have I missed something? I mean have we had major outbreaks of communicable diseases all over the City of Chicago or the State of Illinois? Have I missed something?"

Phelps: "When you say major, that to me means several, maybe up to the hundreds. I cannot say we have this particular disease, but, Representative Davis, what concerns us and the Public Health Association is really asking that we take a serious look at this, is the fact that just very few outbreaks of this in certain places can have devastating cost on the state. A young pregnant lady that comes in contact with rubella measles can have mental retardation, other child, other birth defects that could be costly to the state for the green-card persons you're talking about."

Davis: "Is there a record of this having occurred? I mean are there great occurrences..."

Phelps: "Oh sure. Sure."

Davis: "...of pregnant women in the State of Illinois having rubella and their children being born retarded? I mean is there a large outbreak of this?"

Phelps: "The significant factor is that they're increasing in just recent years, and that's what's gotten our attention."

Davis: "Well, to the Bill. I really have great concern with people who want to immunize people, and the reason I do is because of the research that has been done in reference to the immunizations that have occurred across this country by

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the World Health Organization, and I just have great concern, Representative."

Speaker Laurino: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Would the Sponsor yield?"

Speaker Laurino: "He indicates he will."

McGann: "Thank you, Mr. Speaker. May I ask you why we have this Amendment #5? Who specifically asked, or is this your own initiative, or is this an initiative of someone else?"

Phelps: "Representative, as I indicated to you in our previous discussion, the Illinois Public Health Association asked that I carry it."

McGann: "The Department of Public Health, am I correct?"

Phelps: "Department of Public Health support it, but the Illinois Public Health Association."

McGann: "The Department of Public Health lobbyist was just a few moments at your side a few moments ago. You mentioned in your opening remarks the problems with measles in college students. Do you have any statistics to tell us how many cases of measles we've had in the colleges, in the State of Illinois?"

Phelps: "I could probably get my hands on them. I did not prepare that...."

McGann: "Alright, but let me explain to you if I..."

Phelps: "They've increased."

McGann: "...let me give you the answer if I may. This comes from our own legislative research unit. There's been no college student...and last three years...that has contracted (sic contracted) measles in the City of Chicago, and in 1990, there were only less than a hundred cases of measles throughout the whole state. This certainly is not a real problem. To the Bill, Mr. Speaker, and Members of the Assembly, I'd ask you to listen. We talk about the serum.

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The availability of the serum is not there at the needs presently. Just think of the need to provide serum through 39 community college districts in the State of Illinois. The cost would be prohibitive. We are in tough financial straits in this State, and if any one of us think different, they just have to look at all of the cuts that are taking place. Now we're going to place another financial problem on the State by having to provide this serum. I would ask you to think this Amendment over very clearly. We don't have the problems that are purported to be, and I believe you should vote this with a resounding 'no'."

Speaker Laurino: "Further discussion? Representative Doederlein."

Doederlein: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. We had it in the original Bill all college students, and I think it's necessary to prevent...this is a preventable disease, I think it's a good Bill to have all of the college students immunized. It was that at one time the shots that were given to children were not large enough doses or not powerful enough to include them in having, not having the disease after they had the first shot. It is necessary that they have the second shot, so I would vote for this Bill and encourage you to do so, too. On television just the other night, Dr. Koop reminded us that this is a preventable disease, and there are outbreaks throughout the United States. Let's not have this happen in the State of Illinois."

Speaker Laurino: "Question is...further discussion? Seeing none, the Representative Phelps moves for the adoption of Amendment #5 to House Bill 735. All those in favor indicate by saying 'aye', 'nay'. The

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'aye'... Representative Phelps asks for a Roll Call. All those in favor will indicate by voting 'aye', opposed 'nay'. Have all voted who wish? Representative Phelps."

Phelps: "If I might explain my vote since I didn't get to close on my Amendment."

Speaker Laurino: "I'm sorry, Sir. You spoke in debate and it's your Amendment. I think it's a..."

Phelps: "Good one. Appreciate that, very much."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment, having received 22 'aye', 57 'nay', 4 voting 'present' fails. Further Amendments?"

Clerk O'Brien: "No Further Amendments?"

Speaker Laurino: "Third Reading. Page 12 of the Calendar. House Bill 1216, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1216, a Bill for an Act to amend the Illinois Rural/Downstate Health Care Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Floor Amendments or Motions?"

Clerk O'Brien: "No Motions filed. Floor Amendment #2, offered by Representative Phelps."

Speaker Laurino: "Representative Phelps."

Phelps: "Mr. Speaker, I just wanted to bring to your attention, you might have said I didn't hear, the previous Bill. Did it get moved to Third Reading? You didn't state that, if it did."

Speaker Laurino: "Moved to Third Reading."

Phelps: "735. Thank you. I'd like to withdraw Amendment #2 and 3 if it..."

Speaker Laurino: "Withdraw Amendment #2 and 3. Further Amendments, Mr. Clerk?"

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

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Phelps."

Speaker Laurino: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 4 becomes the Bill, and if you'll bear with me, this Bill reflects consolidation of several Member Bills in the Health Care Committee that became the Committee Bill, Omnibus Bill, so bear with me and I'll reflect those numbers. House Bill 11 by Representative Stern amends the Corneal Transplant Act, authorizes a county medical examiner to perform the same functions as a coroner under the Act. House Bill 1346, by Representative Morrow, requires the Department of Public Health to establish an Office of Minority Health Services. House Bill 1486, Anthony Young, requires the Department of Public Health to study the impact of trauma care center closures on delivery and access to emergency health care services. House Bill 1670, by Representative Petka, authorizes the Department of Public Health to conduct an information campaign on Shaken Infant Syndrome, and then 1694, my own Bill, which authorizes private organizations to administer scholarships programs for nurses with more than five years experience to enable them to continue their education to become a doctor, permits enforcement through repayment requirements. 1765, House Bill, Representative Schakowsky, amends the Family Practice Act administered by the Department of Public Health which requires annual reports ... the impact of the program established by the law, and House Bill 1952, offered by myself, changes the qualifications for the Director of Public Health. We want to require the director to be a physician licensed to practice medicine in all branches of Illinois, and has at least 3 years experience in practicing medicine, an advanced degree from an accredited school of public health,

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certification by the American Board of Preventive Medicine and Public Health, and at least three years experience in a public health agency. House Bill 2141, by Representative Martinez, requires the Department of Public Health to conduct a campaign to inform Hispanic women about the high incidence of breast cancer and the importance of mammograms and where to obtain them. House Bill 2564, Representative Jones, requires the department to develop a smoking cessation program for participants in the WIC nutrition program. It must include, but not be limited to, tobacco use, screening, education on the effects of tobacco use, and smoking cessation counseling and referrals. Lastly, House Bill 2577, Representative Woolard, amends the Illinois Rural/Downstate Health Care (sic Act). Requires a center for rural health under the Department of Public Health, to contract for physician services to temporarily serve in an area where a local physician or other health care provider has been called into active duty in the U.S. armed forces. Also, as a separate provision, that the amends the asbestos abatement program, specifies that the asbestos abatement fund shall be expended pursuant to appropriations by the General Assembly to the Attorney General's asbestos litigation division. That's it, thank you for your patience, appreciate your support. Move 'do adopt'."

Speaker Laurino: "Gentleman moves for the adoption of Amendment #4 to House Bill 1216. Is there any discussion? Representative Weller."

Weller: "Thank you, Mr. Speaker, a question for the Sponsor. Would the Gentleman yield?"

Speaker Laurino: "Indicates he will."

Weller: "Representative, you have a lengthy Amendment here. All components have a major impact on the Department of Public

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Health. Were they involved in the drafting of this Amendment?"

Phelps: "Yes. Very much so."

Weller: "Have they signed off, do they support the Amendment?"

Phelps: "They support it."

Weller: "Do you know of any opponents?"

Phelps: "Not to my knowledge."

Weller: "Neither do I, Representative. We're satisfied with the Amendment, and we move 'do adoption'."

Speaker Laurino: "Representative Phelps moves for the adoption of Amendment #4 to House Bill 1216. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Representative Phelps, this has a Fiscal Note filed, and consequently the Bill will remain on Second Reading. Representative Phelps, for what reason do you arise?"

Phelps: "I understand it might have to remain on Second Reading, but the Fiscal Note was filed prior to the final Amendment. It was worked out with other people."

Speaker Laurino: "That's true."

Phelps: "They withdrew it."

Speaker Laurino: "Representative Black."

Phelps: "If we could go to Third Reading since it had no...excuse me."

Speaker Laurino: "Representative Black."

Black: "Due to the efforts of the Sponsor and the department, I'll withdraw the Fiscal Note if the Gentleman wants to run his Bill."

Speaker Laurino: "I think it has to be moved to Third Reading. The Gentleman from Vermilion, Mr. Black withdraws the Fiscal Note request. Are there further Motions?"

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Clerk Leone: "No further Motions."

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

Gentleman has made a Motion to request that this Bill be heard immediately. Are there any objections?...just be moved to Third Reading, Representative Black. House Bill 1217, Representative Anthony Young. Out of the record. House Bill 1409, Representative Bugielski. Out of the record. House Bill 2295, Representative Stepan. Representative Ann Stepan. Out of the record. Proceeding to Third Reading, page 20, Health Care. House Bill 222, Representative Sieben. House Bill 2581, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2581, a Bill for an Act to improve health care. Third Reading of the Bill."

Speaker Laurino: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This establishes the scholarship fund for the physician assistants which we are trying to increase in medically underserved area the option of other medical assistance, and this is one position of which need to be increased, and by doing that we create an incentive for those physician assistants who would serve in these areas, and it's a voluntary fund also being contingent upon the appropriation as we are able to affect that. Appreciate your support."

Speaker Laurino: "Question is, 'Shall House Bill 2581 pass?' Any discussion? Representative Weller."

Weller: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Laurino: "Indicates he will."

Weller: "Representative, my understanding is this legislation establishes a new scholarship program. Does this legislation require the Department of Public Health to

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administer a brand new program?"

Phelps: "I don't..."

Weller: "Is it a mandate?"

Phelps: "I believe it's based on if there's no appropriations available and nothing's required."

Weller: "Okay. If you look in the Bill on page 2, line 31, section 15, where it says departmental powers and duties, it says the department shall have the following powers and duties to allocate funds to physician assistant training programs accordingly. Wouldn't that be interpreted as saying that they must administer this scholarship program?"

Phelps: "Well, I see what you're saying. If that's the case, I'm not sure that was the intent of the Bill we could probably fix it in the Senate, but I believe this is similar to all the other scholarship programs, and I'm sure Public Health Department is not comfortable with dealing with more on them, but I think it would work much like the other programs that are established."

Weller: "Are there currently scholarship programs available for physician assistants?"

Phelps: "Not that I'm aware of."

Weller: "Okay."

Phelps: "Not like this one, I should say."

Weller: "Not specifically physician assistants."

Phelps: "Right."

Weller: "Okay. My understanding is, according to the language that this...according to the Department of Public Health, that this legislation does mandate that they administer this scholarship program. Can you tell me what the cost is to implement the requirements of this Bill?"

Phelps: "I don't think we have any estimates, and I think it's based upon the number of graduates we would have at the universities that first of all would be seeking to serve

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these medically underserved areas and the requirement payback similar to the nurse practitioners we mentioned could possibly be involved and so it's hard to say."

Weller: "This year, of course, our state's facing fiscally tough times. Do we have a source of funding should this cost the Department of Public Health any money? Do we have a source..."

Phelps: "Could you repeat the last part of that?"

Weller: "...of funding for this? Pardon me, Representative?"

Phelps: "Could you repeat the last part of that question? I'm sorry."

Weller: "According to our interpretation, this does mandate the department implement the scholarship program. Do you have a source of funding available to help fund this program?"

Phelps: "No, I believe it's similar to what we tried to set up for the nurse practitioners to...in primary care physicians, and the fact their own members would possibly generate enough, to at least get some things started, but the other was going to be contingent on appropriations like I said earlier."

Weller: "Okay. Thank you, Representative. To the Bill, Ladies and Gentlemen of the House, I have great respect for the goals of the Chairman of the Health Care Committee, and dealing with medically underserved areas; however, I must rise in opposition to the passage of this legislation. There is a sizeable fiscal impact to the State of Illinois should this legislation become law. The Department of Public Health estimates it would cost the taxpayers of this state \$187,000 in the first full year to implement this program, but there's no funding source currently available to provide those funds. Second is, the Department of Health currently has a scholarship program available to provide assistant to qualified physician-assistance

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students, so frankly this legislation is unnecessary. Again, I have great respect for the Sponsor's goals, however, dealing with the fiscal situation in the state, and also the fact that a program is already in place at the Department of Public Health, I must rise in opposition and urge a 'no' vote on this legislation. Thank you."

Speaker Laurino: "Further discussion? Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker mentioned that there is already a program very similar to this and with the same kinds of purposes that is operated by the Department of Public Health, and which has never had a sufficient amount of money to do much of anything that needed to be done. However, I would like to point out that there is also a program very similar to this that is a special program of the Illinois State Medical Society, and I recall two or three years ago when there was a Bill to create another one of these kinds of programs in some other department of the state government that the Illinois State Medical Society said that would be wonderful if you want to supplement the program that we already have, but we do it, and we do it with our own money and we don't ask for government money with which to do it. I would like to see us be able to do this someday when we had the money, but Mr. Speaker, we already have made some attempt to do this by government and haven't had sufficient funds to live up to our promises. The Illinois State Medical Society is already doing this with private money, and I therefore stand, reluctantly, in opposition to this Bill."

Speaker Laurino: "Gentleman from Cook, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Would the Gentleman yield? Representative Phelps, in the creation of the scholarship, first of all how does one, I may have missed the earlier

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part of the debate. How does one qualify for one of these...for participation in this program?"

Phelps: "This particular legislation requires someone actually get a degree or be certified as a physician assistant, and the prior questions by Representative Cowlshaw and Weller were confusing with the primary care physician in some instances, and then Representative Cowlshaw was confusing the Farm Bureau program for primary care physicians, but physician assistants do not have a scholarship fund established, nor do the physicians or anyone else help 'em yet."

Kubik: "So essentially what you're doing is creating a scholarship fund for physician assistants..."

Phelps: "Yes."

Kubik: "So that they can ultimately move down into your area..."

Phelps: "An area that doctors will not go to."

Kubik: "Okay. Alright, now what are the qualifications to getting into that program? I mean, just to indicate that you're going to study in that particular area, and that is the qualification?"

Phelps: "Right. If they indicate an interest to serve in medically underserved areas, there can be physician assistants that would graduate that do not get...have use of the scholarship fund, and we're hoping to...to be...contingent upon their service in areas."

Kubik: "How much education? I'm not familiar with this type of profession. How much education is involved here?"

Phelps: "It's similar...I'm not sure I know specifically, but it's similar to a nurse practitioner and beyond in a specified area, of like...toward a family practitioner type of program."

Kubik: "How much would the scholarship be worth? How much would each..."

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Phelps: "You have to get a license to be a physician assistant."

Kubik: "Right, so but how much would each scholarship be worth?"

I mean, how much money would we pay per person in order for them to..."

Phelps: "We don't have that speci... without a fund set up yet, we don't have that specified."

Kubik: "Is there any limitation on the size of this fund?"

Phelps: "Well, the Public Health Department, and with advisory board would be deciding on how... where the need is and the commitments and those that are committed to go into medically underserved areas."

Kubik: "So, in the legislation though, you do not set any parameters as to how large this fund should be?"

Phelps: "Not at this point."

Kubik: "Okay. Mr. Speaker, to the Bill, again, I think that the Representative does have a worthy goal here, but let's stop and think for a moment. Here we are in a tough budget year, we're talking about cutting existing programs, and now we're creating a new program, and it's a worthy program. I was downstate last week, and on of all things the Reapportionment Committee, and saw the difficulties that you face, and there's no question there's a need, but the reality is, we don't have the money, and we've got to start recognizing we don't have the money. Unless we can figure out a revenue screen for some of these kinds of things, we really ought to look carefully at the...and...look at it in another year. This is not the year for this type of program. The other thing that troubles me about this fund, and one of the reasons that the Department of Revenue is concerned about it, is that there is no limitation on the size of the scholarship fund, so we do have no idea how large this fund will be, and what it will ultimately cost. So, it is for those reasons that

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I would stand in opposition to this Bill and would hope others would do the same."

Speaker Laurino: "Further discussion? Representative Curran."

Curran: "I move the previous question. Is there anybody else seeking re..."

Speaker Laurino: "Gentleman moves the previous question. There wasn't any need to, Representative. There's no one else seeking recognition. Question is, 'Shall House Bill 2581 pass?' All those in favor indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Representative Black. Representative Black, are you seeking recognition?"

Black: "Well, Mr. Speaker, I was just going to explain my vote. Perhaps it won't be necessary, but this Bill does have an income tax deduction in it, and that's generally something that goes through revenue. We've tried to keep the Illinois income tax as clean as possible, and it does create an income tax deduction. It didn't go through Revenue. The Gentleman created this very scholarship last year in his Rural and Downstate Health Care Act, and I think he has a Bill this year to fund that Scholarship Act, so I think the Bill really may be a little redundant at this point. Should it get the necessary number of votes, I will request a verification."

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

Phelps: "This is the only Bill I had on Third Reading, and I've sat here three weeks for people to close. The last two Bills I hadn't had a chance to do that, some of which I was going to bring out points. Thank you."

Speaker Laurino: "The Chair is sorry, Representative Phelps. Representative, the Chair is remiss in not recognizing you. Would you prefer to explain your vote now? Have all voted

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who wish? Have all voted who wish? Representative Phelps,
for what reason do you arise?"

Phelps: "Postponed Consideration."

Speaker Laurino: "Gentleman requests this Bill be put on
Postponed Consideration. Having received 56 'ayes', 33
'nay' and 2 voting 'present', the Bill will be put on
Postponed Consideration. Proceeding to page 17. House
Bill 2295, Representative Stepan on Health Care, Second
Reading. Representative Stepan."

Stepan: "Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2295, on page 17 of the Calendar.
Second Reading."

Speaker Laurino: "Any Motions or Amendments?"

Clerk Leone: "A Bill for an Act in relationship to lead
poisoning. Second Reading of the Bill. There are no
Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Anthony Young."

Young, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. Amendment #1 is the Amendment that was
discussed in committee. What it does is it removes the
requirement for licensure of abatement contractors. I move
for its adoption and be happy to answer questions."

Speaker Laurino: "Any discussion? Representative Stepan."

Stepan: "To the Bill, this Amendment would make the Bill a better
Bill, so I urge your adoption."

Speaker Laurino: "Further discussion? Representative Black."

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

Speaker Laurino: "Indicates he will."

Black: "Representative, this Amendment does not eliminate any of

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the responsibilities placed on the local health departments by the underlying Bill, is that correct?"

Young, A.: "That is correct."

Black: "Actually all the Amendment does is to eliminate the need for licensed lead abatement contractors and the collection of a fee."

Young, A.: "That is absolutely correct."

Black: "Thank you very much, Representative."

Speaker Laurino: "Further discussion? Seeing none, Gentleman moves for the adoption of Amendment #1 to House Bill 2295. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Proceed to page 4 on the Calendar, Higher Education. Second Reading. House Bill 31, Representative Shaw. Out of the record. Page 11, House Bill 908, Representative Satterthwaite. Out of the record. Page 11, 1049, House Bill 1049, Representative Keane. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Could the Clerk please check for an Amendment filed by Representative Keane?"

Speaker Laurino: "Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1049, a Bill for an Act to amend an Act in relationship to tuitions. Second Reading of the Bill. There are no Committee Amendments. Floor Amendment #1 is being offered by Representative Keane."

Speaker Laurino: "Representative Granberg, are you handling the Amendment?"

Granberg: "Yes. Thank you."

Speaker Laurino: "Representative Granberg, proceed with the Amendment."

Granberg: "Thank you, Mr. Speaker. Amendment #1, sponsored by

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Representative Keane, lowers the tuition waiver from 100% to 50% of all impacted students, and I would move for the adoption of Amendment #1."

Speaker Laurino: "Further discussion? Representative Curran."

Curran: "Question for the Sponsor. Is this your first Bill, Representative?"

Granberg: "Close."

Curran: "Are you saying that rather than giving a 100% tuition waiver now as per this Amendment, you would be giving a less than 100%, or a 50% tuition waiver?"

Granberg: "50% tuition waiver."

Curran: "You'd be taking something back from these university professionals in a year where we are going to be firing a lot of them and giving them almost no pay increases."

Granberg: "No, we're going to be giving them a 50% increase."

Curran: "But we... prior to your Amendment they had a 100% increase."

Granberg: "That is not law, the law as currently in the statutes is that they do not receive this benefit...so we are actually giving them a 50% benefit."

Curran: "But by this Amendment we are taking half of what they had received from earlier legislation as it is going through the process."

Granberg: "No, with this legislation...we're giving them a 50% benefit, because that was not the law."

Curran: "Was there an earlier benefit that they had received as this Bill was attempting to reach the status of law, which would have given them 100% benefit."

Granberg: "No, they had not received that benefit."

Curran: "Would have, not did, but would have."

Granberg: "There are no 'would haves'..."

Curran: "I see."

Granberg: "...in the Illinois Legislature."

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Curran: "Ladies and Gentlemen and Mr. Speaker, I rise in opposition to this Amendment. What this Amendment does, is it takes away from university professionals the tuition waiver which they had received earlier this year. This is exactly the wrong thing for us to do in a year where we may have to be...pardon?"

Speaker Laurino: "Further discussion, Representative?"

Curran: "It is my understanding and, unless I am convinced by someone else, that earlier either by Amendment or by legislation, we had given them 100% tuition...wait, what? You're in favor of this? Alright. Never mind."

Speaker Laurino: "Representative Granberg moves for the adoption of Amendment #1 to House Bill 1049. Representative Granberg?"

Granberg: "Yeah. To explain for the benefit of Representatives like Representative Curran, this is...the law does not provide any tuition waiver status quo. This does in fact give a 50%, and I would assume the junior...the employees are for this Bill, so, I would move for the adoption of Amendment #1 sponsored by Representative Keane and myself."

Speaker Laurino: "Representative Granberg moves for the adoption of Amendment #1 to House Bill 1049. All those in favor will indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1077, Representative Curran. Pay backs are hell. Representative Curran. House Bill 1540, Representative Morrow. Out of the record. Page 10, Second Reading. Legalized Gambling. House Bill 855, Representative Hicks. Out of the record. House Bill 1117, Representative Giorgi. Out of the record. House Bill 1975, Representative Giorgi. Out of the record. Page 5,

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Professional Regulations. Second Reading. House Bill 284, Representative Steczo. Out of the record. Page 5, House Bills 137, Representative Flowers, and Children and Family Law. Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 137, a Bill for an Act to amend the Children and Family Services Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 983, Representative Pullen. Out of the record. House Bill 1128, Representative Trotter. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1128, a Bill for an Act in relationship to alcoholism. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Further Amendments or Motions?"

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

Speaker Laurino: "Representative Weller."

Weller: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 changes the original Bill to allow the Governor to designate the lead agency and the coordination of services among all state agencies regarding addicted pregnant women and addicted mothers and their children. In addition, the Amendment makes a number of required activities permissive instead of mandatory. This Amendment has been worked out between the Department of Public Health and the Department of Alcoholism and Substance Abuse, and the Sponsor to remove their concerns with the legislation. I ask for its adoption."

Speaker Laurino: "Further discussion? Seeing none, Representative Weller moves for the adoption of Amendment #2 to House Bill 1128. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments?"

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Clerk Leone: "Floor Amendment #3, offered by Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #3 makes a technical change. Amendment #2...excuse me. Amendment #3 follows the same vein as Amendment #2 in regard to the Governor's designation of agencies to coordinate activities. Amendment #2 was permitted without this change in one section. This Amendment clears that up. I've discussed it with the Sponsor, and it's also supported by the department. Move for its adoption."

Speaker Laurino: "Further discussion? Representative Trotter."

Trotter: "Yes. Mr. Speaker and Members of the House. A lot of work has gone into making this Bill a good, strong Bill for the women and children of our state, and I move for the adoption of this Amendment."

Speaker Laurino: "Representative Weller moves for the adoption of Amendment #3 to House Bill 1128. All those in favor will indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1143, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1143, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1146, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1146, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

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Speaker Laurino: "Third Reading. House Bill 1181, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1181, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Saltsman."

Saltsman: "Yes, thank you, Mr. Chairman. All that this does, is allows the person to collect a bill regardless of whether a past due bill or where the husband and wife are casually separated, and I ask for passage of this Amendment."

Speaker Laurino: "Further discussion? Seeing none, Representative Saltsman moves for the adoption of Amendment #1 to House Bill 1181. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1182, Representative Stange. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1182, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Chair will now go to Human Services, House Bill 1644, Representative Jones, Shirley Jones. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 27 of the Calendar. House Bill 1644, a Bill for an Act concerning the renovation of homes. Third Reading of the Bill."

Speaker Laurino: "Representative Jones."

Jones: "Mr. Speaker, on House Bill 1644 creates the Senior Citizen Low Income Home Renovation Program. Requires the

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Department of Commerce and Community Affairs to develop a program, utilize the skills of volunteers to renovate the homes of senior citizens and low-income persons, because the Federal Home Program is brand new and the funding for it has not yet been properly allocated and distributed among state and local government. We have agreed with DCCA to make the effective date January 1, 1993."

Speaker Laurino: "Further discussion? Seeing none, the question is, 'Shall House Bill... Representative Black."

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

Speaker Laurino: "She indicates she will."

Black: "Representative, at one time this Bill was opposed by the Department of Commerce and Community Affairs due to the funding source, and that was community services block grants that they said cannot be used for this purpose, so..."

Jones: "Right."

Black: "GRF would have to take it. Does Amendment #1 correct that?"

Jones: "Yes, it does."

Black: "And is the Department of Commerce and Community Affairs now neutral on the Bill?"

Jones: "Yes, they're neutral on the Bill."

Black: "Alright, as far as you know, has the Governor's office removed its opposition to your Bill as amended?"

Jones: "Yes, he did."

Black: "So it looks to me that there is no opposition to this Bill as amended, correct?"

Jones: "Correct."

Black: "Thank you very much."

Speaker Laurino: "Question is, 'Shall House Bill 1644 pass?' All those in favor indicate by voting 'aye', those opposed vote

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'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 90 'aye', 2 voting 'no', and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. Representative Matijevich, for what reason do you arise, Sir?"

Matijevich: "Well, I wanted to make the point when you were back here in your seat you were always the first to holler out Agreed Resolutions. You've really changed."

Speaker Laurino: "Thanks, John. Chair will go to page 5, House Bill 137. Oh, no, House Bill 1805, Representative Curran, under Children and Family Law. Second Reading. Representative Curran."

Clerk Leone: "On page 14 of the Calendar. House Bill 1805, a Bill for an Act to amend an Act concerning child abuse. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Further Motions or Amendments?"

Clerk Leone: "There are no Motions filed. Floor Amendment #2 is being offered by Representative Curran."

Speaker Laurino: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #2 comes to me from the Associated Employers of Illinois. What it says, it provides that any employee shall receive written notification from the department that an investigation has resulted in an unfunded...unfounded report, and the written notification to his employer...and that shall take the form of written notification to his employer, and to have the record of the investigation expunged from his employee record. What this does, is it allows employees who have been accused somewhere along the way of having... abusing children, and

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that accusation has resulted in an unfounded report, to have that expunged from their record of employment. I don't think there's any opposition to this Amendment. I'd be glad to answer any question. Move for the adoption of the Amendment."

Speaker Laurino: "Any discussion? Seeing none, Representative Curran moves for the adoption of Amendment #2 to House Bill 1805. All those in favor will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, offered by Representative Klemm."

Speaker Laurino: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. Amendment #3 prohibits secondary boycotting, secondary picketing of school board members in places of business. Now, I certainly don't feel we should get involved in the labor relations and management's problems necessarily in school boards, let them work it out, and I have no problem with that, but I really think it goes a little bit far when teachers will picket a school board member's place of business because they don't like the way they vote on a school board issue. The number of years that I served as a board of education president, we had to make some tough decisions, and I understand that, but I think perhaps on Amendment #3, what we're trying to do is say that my place of business, a small business person, a small businessman or woman, and I work there, why should I have that place of business trying to be put out of business by picketing in front because I happen to vote on an issue as a school board member in some school district that's maybe not even in the same area."

Speaker Laurino: "Excuse me, Representative Klemm. For what reason do you arise, Representative Curran?"

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Curran: "Thank you, Mr. Speaker. It does not seem to me possible that this could be germane to this Bill."

Speaker Laurino: "Nothing is germane at 6:25."

Curran: "The underlying Bill, Mr. Speaker, amends the Child Abuse and Reporting Act...the Child Abuse and Neglect Reporting Act. The Amendment refers to the Illinois Labor...Illinois Education and Labor Relations Act."

Klemm: "Well Mr. Speaker, it certainly is a horizontal..."

Speaker Laurino: "Representative Klemm, the Gentleman's point is well taken, and the..."

Klemm: "There's no question about it."

Speaker Laurino: "...Amendment is not germane."

Klemm: "Pardon?"

Speaker Laurino: "The Gentleman's point is well taken, and the Amendment is not germane."

Klemm: "Could I ask the Parliamentarian what the reason...why it isn't?"

Curran: "It's the 6:26 rule, Dick."

Speaker Laurino: "The Bill deals with abused and neglected children."

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

Speaker Laurino: "The Bill deals with abused and neglected children, and your Amendment deals with labor laws."

Klemm: "Well, certainly school board members dealing with children..."

Speaker Laurino: "Representative Klemm, Representative Klemm."

Klemm: "...couldn't be any more appropriate."

Speaker Laurino: "The Gentleman's point was well taken, the Amendment is not germane. Representative McCracken."

McCracken: "It doesn't just do that. It also deals with employee labor rights in the case of an investigation. As a matter of fact, that's the main thrust of the Bill. It's got to be horizontally germane. Got to be."

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Speaker Laurino: "Further Amendments, Mr. Clerk."

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

Speaker Laurino: "Representative Curran."

Curran: "This Amendment was being offered at the suggestion of the Department of Children and Family Services. Basically, it talks about having the right to confront the accuser if the accuser is over 14 years of age, subject to the approval of the Department of Children and Family Services. This is an Agreed Amendment with the Department, and I don't think there's any opposition."

Speaker Laurino: "Any discussion? Seeing none... Representative Black."

Black: "Inquiry of the Chair, Mr. Speaker. Since this Amendment seems to address a confrontation of someone having accused someone, it sounds like an employee-employer matter to me. Is this Amendment germane?"

Speaker Laurino: "Upon the discussion with the Parliamentarian, it appears that the matter is vertically germane."

Black: "Okay."

Speaker Laurino: "Representative Curran moves for the adoption of Amendment #4 to House Bill 1805. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendment."

Speaker Laurino: "Third Reading. Representative Matijevich, Agreed Resolutions, Sir."

Clerk Leone: "House Resolution 1050, DeJaegher. Correction. That's Resolution 510, DeJaegher; 511, Phelan; 512, Schoenberg; 514, Curran; 515, Hasara; 517, Stange; 518, Lou Jones; 519, McPike; 520, Black."

Speaker Laurino: "Representative Matijevich on the Agreed

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Resolutions."

Matijevich: "Well, I was going to ask leave. I've got some controversial Amendments to the Bill. Could we have to have leave...leave to bring it back?"

Speaker Laurino: "Are they horizontal or vertical?"

Matijevich: "I move the adoption of these Agreed Resolutions which we've examined."

Speaker Laurino: "Representative Matijevich moves..."

Matijevich: "You've done a great job."

Speaker Laurino: "For the adoption of Agreed Resolutions. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, and the Resolutions are adopted. Death Resolutions, Mr. Clerk."

Clerk Leone: "House Resolution 516, Johnson. In respect to the memory of Dr. Alfred W. Booth and House Resolution 521, in respect to the memory of Ira D. Scocill."

Speaker Laurino: "Representative Matijevich moves for the adoption of the Death Resolutions. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it. The Death Resolutions are adopted. Representative Matijevich moves for the... the House stand adjourned until 9 a.m., Friday, May 17th. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it. The House stands Adjourned now 'till 9 a.m. First Special Session will now come to order. With use of the Attendance Roll Call, the Regular Session...the Special Session is in order. Representative Matijevich moves for...First Reading of Senate Bills for the Special Session. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill #1, offered by Representative Daniels, amends the Act to limit property tax extensions. First Reading of the Bill."

Speaker Laurino: "Now Representative Matijevich moves for the

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

51st Legislative Day

May 16, 1991

Adjournment of Special Session #1, 'till 9:05 on May 17th,
a.m., and with use of the Attendance Roll Call, the Session
is now Adjourned."

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HOUSE OF REPRESENTATIVES
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