

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

46th Legislative Day

May 23, 1989

Speaker Matijevich: "The hour of 9:00 a.m. having arrived, the House of Representatives will come to order. The Chaplain today will be Reverend Lawrence Sunkel, Jr. Reverend Sunkel is from the First Presbyterian Church in Gibson City. Reverend Sunkel is a guest of Representative Ewing. The guests in the gallery may wish to rise for the invocation."

Reverend Sunkel: "Let us join in prayer. Oh mighty God, we would pause at the beginning of this day to remember that You are the creator, sustainer and ruler of all things, even us, who stand here before You. We confess that sometimes we forget who we are. We try to pretend that we are people with power, but we know inside ourselves that we are ordinary mortals who must answer to You, our sovereign God. Eternal God, we thank You for placing a love of liberty and democracy in our hearts and giving a sense of Constitutional order for our minds. We recall this day, that two hundred years ago that first congress of our United States was in Session, and all across those thirteen new states, the Legislatures were meeting for the first time under a new federal Constitution. God, we thank You, for preserving our freedom and guiding us in the working of our democracy and bringing our republic through difficult times over these 200 years. And now, oh God, grant to this General Assembly, the wisdom and knowledge, the patience and courage, that they may overcome their temptations to selfish power plays. that they may wrestle through moments of boredom and detail and that they may be able to cut through smoke screens and confusion. Guide them that they may enable the citizens of Illinois to use their resources and abilities under the law to meet the challenges of the complex lives in our evermore crowded planet. And to Your

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name, be thanks and praise, glory and dominion forever.
Amen."

Speaker Matijevich: "Thank you, Reverend Sunkel. We will be led in the Pledge of Allegiance by, Representative Gordon Ropp."

Ropp, 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 Matijevich: "Roll Call for Attendance. The Gentleman from Cook, Representative Kubik. For what purpose do you rise?"

Kubik: "Mr. Speaker, would the record reflect that Representative Piel and Representative Bernie Pedersen are excused for today."

Speaker Matijevich: "Thank you, Representative Kubik. Representative Piel and Representative Bernie Pedersen, was it, are excused. Alright, Clerk will take the record. There being a quorum, the Legislature is...the House of Representatives is open for business, and will stand at ease. Senate Bills, First Reading."

Clerk O'Brien: "Senate Bill 68, Cullerton, a Bill for an Act in relation to definition of death. First Reading of the Bill. Senate Bill 70, Cullerton, a Bill for an Act to amend an Act concerning recruitment of women. First Reading of the Bill. Senate Bill 107, Granberg, a Bill for an Act relating to the issuance and cancellation of drivers license. First Reading of the Bill. Senate Bill 127, Anthony Young, a Bill for an Act to amend the Minority and Female Business Enterprise Act. First Reading of the Bill. Senate Bill 189, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 228, Richmond, a Bill for an Act to amend the Meat and Poultry

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Inspection Act. First Reading of the Bill."

Speaker Matijeich: "Representative Tony Young, in the Chair."

Speaker Young: "Message from the Senate."

Clerk O'Brien: "Message from the Senate by Ms. Hawker, Secretary.

'Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed a Bill with the following title, passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bill #449, passed the Senate May 17, 1989. Linda Hawker, Secretary'."

Speaker Young: "Agreed Resolutions."

Clerk O'Brien: "Senate Joint Resolution #60, offered by Representative Kirkland, House Resolution 509, Matijeich; 510, Wyvetter Younge 511, Black; 512, Keane; 513 Hultgren; 514, Rice; and 515, Parcells."

Speaker Young: "Representative Matijeich, on the Agreed Resolutions."

Matijeich: "Mr. Speaker, these are all congratulatory and have been examined. I move the adoption of the Agreed Resolutions."

Speaker Young: "Representative Matijeich moves the adoption of the Agreed Resolution by the use of the Attendance Roll Call. All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it, and the Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 508, offered by Representative Richmond."

Speaker Young: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 507, offered by Representative Hultgren, with respect to the memory of Donald R. McKelvy."

Speaker Young: "Representative Matijeich, moves the adoption of the Death Resolutions. All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair the 'ayes'

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have it, and the Resolutions are adopted. We'll proceed to the Order of Government Programs. Second Readings. The first Bill on that Order is House Bill 34, Representative Hicks. Out of the record. House Bill 227, Representative Giorgi. Out of the record. House Bill 757, Representative Countryman. Out of the record. House Bill 910, Representative LeFlore. Out of the record. House Bill 1435, Representative Hasara. Representative Hasara. Out of the record. House Bill 1561, Representative Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1561, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Young: "Are there any Floor Amendments?"

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

Speaker Young: "Representative Younge."

Younge: "Thank you, Mr. Speaker. I move to table Amendment #1."

Speaker Young: "The Lady moves to table Amendment #1 to House Bill 1561. And on that Motion, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 to House Bill 1561 be tabled?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled.' Third Reading. We'd like to remind the Members that there's only four days left, Bills taken out of the record today, there's no guarantee they will be gotten back to. House Bill 1651, Representative Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1651, a Bill for an Act to create the urban civilian youth service. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 1653, Representative

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Younge."

Clerk O'Brien: "House Bill 1653, a Bill for an Act requiring disclosures concerning mine subsidence. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "No Motions. Floor Amendment #2, offered by Representative Wyvetter Younge."

Speaker Young: "Representative Younge, on Floor Amendment #2."

Younge: "Thank you, Mr. Speaker. House Bill 1653 would create the Mine Subsidence Disclosure Act. Amendment #2, is an Amendment recommended by the lobbyist for the real estate insurance industries that would make a definite penalty in reference to a civil action if there is a lack of disclosure as required by the Bill. I move for the adoption of the Amendment."

Speaker Young: "The Lady moves the adoption of Floor Amendment #2 to House Bill 1653. And on that question, is there any discussion? The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Mr. Chairman. Will the Lady yield for a question?"

Speaker Young: "Indicates she will yield for a question."

Stephens: "Who is it, that recommended this change?"

Younge: "This change was recommended by Patrick J. Cartigan, Attorney at Law. Who represents I believe insurance and real estate interest and the purpose of the Amendment is to change the wording to the fact that the transferor who fails to disclose that he has received money from an insurance company for a mine subsidence claim would be liable for up to five years after the transfer. If he transfers the property and does not disclose to the transferee, the fact that he received an insurance claim payment for a mine subsidence."

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Stephens: "Okay. The original Bill, speaks of liquidated damages of a thousand dollars or actual damage whichever are greater?"

Younge: "That has been taken out."

Stephens: "Plus attorney's...that's been taken out?"

Younge: "That's correct."

Stephens: "How about attorney's fees and other miscellaneous litigation expenses?"

Younge: "That has been taken out."

Stephens: "And so in place of that, you talk about the actual damages incurred. Do you intend that to mean the expenses of litigation? Or just the cost of..."

Younge: "The actual damages that the transferee has over a five year period, within a five year period after the transfer."

Stephens: "Okay. What is the language in the statutes now? How do we go about collecting on damages?"

Younge: "That is the statute of limitations currently in the statute and we're just reading that into this Bill here."

Stephens: "Currently, it's five years?"

Younge: "Yes."

Stephens: "For any similar type damages or are we talking about mine subsidence?"

Younge: "A similar type transactions. We're making this remedy the same as it would be under the statute."

Stephens: "Okay. If you will bear with me, I'm extremely interested in this because, as you know, I live in an area that is stricken with much mine subsidence. If there's a transfer of sale of property...transfer or sale of property and four and a half years later there is a mine subsidence problem develops. Now right now, that mine subsidence problem is covered by the insurance that's, that all the people in our area must buy, or at least are able to buy and then there's the mine subsidence, Governor...Lieutenant

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Governor Ryan's program. How does this change the current protection? Does this add protection?"

Younge: "The subject matter of this Bill, Representative is mine subsidence disclosure. The Bill requires the transferor or the person who sells a piece of property at the time of the transfer to disclose the fact that he has received a mine subsidence claim, that he has received money."

Stephens: "Okay."

Younge: "If he does not disclose that, then this Bill comes into effect. And any time within five years after the transfer, the transferee or the buyer would be able to..."

Stephens: "Okay, now I think I understand. So, if they have not received mine subsidence claim..."

Younge: "Then they don't have to disclose."

Stephens: "Then, then there's nothing to disclose."

Younge: "That's right."

Stephens: "And then they sell their property and two years later there's a problem."

Younge: "That's right."

Stephens: "Then the seller or the real estate agent who made the sale, if they had no prior knowledge of a mine subsidence claim, whether there was or was not one previous to their ownership, then there would be no liability according to your Bill?"

Younge: "That's right. We're talking about only about claims paid to the transferor, that has to be disclosed. If..."

Stephens: "Well, I'll tell you what, I think you've got a good idea and I support the Amendment. Thank you very much, for introducing it."

Younge: "Thank you, very much."

Speaker Young: "Further discussion? Hearing none, the question is, 'Shall Floor Amendment #2, to House Bill 1653 be adopted?' All those in favor say 'aye', those opposed say

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'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. House Bill 1655, Representative Younge. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 1655, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Any Floor Amendments?"

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

Young: "Representative Younge, on Floor Amendment #1."

Younge: "Thank you, Mr. Speaker. House Amendment #1, to House Bill 1655 would change the Bill to make a 235 type program in the Illinois Housing Development Authority. I am currently under discussion with IDA, a program of subsidy for low income people. This Amendment suggests that one approach that IDA can use to build houses for poor people would be to subsidize the interest down to 1 percent and then that would make it affordable for low income people. This is in discussion, but at this time I move for the adoption of the Amendment as we proceed towards our discussion."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #1, to House Bill 1655. And on that question, the Gentleman from Madison, Representative Stephens."

Stephens: "This is a separate Bill than the one we discussed just now, am I correct?"

Younge: "Yes."

Stephens: "What does the substance of the Bill do, that this Amendment doesn't do?"

Younge: "The Bill originally, merely said that IDA is to build housing for low and moderate income people. It was a shell

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Bill and that is an authority that IDA already has. The Amendment would change the Bill to authorize IDA to subsidize down to 1 percent loans for individual homes. In other words, affordability for low income people can be obtained if the interest rate is very low. The benefit of this Bill is that it would give IDA a definite amount of money that it could make available to subsidize low income housing. Low income housing, how it's going to be constructed and how it's going to be made available, is a big problem in Illinois; so this is an approach that I am recommending and we're in the process of talking about it."

Stephens: "As I read your Amendment, it authorizes IDA to make assistance payments to low income homeowners, and do you define what a low income, is that the national standard or what sort of income are we talking about here? People who make less than 12,000 if they have two children?"

Younge: "Yes."

Stephens: "Is that right? Okay, I can understand the assistance in your intention, but I'm a little bit confused about the...they will be making payments on the principal, is that right? Not just the interest and the taxes."

Younge: "The final agreement will have to do with making the interest payment down to 1 percent and therefore, making the unit much more affordable. It will put IDA in a posture of knowing exactly how much subsidization (sic subsidization) should be made available for..."

Stephens: "Representative, if I'm reading this correctly, it says that the authority is authorized to make periodic, which could that mean monthly assistant payments on behalf of such homeowners until the authority determines that the homeowner is financially capable of paying the following: the net principal spread over 20 years at 1 percent interest; insurance, taxes, any assistance...insurance and

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taxes, excuse me. So, do I understand that they would pay the...they'd have to pay the principal, 1 percent interest, insurance and taxes amortized over 20 years. If they never reached a point where the authority thought that was affordable. Would the authority then have to pay their house off for them?"

Younger: "The way the Amendment is constructed is to suggest to IDA that it ought to structure a way of subsidizing low income people, so that they could have affordable housing. The intent of the Amendment is not to put an iron grip on IDA, but to suggest that it work out a program just as the Federal Government did as to how to make affordable housing for low income people. My intent, and this of course will be an evolution as a result of discussion, is to suggest an approach to IDA that we are going to try to agree on in terms of how it's going to build low income housing."

Stephens: "I understand that, then Mr. Speaker, to the Amendment, we would be opposed to the Amendment in it's current form. I think it's probably got an unpredictable cost given the fact that there's no way to predict the number of years or months or whatever that the IDA would be picking up these payments and we would stand in opposition."

Speaker Young: "Further discussion? Hearing none. Representative Younger, to close."

Younger: "Thank you, very much. I am in discussion with the Illinois Housing Development Authority as to a new approach to building affordable housing for low income people. One approach might be to subsidize the interest rate. The federal government before it got out of the housing business, was fairly successful in building units of housing that it subsidized the interest rate down to 1 percent. This language is language which is put in as we proceed with our discussions to find an approach. So that

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we can house our unhoused poor in Illinois. And so I ask for your support in reference to this Amendment, well knowing that it is a vehicle for us to continue our discussions with the Illinois Housing Finance (sic - Development) Authority."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #1, to House Bill 1655. And on that question, all those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Parke, for what purpose do you seek recognition?"

Parke: "Yes. Mr. Speaker, I believe a fiscal note's been filed on that, has one been received?"

Speaker Young: "No. Mr. Parke, one has not been received. On this question, there are...Mr. Clerk, take the record. On this question there are 63 voting 'yes', 46 voting 'no', 3 voting present, and the Amendment is adopted. A fiscal note has been filed, has been requested. It has not been filed, the Bill will be held on Second Reading. Were there further Amendments to that Bill, Mr. Clerk."

Clerk O'Brien: "No further Amendments."

Speaker Young: "House Bill 1771, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1771, a Bill for an Act in relation to political signs. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

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

Speaker Young: "Representative LeFlore for Floor Amendment #1."

LeFlore: "Thank you, Mr. Speaker. Amendment #1, Mr. Speaker to 1771 confined the Bill to Cook County only. This Bill is focused at the removal of political signs after an election

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is over."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #1 to House Bill 1771. And on that question, the Lady from Cook, Representative Flowers."

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

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

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

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

Ropp: "Representative, in Committee, if I recall, you were to work on some Amendment and I didn't understand, does this Amendment deal with what we talked about in the Committee?"

LeFlore: "Yes. It restricts the posting of the signs for Cook County and Cook County only. Not the state of the whole state."

Ropp: "Okay. Does this also include like bumper stickers?"

LeFlore: "No, no, no bumper stickers, just political and commercial posters."

Ropp: "Okay. But a bumper sticker would not be considered a campaign piece of literature?"

LeFlore: "Well, it would be considered as a campaign poster, but usually bumper stickers are put on cars, in my opinion."

Ropp: "Okay, so this only includes Cook County now, only?"

LeFlore: "Exactly."

Ropp: "Okay, thank you."

Speaker Young: "Further discussion? The Gentleman from Cook, Representative Williams."

Williams: "Now, will the speaker yield, Floor Amendment #1... Well, is there a reason why this is limited only to Cook?"

LeFlore: "Is there a reason?"

Williams: "Yeah."

LeFlore: "Not really. It's more evident in Cook County where the posters are left after the elections."

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Williams: "Okay, has there been complaints made to you about these?"

LeFlore: "I don't understand you?"

William: "Has any complaints been made to you about these signs?"

LeFlore: "No, I'm looking at my area where I represent. You know, once the election is over, usually the posters are left there for a year, two years, or three years, whatever the case might be. It litters the community, and I would like to see this corrected."

Williams: "No further."

Speaker Young: "Representative Matijevich in the Chair. The Gentleman from Cook, Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I rise in support of this Amendment, Representative LeFlore anybody that rides through the streets of Chicago and sees the ongoing advertising of political candidates for year after year. It's a detriment to the beauty of the city, I think these things should be removed in a timely fashion and I think we have to put it in the statute in order to do it, because the many areas that has failed has been done through local ordinances. This is covering Cook County. It's very, very important, I think in order to have a more pleasant looking environment. I certainly would ask the support of all the Members."

Speaker Matijevich: "The Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Mr. Speaker. This Bill is a Bill that we have enacted in the City of Wheaton 18 years ago except that we put a one day limit on it. On Wednesday, the day after the election, every candidate gets out with his people and takes down all the signs they put up and that's one of the reasons that Wheaton is such a lovely community to live in because we take care of debris like this. I

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think this would be a great improvement for the City of Chicago and for many of the downstate communities where you see signs tacked on every telephone pole in the area. It's a good idea, Mr. LeFlore, and it's a pleasure to support you."

Speaker Matijevich: "The Gentleman from Cook, Representative Preston. Lee Preston."

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

Speaker Matijevich: "He indicates he will. Proceed." fh;7

Preston: "Representative LeFlore, are there any penalty provisions in this Amendment that will become part of the Bill if there's a failure to remove campaign materials?"

LeFlore: "Mr. Speaker."

Speaker Matijevich: "Proceed."

LeFlore: "The noise level is so high, I didn't understand Representative Preston."

Speaker Matijevich: "Representative Preston, would you repeat your question and please keep the noise level down."

Preston: "Representative LeFlore, are there any penalty provisions in your Bill for campaign posters that are left beyond the removal period?"

LeFlore: "Yeah, that question would be raised in Amendment #2, Representative, which is, the penalty is \$500.00 after 14 days. But that's in Amendment #2. This is...we are discussing Amendment #1 which deal with Cook County...Cook County only"

Preston: "Could you just explain again for, because there was a lot of noise here. What does Amendment #1 then do?"

LeFlore: "Amendment #1 just restricts the posting of posters in Cook County, in Cook County. Cook County only, not the State of Illinois. It confines in Cook County"

Preston: "Just in Cook County."

LeFlore: "That's Amendment #1."

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Preston: "Does that apply to national candidates and statewide candidates also?"

LeFlore: "Applies to all candidates."

Preston: "So that there will be a different provision for the State of Illinois...for Cook County than there is in DuPage County and Will County, so a candidate..."

LeFlore: "I think the other counties have this type of law as Representative Barger just got up and said that in his county they have this law already."

Preston: "I see, thank you."

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

Stephens: "Well, I rise in support of the Amendment, the...this Bill concerned me quite a bit because down in the 110th District, what the opposition is like to do sometimes, they like to steal your signs and then the day after they are suppose to have them put up, they'll go up and put them back out for you and make sure you get fined for having them out too late. So, I appreciate the Gentleman giving us a break in understanding downstate problems and I rise in support."

Speaker Matijevich: "There being no further debate, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'nay' and the Amendment is adopted. Further Amendments?"

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

Speaker Matijevich: "Representative LeFlore on Amendment #2."

LeFlore: "Thank you, Mr. Speaker. Amendment #2 add commercial posters to the Bill providing the commercial posters not be removed within 14 days of an event shall be ordered removed by the County Board. This provision provide that any expense incurred by the county or municipality in removal

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of the signs are liable and enforceable by the State Board of Election against the person or committees responsible for the signs. Again, this Bill only focused at Cook County and not the State of Illinois, Representative Stephens."

Speaker Matijevich: "The Gentleman from Cook, Representative LeFlore's offered for the adoption of Amendment #2. On that, the Gentleman from Cook, Representative McNamara."

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

Speaker Matijevich: "He indicates he will. Proceed."

McNamara: "Representative, I am wondering, does this supersede home rule?"

LeFlore: "Yes, it supersedes the home rule, Representative."

McNamara: "Okay. What happens if a home rule community already has an ordinance enacted like that with a similar type penalties, does that make their ordinances invalid at this time in order...and this supersedes that ordinance?"

LeFlore: "No, this is not the intent of this Amendment, Representative. If you have this mandate already, you know, on the books, this shouldn't have any interference."

McNamara: "Okay, let me just pose an example. I have three communities in my area which are under home rule, one which is not and all of those communities have already enacted those types of ordinances. Their fines may differ from the fines that you specify there, and that's the reason I'm worried about the concern on it and whether or not the county would then get the fines or would the community still be able to collect the fines for their communities as they have in the past. That's my only concern on about this Bill as I don't like to see it superseding the home rule provisions or the communities that, have already enacted those ordinances because there are four total in my district that have already enacted that so, I'm hoping that

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you can address some of that."

LeFlore: "Well, it certainly is not the intent, Representative, this is not the intent. Mainly what I'm focusing at is the City of Chicago."

McNamara: "I understand the motivation for it. I understand the reason for the Bill and I can understand that and I'm sure that it would be great for all of Cook County to have this. Again, my only concern is if we could take a real good look at this and, you know, maybe modify it in the Senate or whatever to make sure that it doesn't supersede a community that has already has their own."

LeFlore: "Okay, if I commit myself that we can get it passed out of the House, we will take a look at the Bill and make sure that it doesn't supersede there."

McNamara: "Well, thank you very much."

Speaker Matijeich: "The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker, would the Sponsor yield?"

Speaker Matijeich: "He indicates he will. Proceed."

Parcels: "I like this Bill. I think it's a good Bill. I supported it in Committee and I intend to support it here but in Amendment #2 you refer to commercial poster, I guess I don't know the big definition of commercial poster. If I was advertising Sam's Diner, is that the commercial poster that you're referring to?"

LeFlore: "Yes, usually in the City of Chicago, you, I refer to commercial posters...a lot of the organizations have fund raisers different events and they have these huge posters they post them on the telephone posts, the light posts. This is what I consider commercial posters."

Parcels: "Yeah, so what you're saying is after the date of the event is over they ought to get that poster done, but if I had Sam's Diner and I wanted this sign up and I was paying

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to have it up, paying the owner of the building on whose wall I have placed it, you're not talking about that?"

LeFlore: "No, I'm not talking about that type of sign."

Parcells: "You're just talking about something with a date on it."

LeFlore: "Exactly."

Parcells: "Okay, thank you."

Speaker Matijevich: "The Lady from Cook, Representative Flowers. Mary Flowers."

Flowers: "Mr. Speaker, would the Gentleman yield?"

Speaker Matijevich: "He indicates he will, proceed."

Flowers: "How is political signs defined? What is a political sign?"

LeFlore: "My understanding of a political sign is a sign that indicates that a person is running for a given office."

Flowers: "So, if one of my campaign wokers, left some literature at someone's door and they were not at home and it has my face and my name on it, is that considered a political sign?"

LeFlore: "That's a political sign but leaving it at the door is not posting it on a pole or private properties. You're not posting it, you're leaving in the doorway."

Flowers: "If I'd left it sitting in their window, is that posting a political sign on someone's private property?"

LeFlore: "Of course it would be because you have gotten permission from the person to put it on their window."

Flowers: "That person is not at home, and I just left my political literature inside their door."

LeFlore: "That would be considered as a political sign, Representative."

Flowers: "So that means that around election time when we're passing out literature with our faces and our names on it, that is called or considered a political sign and if that

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person happens not to be at home and I leave my literature posted at their door, I will be fined \$500.00 per door that I left."

LeFlore: "No, that's not true Representative."

Flowers: "Would you please explain that."

LeFlore: "This Bill, this Amendment, focus after...if a poster is left on a post or private property 14 days after the election, and the county go out and remove that poster, then you will be assessed a penalty, but not if you just place it in a doorway, it would have to be 14 days after the election."

Flowers: "Mr. Speaker, was there a fiscal note filed on this Bill?"

Speaker Matijevich: "No, there's a request and it hasn't been filed yet. So it's going to be held on Second."

LeFlore: "Mr. Speaker, there is no cost to this particular Bill."

Speaker Matijevich: "Okay, then he looks like he's going to make a Motion. The Gentleman from Cook, Representative Williams."

Williams: "Mr. LeFlore, is this \$500.00 per fine...I mean per sign?"

LeFlore: "No, it's not Representative."

Williams: "How do they, well then what would be the nature of determination of the amount of the fine? Is it just for the totality of your signs left up, you would pay one \$500.00. Let's set you took them all down except for one, would you still have to pay \$500.00 for the one that was left up?"

LeFlore: "That would be decided by the municipality."

Williams: "So, your Bill leaves it to the municipality to say how the Bill will actually be administered, or is that actually spelled out in the Bill, I don't have the Bill here?"

LeFlore: "It's not spelled out in the Bill itself, the Amendment

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really becomes the Bill."

Williams: "So it says, it should be unlawful for any person to post a political sign on private property without the consent of the owner. Does this Bill only effect private properties or does it effect, say like for instance what we would generally consider a Chicago pole strips or signs that are posted upon utility poles?"

LeFlore: "That would be private property right? Utility posts? Mail boxes?"

Williams: "I don't know."

LeFlore: "Yes, that's what it effects, private property."

Williams: "I guess, okay, so then you do include utility poles or any sort of poles and not just like buildings or other places, is that correct?"

LeFlore: "I would think so, Representative."

Williams: "Thank you."

Speaker Matijevich: "Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker, would the Gentleman yield for a question?"

Speaker Matijevich: "He indicates he will."

Preston: "Representative who's responsible for enforcing the provisions encompassed in this Amendment?"

LeFlore: "Repeat the question, Representative."

Preston: "Who is responsible for enforcing the provisions encompassed in this Amendment?"

LeFlore: "The municipality. The municipality."

Preston: "So that would... be the Chicago Police Department in Chicago, for example."

LeFlore: "Well it could be the sanitation department."

Preston: "Well, how is a fine to be levied against someone who is found to be negligent or guilty or whatever in violating this...the provisions of this Amendment?"

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LeFlore: "I don't think that was spelled out in the Bill, Representative."

Preston: "Well, also, more importantly is who is the responsible party that a fine can be levied against? And by that I mean if Representative Flowers is a candidate for reelection and in her Legislative District there are a thousand volunteers who comb the streets, putting up signs with her name and picture on it and they fail to take them down after the election. Who is the person who is responsible and liable for that fine?"

LeFlore: "It would be the candidate, Representative. This only take place 14 days after the election."

Preston: "Well, but that's what I'm getting at. If it's a candidate who did not in fact put the sign up, and you know, after elections, volunteers seem to spread out and disappear to a great extent. The candidate is then, even though he or she was not liable for the posting of that poster, it has their name on it, but they didn't tell somebody to go and put it where it does not belong and in fact, may have told someone to take it down after the election but that person didn't do it. Who is going to be fined for that?"

LeFlore: "The candidate who is running for an office."

Preston: "I see, well, then if I Mr. Speaker, if I could speak to this Amendment. I think it's very well-intentioned and I agree with Representative LeFlore and with people in the community who are tired of seeing weeks and months after an election, political posters strewn throughout a community and I'm very sympathetic to it and I agree with the purpose of this. But I think this particular way of attacking it, is very ...conceived because it makes someone responsible for what can be a very substantial fine, if a court interprets the provisions of this Amendment to be each

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continuing day as a continuing violation or each sign that is left standing is a continuing violation. The penalties can go into the many thousands of dollars and which, by itself, isn't necessarily bad, except the penalties are assessed against the candidate and the candidate may in fact have nothing whatsoever to do...may not even have knowledge of the posting of those signs much less where those signs were posted, and I just want to give a couple of examples; somebody running for governor of Illinois has volunteers throughout the state, the candidate may live in downstate Illinois and people who are volunteering for him or for her may post posters throughout Cook County, throughout the City of Chicago and that candidate after the election, especially if that candidate loses the election, might have tremendous difficulty, and in fact find it impossible to get volunteers to, the day after or the weeks after the election, to go out and pull down signs. So that candidate, the losing candidate for Governor of Illinois or U.S. Senate or Congress or Mayor of Chicago or you name it, is none the less under this Amendment held responsible and liable for fine for Acts that he or she didn't do has no knowledge of and has no way of correcting and for that reason though I agree with the intent of Representative LeFlore, and think he's doing an outstanding job of addressing a real concern, I think this Amendment and this piece of Legislation does not accomplish that and I would encourage at least a present vote on this or no."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Black."

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

Speaker Matijevich: "He indicates he will."

Black: "Thank you. Representative, let me focus on the

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commercial poster aspect if I could. I know you've answered one question, but something has come up over here. It is not your intent that this apply to billboards, is it?"

LeFlore: "No, it doesn't apply to billboards, Representative."

Black: "Thank you very much, and your underlying Bill only applies to Cook County."

LeFlore: "Exactly."

Black: "And it would seem to me that it's designed to reduce litter, clutter and the mess that you see on every street corner."

LeFlore: "That's the purpose of the Bill, sir."

Black: "I think it's a very interesting proposition. Thank you, Representative."

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

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

Speaker Matijeich: "Representative Flinn has moved the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye', opposed 'no', and the main question is put. The Gentleman from Cook, Representative LeFlore to close."

LeFlore: "Thank you, Mr. Speaker. I just...we have had a lot of discussion on this particular mandate. I'll just ask for a favorable vote on the Amendment."

Speaker Matijeich: "Representative LeFlore has moved the adoption of Amendment #2. Those in favor say 'aye', opposed say 'no'. Those in favor vote 'aye', those opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take, take the record. On this question there's 73 'ayes', 25 'nays' and 6 voting 'present', and Amendment #2 is adopted. Are there further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "No further Amendments. There's been a request for a fiscal note. Representative LeFlore, what is your intention? There's a request for a fiscal note. The Gentleman from Cook, Representative LeFlore."

LeFlore: "A fiscal note does not apply to this Bill. There's no expense to the state."

Speaker Matijevich: "Representative LeFlore has moved that the fiscal note is not applicable. Those in favor vote 'aye', those opposed, on that, the Gentleman from DuPage, Representative McCracken."

McCracken: "Are the Democrats split on this Bill. Should we be helping you out Representative LeFlore?"

Speaker Matijevich: "He welcomes your help."

McCracken: "Or, or is there someone in opposition to your Motion so we can flip a coin again?"

LeFlore: "I would imagine there's quite a few people in opposition to my Motion, Representative."

McCracken: "Well I think this is very worthwhile and regardless of the facts we've never let that stand in the way before. I think as a matter of politics we should hold that it's inapplicable."

Speaker Matijevich: "Tom, you didn't say heads or tails again. All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 96 'ayes', 10 'nays', 1 answering 'present', and the Motion does prevail. Third Reading. The next Bill...on the Order of Second Reading appears 1784, LeFlore. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1784, a Bill for an Act in relation to business financing. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments. Are there any Motions?"

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Clerk O'Brien: "No Motions. Floor Amendment #1, offered by Representative Anthony Young and LeFlore."

Speaker Matijevich: "The Gentleman from Cook, Representative Anthony Young on Amendment #1."

Young, A.: "Withdraw Amendment #1."

Speaker Matijevich: "Amendment #1 is withdrawn. Are there further Amendments?"

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

Speaker Matijevich: "Mr. Young on Amendment #2."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2, would actually become the Bill. It expands the powers of the Illinois Development Finance Authority which is already involved in a great deal of construction and building in the city of Chicago and would include provisions that would allow them to assist small businesses. It also includes the provision that would authorize them to set up a Bid Bond Program. I move for it's adoption."

Speaker Matijevich: "The Gentleman from Cook, Representative Young has moved for the adoption of Amendment #2. On that, the Gentleman from DuPage, Representative McCracken."

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

Speaker Matijevich: "He indicates he will. Proceed."

McCracken: "Does this purport to address the Supreme Court case, which apparently has outlawed some of the minority plans at the municipal level?"

Young: "We used a narrowly tailored language that the Supreme Court prefers."

McCracken: "You used the what?"

Young: "The language of a narrowly tailored program."

McCracken: "Well, did you do anything more than copy the language of the Supreme court case? Did you conduct any interviews or take poles or substantiate the allegations of this

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finding?"

Young: "Representative, we have done that on the Bill that we seek to extend, the states current minority and female business loan program."

McCracken: "But it purports to...does this Amendment purport to address and comply with that Supreme Court decision?"

Young: "This Amendment complies with and purports to absolutely, Representative."

McCracken: "And does the other Bill purport to comply with it as well?"

Young: "Yes, it does."

McCracken: "And were there any hearings held prior to the introduction of the Bill or Amendment?"

Young: "Yes there were."

McCracken: "And where were they held and how many were there?"

Young: "There were hearings held there was a hearing held in Chicago, there has been one hearing in Springfield. There will be a second hearing in Springfield if the Bill should move over to the Senate."

McCracken: "Were the hearings held prior to the time the Bill was introduced or after the introduction?"

Young: "The Bill was introduced as a shell, so we could have the hearings and based the actual Amendment on the result of the hearings."

McCracken: "Okay. Now you're referring to House Bill 38, is that right?"

Young: "That is correct."

McCracken: "Alright, and how many people testified at the Chicago hearing?"

Young: "My recollection is that it was approximately 15. I will advise that we have also sent out, we have written testimony from I would say, well over 100 minority and female vendors from around the State in regards to that

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Bill."

McCracken: "And did they all testify at your hearing in Chicago?"

Young: "Are you talking about the people who submitted written testimony?"

McCracken: "No, no, the ones who appeared?"

Young: "Yes, the ones who appeared testified."

McCracken: "Alright, and how many days did that hearing take, or how many hours?"

Young: "I would say the hearing took approximately 8 hours."

McCracken: "What, done in one day?"

Young: "And then there was another hour spent in Springfield."

McCracken: "An hour in Springfield."

Young: "Approximately."

McCracken: "Alright, to the Amendment, I rise in opposition to this Amendment and I think its time that we had the courage to address this problem without fear of political retribution. This is a palliative, this is a placebo. This Bill was just taken from the language of the Supreme Court and purports to comply with its requirements. It does not comply with it's requirements, it's merely magic language taken from the case so that the author can claim that they complied with the Supreme Court decision. Well, neither this nor what Chicago plans to do is complying with the spirit of that decision. They're going to adopt the magic language and say well, it's all done, we made these findings. Well, I can tell you that those findings were not made. There was a insubstantial hearing in Chicago, one hour in Springfield and it purports to direct us to adopt what in effect are quotas and preferences so that people can discriminate against contractors who are not minority or female. Now, I'll tell you, it's just plain wrong, and your adopting the magic language doesn't make it any better. If you can discriminate in the past or if you

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have discriminated in the past, do you think it makes it better by discriminating in the present? And I'll tell you something else, as a practical matter it's very difficult to comply with the rule of these rights and statutes. It's just a problem, and it is not based on any objective analysis of the state of affairs. It's merely the magic language and it is not in accord with the spirit of the decision and it should not be adopted. I rise in opposition."

Speaker Matijevich: "The Gentleman from Cook, Representative Williams."

Williams: "Thank you, Mr. Speaker. I rise in support of the Amendment as the Chairman of the Committee that actually took testimony, that day, I'd like to represent to the Body that at the hearings that we held in Chicago we held extensive hearings covering, I would say at least 8 hours of testimony, and it was both bipartisan representation at that hearing. The hearing received testimony from minority contractors, from the department, from a number of women contractors all testifying about the past situation that evolved here in the State of Illinois. We discussed the 'old boy' system that is heavily entrenched, we even discussed the aspects, some aspects of the political system and the fact and the history of the improvements that have been made under Minority of Female Business Enterprise Act. Since the creation of the Act, minorities have went from approximately, I believe it was less than 60...I don't happen to have the figures with me, it's something like 60,000 up to some odd million, meaning that in fact it has shown an improvement. The reality, and I tend to disagree with the last speaker, he was not present at the hearings, he did not have an opportunity to review the record and if he did he didn't quote from the record, he only quoted from

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what he assumed was an incomplete or an inaccurate record. I think that we took extensive testimony and that we did lay the proper... what I'd say had the right hearings and it was in fact, the hearings are true findings and therefore, the language that's here is a good and accurate record sufficient to sustain the program and I would urge for the adoption of Amendment #2."

Speaker Matijevich: "The Lady from Cook, a day older and wiser, Representative Loleta Didrickson, Didrickson."

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

Speaker Matijevich: "He indicates he will. Proceed."

Didrickson: "Representative Young, is this the same language that has been put on House Bill 38 with regards to the extension of the M.A.F.B.E. program or can you clarify for me what Amendment #2 does?"

Young: "No it isn't, Representative, and one of the previous Speakers obviously was addressing another Bill that is not this Amendment. This Amendment does not deal with set aside, does not deal with state business, does not deal with quotas or goals. It deals with loans and bonds, loans and bonds."

Didrickson: "That's the existing Bill, correct? It sets up an authority for the M.A.F.B.E. Program of loans."

Young: "This, this particular Amendment doesn't even deal with the M.A.F.B.E. Program, it deals with small business loans and performance bond program, but it's not IN CMS and again, there are no set asides, there are no quotas, there is no state business, there aren't any contracts involved in this Amendment."

Didrickson: "How does this Amendment differ from the underlying Bill?"

Young: "This Amendment puts it all in IDFA who already has

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similar programs. The original Bill was created a new program."

Didrickson: "Okay, okay, I appreciate that clarification. So you're not setting up a separate authority like the Illinois Development Finance Authority for these loans to the small businesses. You are going to have this, the authority goes, the bond program will be under IDFA, an existing one, and that's what Amendment #2 does?"

Young: "That's exactly right."

Didrickson: "Thank you."

Speaker Matijevich: "The Gentleman from Vermilion, Representative Black."

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

Speaker Matijevich: "Proceed."

Black: "Representative, let me follow up on the previous question. You are not creating a new entity as such, but you are creating a new authority within an existing entity, is that correct?"

Young: "That's not correct. The authority is already there. What we are doing is establishing a new fund in an existing authority."

Black: "So a new fund rather than a new agency."

Young: "That is correct."

Black: "Alright, would some of these businesses that you're talking about, might they have been created by a M.A.F.B.E. loan or grant, say three, four, five years ago?"

Young: "The only requirement for a business to participate in this program, Representative, is that it be a small business."

Black: "And that's less than, what, as I recall, less than 250 employees, is that the definition?"

Young: "Representative, it's a business which is independently

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owned and operated which is not dominant in its field of operation."

Black: "But isn't there, isn't there a number of employees that can trigger that definition? I thought it was anything less than 250?"

Young: "You are correct, less than 250 and with assets from the succeeding, year not to exceed 7,500,000."

Black: "Okay, now let me pursue this. What I'm trying to get at, if you have a business that was created through the assistance of a M.A.F.B.E. loan or other state programs, if I understand this Amendment, what you are now attempting to do is to allow that business that was created perhaps by state programs or funds to access new state programs and dollars to purchase an existing business. Is that equation anywhere near right?"

Young: "No, Representative because...I guess you're operating under a mistaken assumption because the M.A.F.B.E. program right now doesn't have loans. There are no loans associated with the M.A.F.B.E. program."

Black: "I understand that. I understand that. Thank you. But they could have accessed some of the existing small business programs under DCCA or other state programs, could they not?"

Young: "I'm not sure I understand that question."

Black: "Why,...to, to, to originally get started. I think they could, I guess, I guess. Representative, it's an intriguing idea, but I wonder, do you think it's good public policy to use tax money to assist an established business to buy out another business?"

Young: "Representative, I have no idea how that question relates to this Amendment, because we're not talking about buying out any businesses. We're not talking about establish versus new businesses, all we're talking about is a small

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business program and I think it's excellent public policy for this state to help and promote the development of small business. As we all know, that is the best way to address our unemployment problems is through the promotion of small business."

Black: "Well, I have no argument with that statement. The retention, creation of small business I think is a...it's the future of the state. You and I can agree on that. But I think you're underlying Bill, with or without the Amendment would make it possible for a M.A.F.B.E. to go out and use state funds to purchase an existing business, and then I begin to have some problems with it. Now, if I've misinterpreted your Bill, I apologize."

Young: "No, you're not misinterpreting it. Among the use of funds that would be available would be business expansion which happens everyday."

Black: "Alright, well I guess we might..."

Young: "But it would still have to be...the overall result, would have to leave it within the definitions of small business, as you so have stated."

Black: "So, so we couldn't get into a RJR kind of thing because that obviously wasn't small business. Well, I appreciate your kindness in answering the question and there are some interesting concepts here, but there also some, I think, pitfalls. Thank you, very much, Representative."

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

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

Speaker Matijeich: "He indicates he will. Proceed."

Regan: "Representative, does IDFA at this particular time back performance bonds for Small Businesses Minorities?"

Young: "They think it's idea a good idea, but there's no

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statutory authority for it."

Regan: "And this is what this Amendment does?"

Young: "Yes."

Regan: "To the Bill."

Speaker Matijevich: "Proceed."

Regan: "What we're addressing here, Ladies and Gentlemen, is a performance bond backed by the taxpayers of Illinois. Performance bonds are investigated very carefully by the insurance industry to see that a company is capable, capital assets, previous history, it's an underwriting standard that we should all be used to and certainly is necessary. It comes to the point where what is happening is when a state deals with any particular project if the performance bond is in place, that means the company is reliable. This completely circumnavigates the underwriting procedures when you're dealing with any of these companies that are not reliable, suddenly the taxpayers of the State of Illinois are reliable for that performance bond. We've seen it happen before, we're going to see it happen again, but what this Amendment does, is place the burden of that performance bond on the taxpayers of Illinois and I certainly oppose it as I did in the past."

Speaker Matijevich: "Representative Tony Young to close."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just reemphasize to the Members of the House; first of all, this is not a set aside program, it's not a money program, it doesn't involve state contracts, it doesn't involve quotas, it doesn't involve state business. This is a small business loan program geared to assist business throughout this state. In regards to the performance bond provisions, I would suggest to the Body that the Governor's Illinois Development and Finance Authority has a excellence track, record that they have

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proven to be very sound in their business decisions in the past. This will certainly not be a giveaway. We're leaving it up to the authority to set up the guidelines for the program. The small businesses in this state desperately need a little assistance from...there is no money in this Bill. I will repeat, there is no money in this Bill, so it's not an expensive Bill because there's no money. It's not a minority and female Bill, because it applies to all small business and it's left in an existing department with a excellent track record and I urge an 'aye' vote."

Speaker Matijevich: "Representative Anthony Young, has moved for the adoption of Amendment #2, to House Bill 1784. All in favor say 'aye', opposed 'nay'. All in favor vote 'aye', opposed vote 'no'. Representative Stephens, to explain his vote. Gentleman from Madison, Representative..."

Stephens: "Mr. Speaker, in explaining my 'no' vote, the language of the Bill, or of the Amendment, excuse me, talks about a retail business being one that does 1.5 million dollars annual sales and then and calls that a small business and then goes right to the next sentence and talks about a manufacturing business being one that employs two hundred and fifty people or less and that's a sizable corporation. That could be a billion dollar manufacturing firm. There's a wide discrepancy in the definition of a small business and this is kind of a slap in the face to the retailers. You can take two or three individuals and put them in a retail store and easily do 1.5 million dollars in sales a year. So I think there's a wide discrepancy in the definition of small business and this is a Bill that an Amendment that needs a lot more work, so I would urge more 'no' votes on the board."

Speaker Matijevich: "Have all voted? Have all voted who wish?"

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The Clerk will take the record. On this question there are 65 'ayes', 45 'nays', 1 answering 'present' and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "There's been a request for a fiscal note as amended, Representative Young, or Representative LeFlore rather. The Gentleman from Cook, Representative LeFlore."

LeFlore: "Mr. Speaker, I don't think that rule apply to 1784, does it?"

Speaker Matijevich: "Well the, the note request is for a fiscal note as amended to 1784 as amended."

LeFlore: "I move that, I move that the fiscal note does not apply."

Speaker Matijevich: "The Gentleman from Cook who had a fiscal note filed but now there's been one as amended has moved that the fiscal note Act is not applicable. And on that, the Gentleman from DuPage, Representative McCracken."

McCracken: "I'm disappointed in the request. You know, last time I was making a joke because the Bill in question was not particularly serious to state finances, but this is very important, and it goes even beyond problems with the Bill from a technical aspect. What is the justice in making available only to a select category of businesses, some of which can be up to 250 employees, state loans, state money, but it's denied to everybody else. What is the justice in that. What is the justice in telling a whole segment of the population that you aren't good enough under the law, you don't qualify. So, now because you're offended by our position on it, you want to ram this through without a fiscal note. What are you afraid of? What are you afraid of finding out? You think that's just? You think we should respect this kind of action? You're a bad example for what you're trying to accomplish. What's good for the

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goose is good for the gander. If you want to be treated fairly, then you treat another minority, an endangered species, House Republicans, fairly. And, you know, if you think there's only one or two types of minorities in the world you're wrong. You can come up with a million different minorities, a million different minorities. So with what's wrong with this? What's wrong with telling people they don't qualify because of the color of their skin. They don't qualify because they're not female. That's just. And that costs money, my friend and you shouldn't be afraid of the results of that fiscal note and I ask you to withdraw it. Withdraw this Motion, please."

Speaker Matijevich: "Representative LeFlore, has moved that the Fiscal Note Act is not applicable. Those in favor signify by voting 'aye', opposed by voting 'no'. Gentleman from Will, Representative Regan. For what purpose do you rise?"

Regan: "Mr. Speaker, just to explain my vote. The there is no question in anyone's mind here today I don't think that the performance bond portion of this Bill. alone is going to cost us taxpayers millions of dollars. There will be companies out there that start off as shells and heads that have no experience whatsoever cannot get performance bonds which means they can't have any history of completing projects on time. The state's going to back them. There's no question that it's going to cost money when they don't perform on time, the state will back it up."

Speaker Matijevich: "Representative McCracken, for what purpose do you rise besides a verification?"

McCracken: "That's it."

Speaker Matijevich: "That's it? Alright. Representative Parke, the Gentleman from Cook."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we're all painfully aware that in Illinois

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we only have so many dollars that can go so many places. I think this is a case that the citizens as well as you, each one of you as a Legislator ought to know what kind of monies that are going to be spent on Legislation. I think it's only fair, it's only reasonable that you should have every tool at your disposal so that you can make and cast an intelligent decision. This is only that kind of a request, that in fact that we can take a look at what the cost of this kind of Legislation will be and maybe you may decide that this is not right for what the citizens of Illinois have because you might have a priority that might take those dollars that we in fact will be spending some place else. I think all of us deserve the right to know what's going on. Thank you, Mr. Speaker."

Speaker Matijeich: "Have all voted? Have all voted who wish? The Clerk, will take the record. On this question there are 46 'ayes', 65 'nays' and 2 answering 'present' and the Motion fails and the Bill will remain on Second Reading to comply with the fiscal note request. The Gentleman from DuPage, Representative McCracken."

McCracken: "Speaking again of minorities, I'm pleased to see that we have a few token Republican Bills on this Order of call now. There are two out of about three, what is the total, about 30 Bills?"

Speaker Matijeich: "You'll be pleased to know we're ready..."

McCracken: "Representative Cowlshaw, is gratified that you've taken to heart her criticism of yesterday."

Speaker Matijeich: "You'll be pleased to know we're ready to switch too. But I'm not sure if you're on the next Order. Representative Anthony Young, in the Chair."

Speaker Young: "We are now going to the Order of Higher Education. We'll do those Bills on Second Reading then we will go to Third Reading. The first Bill on this order is

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House Bill 1235, Representative Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1235, a Bill for an Act to amend an Act to prohibit public school districts and public institutions. Second Reading of the Bill. No Committee Amendments. A Bill for an Act to prohibit public school districts and public institutions from discriminating. Second Reading of the Bill. No Committee Amendments."

Speaker Young: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 1499, Representative Keane. Is Representative Keane in the Chambers? Out of the record. House Bill 2337, Representative Bowman. Out of the record. We'll now go to higher education, Third Reading. The first Bill on this order is House Bill 32, Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 32, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Hallock."

Hallock: "Thank you, Mr. Speaker and Members of the House. What this Bill does is say that the merit scholarships which we give out, can be given for four years, if in fact there is not funding for the first two years. As many of you may recall, we in the General Assembly established a merit scholarship program a couple of years ago. Unfortunately, because of our funding situation, we haven't really funded that adequately and so we have many students throughout the state who have gotten letters from us saying congratulations on being merit scholars. The money will be forthcoming, then after two years after having gotten nothing, their getting a letter from us saying you are no longer eligible. That to me seems ludicrous in government at it's worst, so what this Bill does is try to rectify

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that and say that if in fact a student has received a merit scholarship, has not received any money, you are eligible for two more years and I would ask for your support."

Speaker Young: "The Gentleman moves for the passage of House Bill 32, and on that question is there any discussion? The Lady from Champaign, Representative Satterthwaite."

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

Speaker Young: "He indicates he will yield."

Satterthwaite: "Representative, I know that the history of the merit recognitions scholarship has been rather spotty. As I recall, two years ago we had insufficient funds for totally funding the students, but a few of the kids who were freshmen that year got funding. I would assume then that they are the ones, the ones in that class who did not get funding are the ones you're referring to now as getting letters indicating they are no longer eligible. Have you made any estimate in terms of what it would be required to put into that line item if we were to fund all of the students who have qualified but, because of lack of funding, were not funded, in addition to the new crop of students who would need to be funded?"

Hallock: "Well, the I filed a fiscal note to speak to that issue...From the State Scholarship Commission they anticipate approximately \$42,000, but the money's only part of the issue, to me it's either right or wrong, I mean, we either have an obligation which we should keep or we shouldn't have the obligation in the first place and that's the heart of the issue."

Satterthwaite: "Well, I realize that the Scholarship Commission indicated it would cost \$42,000 just to keep track of the students during those extra years to try to distribute the money to them. But, I think a more important issue is the question of how much money we would have to put into that

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line item if we were to fund it in fiscal year '90. I believe that...under the Governors budget proposal there was no recommendation by the Board of Higher Education for funding, the merit recognition scholarships. Under Speaker Madigan's tax proposal plan the Board of Higher Education recommends funding at an 8 million dollar level. That would take care, as I understand it, only of those students whose time has not yet expired. What I'm asking is, how much more we would need in addition to that to be able to pick up the students that you want to have covered by this legislation? Do you have an estimate of that additional amount?"

Hallock: "Well, I would say the answer would be none. Because, those who are currently in the program, we already have that obligation. So we're not expanding it, because they haven't received the money in the first place."

Satterthwaite: "Well your Bill in fact, would expand it so that those who otherwise would no longer be eligible...keep their eligibility and so it obviously is going to have a fiscal impact. It is going to mean funding students who otherwise would lose their eligibility because they were beyond the second year of college. Do you have any idea how the funds would be distributed if we were to get the 8 million dollars, but not any additional money to fund the students who otherwise would be dropped?"

Hallock: "Well the Scholarship Commission had a plan of sorts, whereby they decided who received the money, and they started from the top and worked on down."

Satterthwaite: "Well, the point is, with your new legislation, we are keeping a segment of the students in the program who otherwise would, because of the timing, be disqualified from getting the funds. Until we have some idea about how much additional financial obligation that puts upon the

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state, and until we know for sure if there is not sufficient funding for all of the students to qualify this year, I think we would be mistaken to pass a Bill requiring additional funding without even knowing whether that funding would get to the students that you want to have covered. If the obligation as I understand it, is that we start with the Sophomores, who have gotten funding in their Freshman year, give them a priority, then fund the Freshmen, I don't even know where the Juniors and Seniors who would be covered by your Bill fit into that priority for funding. I think that there are many uncertainties in regard to where the money would actually go, if we are able to fund at the 8 million dollar level, but no more. And certainly we have no guarantee at this point that even the 8 million dollars would be available. I just feel we're opening ourselves to another financial obligation, even though we have not been able to fund this program the last two years. As in many cases we don't go back and tell our local school districts that because we didn't fully fund their special education personnel line item last year, that we will pick up that obligation this year. And I don't think the students have any greater priority to assume that because there was no funding the year that they would qualify, that they now can renew that entitlement to funding. I realize that your intent is to give the students who were denied access to this program their funds, I think that's admirable, but without assurance that the funding will be there to do it, I'm afraid it only complicates the system more than it helps to relieve the state of its past obligations."

Speaker Young: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this, though I am sure the

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Sponsor is worthwhile in his endeavor. I happen to think that the concept of this is well intended, but I happen to think also that it's a cruel hoax on which we are playing on the young adults of our society in Illinois, to offer them something by doing good works and then not having the responsibility because of lack of funding to not give them, probably is one of the most depressing issues that come to my attention every year from parents and students who come forward and say that they have qualified and want to know where the money is that they are supposed to receive. To extend it any further is just a further extension of this hoax that we are playing on young people, and unfortunately I am disappointed that we can't fund these programs. But if we can't fund them at two years, we certainly cannot fund them at four years and I...instead of having this kind of legislation, I'd like to see us repeal the underlying Bill...legislation altogether and use the money in ways that might be more...might help our education community do a better job. So I rise in opposition to this, though it's worthwhile idea."

Speaker Young: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "The Sponsor yield? John, just let me clarify here. If you get a merit scholarship under the current law, do you get...do you get a scholarship for one year or do you get a scholar...within the first two years of college, or do you get it for both years?"

Hallock: "This is a two year program."

Kirkland: "Okay, and under your change, people who qualify when they get out of high school for a merit scholarship would potentially qualify for a scholarship for each of their next four college years?"

Hallock: "No...well, in essence what it does, is say if they

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don't receive any funding for either of the first two years, they would have two more years. So in other words, it's still a two year program, but we're saying that they're eligible for four if they don't receive funding for the first two."

Kirkland: "Alright, thank you."

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

McGann: "Thank you, Mr. Speaker, and Members of the Assembly. I rise in opposition to House Bill 32. We talk about playing games with people. This is truly a good example of playing games with merit students. We don't have enough money presently to fund the merit scholarship which we put into effect a few years ago. These dollars are not available. Even if we get the additional 8 million dollars under the tax proposed...proposed tax increase that went to the Senate, for which the Sponsor of this Bill did not vote for, we would only have 8 million additional dollars. Now that is if we have also received the cigarette tax proposal, which seems doomed at the present time. We don't have enough dollars period. And yet the Sponsor of this Bill, is bringing this Bill before us and saying, 'we shouldn't be doing these things to our students.' I say vote 'no' and stop the wrong doings to our merit students."

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

Cowlshaw: "Thank you, Mr. Speaker. To the Bill. The history of the merit recognition scholarship does not reflect meritoriously upon the General Assembly. This program began and was initially conceived to be for the upper 5 percent of the graduates of Illinois high schools. And during the first year that this merit recognition scholarship was created, it was in fact very nearly adequately funded. Well, since we wanted to promote merit, we then changed that to 10 percent...the top 10 percent."

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We doubled the number of students who would be eligible and we reduced the appropriation, both in the same year. And so since the rules of the Scholarship Commission are that, they will simply give these scholarships to those students who rank the very highest until they run out of money. The year that we cut the appropriation, and doubled the number of eligible students, only those students not even all of those students...in the upper 1 percent of their graduating classes actually got these scholarships. And now, nobody gets them. Perhaps it is time that the General Assembly became more meritorious and far more responsible. We have promises to keep. We do not keep them. This Bill simply gives us an extended period of time in which to prove that we mean to keep our promises if we expect young people to be meritorious, perhaps we ought to set that example ourselves."

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

Doederlein: "Mr. Speaker, I rise in support of this Bill. In lieu that we have not cancelled the merit scholarships, I think it is unfair that these students who expected to get this money, did not get it. And I would say that the Scholarship Committee could go on using the Seniors first, the Juniors next, and the Sophomores and Freshmen. In that line of order. Thank you."

Speaker Young: "Representative Hallock, to close."

Hallock: "Well, thank you, Mr. Speaker, Members of the House. I think the two previous speakers have very eloquently stated the merits behind this Bill. But let me remind all of you, the problem that we're in. As I said previously, we have established a merit scholarship program statewide for scholars in our state. We have said for two years, you're eligible for funding. After that two year period is up, we are now sending out letters saying that, by the way, you

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were eligible for a scholarship for two years, your two years are up, there's no money, you're no longer eligible.

In other words to me, this is a sham. It's Government at its worst. It's hypocrisy to on the one hand say, you're eligible for a scholarship, on the other hand to say two years later, even though you didn't receive a dime, you're no longer eligible. Think about it. On the facts, it's ludicrous. You know it and so do I. All this Bill does is say to those students that if in fact, because of the shortcomings of the General Assembly, that we haven't funded that program and given any money to those students, that they are eligible for two more years. Not for four years altogether of funding, but for at least two years of funding under this program. It's a good idea. It's a simple concept. It's a fair concept, and I've made sure that we in fact keep our obligations and our promises. It's a good Bill and I would ask for your support."

Speaker Young: "The question is, 'Shall House Bill 32 pass?' All those in favor vote 'aye', those opposed vote 'nay'. Voting is open. This is final passage. Have all voted who wish? Representative Davis, one minute to explain your vote."

Davis: "Mr. Chairman, Ladies and Gentlemen of the House, I just rise to ask a question that I know will not be answered. It's a rhetorical question and that is if we have not been able to fund 8 million, how are we going to fund 16 million?"

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 93 voting 'yes', 19 voting 'no', 2 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 700, Representative Hultgren. Out of the record. House Bill 921, Representative Dunn. Read the

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Bill, Mr. Clerk."

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

Speaker Young: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 921, is an Amendment to the college savings bond statute, which we have on the books now. And the purpose of this legislation as amended is to provide for the ability to purchase these bonds in smaller denominations. So House Bill 921, as amended would provide that one half of the bonds sold in the future, shall be issued in denominations of \$1,000. This allows middle income people access to these bonds. There have been some middle income people who bought these bonds in the past, but to a large extent the \$5,000 denominations are out of their reach. So I would ask for your favorable vote to make the college savings bond program more accessible to middle income people."

Speaker Young: "The Gentleman has moved for the passage of House Bill 921, and on that question, the Gentleman from Fulton, Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Young: "He indicates he will yield for a question."

Homer: "Representative Dunn, what will this do to the underwriting cost of the program?"

Dunn: "Well, it...I don't know that it will change the cost. Obviously it's easier for a stockbroker to sell a one \$5,000 bond than five \$1,000 bonds. But the purpose of this legislation, of course, is not to make life easier for stockbrokers, it's the purpose of the statute is to make college more accessible to middle income families."

Homer: "Well, I know, and I want to support your idea. I think it would do what you're saying, so long as it doesn't mean

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that the bonds would end up paying a lower rate of interest as a result of the increase in the underwriting costs. I would assume that these brokerage houses bid on these issues from the state based upon what their cost and projected profits will be, and if in fact what we're doing is adding to the costs, then the only way that these can be sold would be at a lower rate of interest, which would mean the purchasers of the bonds, and ultimately the students for whom these are to benefit would end up getting back less money at the maturity date than they would otherwise. I just wondered what kind of information you have with respect to that issue."

Dunn: "I have little information. I'm not a stockbroker, but to a great extent these bonds of course are tax exempt, and so...people in high income tax brackets are willing to buy them at low rates. So I don't think the rate will affect the sale of the bonds, because the tax exemptions are attractive for people who don't need this program to send children to college, so whatever we need to do to make this program more accessible is what we ought to do."

Homer: "Thank you."

Speaker Young: "Further discussion? Representative Dunn to close."

Dunn: "I ask for your favorable vote..."

Speaker Young: "I'm sorry Representative, the Gentleman from Vermilion, Representative Black on the question."

Black: "Thank you, Mr. Speaker. Will the Sponsor yield? Thank you, Representative did you run this by the Baccalaureate Trust Authority at all?"

Dunn: "I ran it by the...I believe the Board of Higher Education, but no."

Black: "Okay, your language on maturities and denominations, that means the...I'm a little unclear as to what that means."

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That means, at maturity, not what you're going to be selling the bond for, is that correct?"

Dunn: "That...the...as I understand the way this program works, it's sort of like the old-fashioned government savings bond. You buy a bond at 750 thousand dollars and at maturity it's worth a thousand, that's the way these work."

Black: "Alright, and the fiscal note that you filed was not from the Bureau of the Budget, that was from the Board of Higher Ed. Correct?"

Dunn: "I think that's correct."

Black: "Alright, well I...to the Bill, Mr. Speaker. I think the Sponsor is certainly on the right track, and I agree with the previous statement, anything we can do to make these more available and as the Sponsor's trying to do, make it do what we intended it to do in the first place, and that is to help finance a child's education, is probably a good idea. I think it might need a little cleaning up in the Senate, but we'll be more than happy to work with the Sponsor on this. We have a couple of questions, but I don't think anything major that we can't work out."

Speaker Young: "Representative Dunn, to close."

Dunn: "I ask for favorable vote."

Speaker Young: "The Gentleman moves for the passage of House Bill 921. The question is, 'Shall House Bill 921 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no', and none voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. House Bill 1190, Representative Steczo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1190, a Bill for an Act to amend the

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Public Community College Act. Third Reading of the Bill."

Speaker Young: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1190, does two things. First, one Section of the Bill deals with bond issues by the community college district and it specifies that when bonds are sold, and there may be excess monies available after the bonds have been paid off, that the excess funds would go into a fund of the district with the nearest similar purpose to the bond issue that's been retired. Secondly, Representative Ewing, amended the Bill...and that Amendment deals with the newly formed community college district in the Bloomington and Lincoln and Pontiac area, and it provides that those districts would be...the members of the board would be elected by subdistrict rather than at large. I would be happy to answer any questions that House Members may have and if not, would appreciate 'aye' votes."

Speaker Young: "The Gentleman has moved for the passage of House Bill 1190. And on that question, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I stand in support of this. This...the Amendment that deals with the community college...only affects the newest, last remaining area that can be established at a community college and we welcome your support for that."

Speaker Young: "The Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question or two."

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

Pullen: "About the base Bill, not the Amendment. This provides for the transfer of working cash funds, is that what you said?"

Steczko: "The funds remaining after bonds have been paid off, Representative Pullen."

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Pullen: "What happens to those funds now?"

Steczo: "Quite honestly, I'm not certain that they have to stay in that same account and can't be used for anything. So the...I think the point we're trying to address here, is that the bonds may have been paid off and perhaps through some quirk at the county clerk's office after the...bonds have been registered, and they've been retired, there may be some excess dollars there. Bonds have been paid off, there may be no other use for these funds, and so they can't be spent for anything other than the use for which the bonds have been...had been issued and what the community college board has suggested is that for whatever excess funds are there, since the dollars are already in the treasury and it's certainly not a lot of money, is that there is a...they would be transferred to a...an account that would be similar to the thing that the bonds were issued for, and therefore could be used for some useful purpose."

Pullen: "These bonds are issued for a dedicated purpose. Is that right?"

Steczo: "That is correct."

Pullen: "And the terms of the bonds would limit the purposes for which they could be used?"

Steczo: "That is correct, too."

Pullen: "Thank you, Mr. Speaker, I'd like to continue asking you questions, now that I'm back on, if I may. If I can remember where I was. If these bonds...if the money from these bonds can be used for only a dedicated purpose, which was described in the bond issue, if there are excess funds left over, would that not mean that those funds could be used only as abatement to the taxpayers and not used for any other governmental purpose?"

Steczo: "Representative Pullen, I'm not sure exactly how that

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works, but by saying in the legislation that the transfer would be to a fund with a similar purpose to the bond issue retired, would mean that the excess dollars would be used for something that would benefit the taxpayers and the students and the institution. Perhaps, those dollars could be abated, but nevertheless, that may be problematic in terms of means."

Pullen: "Who would define what the appropriate or similar use would be?"

Steczo: "The board."

Pullen: "The same board that issued the bonds?"

Steczo: "I believe they would have to get some concurrence from the Illinois Community College Board in order to do that. It certainly wouldn't be a carte blanche."

Pullen: "What about the bond holders?"

Steczo: "Well, I think Representative Pullen, we have a decision that we can make here, if the bonds have been approved by the taxpayers, that certainly suggests that they've approved levying for the bonds, issuance of bonds, etc. And there is a couple excess dollars left, so the question is, 'does it behoove the school to abate those, leave them in the fund to go no place?', or to try to utilize those couple extra dollars for something that would be worthwhile to the taxpayers in that district. It might prevent them from having to come back for a tax increase at some point in the future."

Pullen: "Mr. Speaker, I'd like to address the Bill please. What the Gentleman is asking us to do, is to give authority to the board of the community college district to use bond funds, which were approved by the taxpayers for a specific purpose for some other purpose that that district deems fit, if there is money left over from the bond issue. I am amazed that we are not hearing from all sorts of bond

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councils about this Bill, because in the past we used to hear from them about this sort of Bill that tinkers with the bonding process. I think that this is really opening up a financial question that the taxpayers are not going to understand when they go and vote on a bond issue. Keep in mind that when a referendum is put for bond issues, the question on the ballot carefully describes the purpose for which the money shall be used. The Gentleman's Bill permits some of that money, once the purpose has been fulfilled to be used for other purposes that have not been voted on by the people, rather than being abated to the people. And I urge a 'no' vote. Thank you."

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

Cowlshaw: "Thank you, Mr. Speaker. I would like to address this Bill briefly as amended. The Amendment to this Bill requires that in our newest, and only our newest, that's true, it does not extend to all community colleges, but only the newest one. Requires that all of the members of that community college board be elected by subdistrict, rather than at large. When this concept was first introduced, the Community College Trustees Association did some research and they discovered that every minority elected to a community college board running at large, has been elected with either the second or the third largest number of votes, never the largest number of votes. And consequently when you have elections at large, you give opportunities to minorities to serve on these boards, and the way the election process actually works, is that when you have subdistricts and only one person can be elected from each subdistrict, you deny minorities those opportunities. Finally, I do not know to how many Members of this House, this letter was sent, but I have a letter from the NAACP, which states that it believes that this

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concept denies minorities the opportunity to serve on these boards. I hope that letter from the NAACP was distributed to a good many of you. It made an excellent case for the fact that putting this election of these board members into subdistricts is in fact a very bad idea, and a great disservice to minorities. Thank you, Mr. Speaker."

Speaker Young: "The Gentleman from Vermilion, Representative Black."

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

Speaker Young: "He indicates he will yield for a question."

Black: "Thank you, very much. Representative as you recall in committee, your underlying Bill, I think there was expressed a desire on some of the members of the committee, to perhaps place a limit on the amount of dollars that could be transferred out of the bond interest account. And as I recall you stated that you might act favorably upon that request. I don't see any Amendment that does that. Would it be your intent perhaps to get this attached in the Senate?"

Steczo: "Well, Representative Black, let me...let me answer your question. In committee the question was a concern about the amount of excess funds that in fact might be there, and so what we did...we...before we proceeded, the first thing we decided to do was to seek a legal opinion to ascertain in fact if it was possible that large amounts of excess funds could be due after the completion or after the pay off of a bond issue. And the legal opinion that we received goes through the procedures by which these bonds have to be issued, and suggests that there would not be a lot of excess funds that we're dealing with. And just to...for the information of the Members, the secretary of the district has to file certified copies with the county

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clerk. The county clerk of each county then prepares and keeps a registry of all the bonds. And he keeps a record of the date, amount, purpose rate and levies taxes against those. So with the actual levy being out of the local boards hands, according to the legal opinion, the possibility that there will be a great amount of dollars in excess at the end of the bond issue, is negligible. So, the county clerk pretty much takes care of all that."

Black: "You're correct. Thank you, very much, Representative."

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

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of the Gentleman's Bill. Both the underlying Bill and the Amendment are things that have been requested by the community college board. What we see in the underlying Bill is that currently there is no way that a local community college board can dispose of a small excess of dedicated funds. In the past they have probably transferred that money to other funds without any authorization to do so. Because it doesn't make any sense to have a fund sitting there with no use and no purpose to fulfill. What we would be doing by the underlying Bill is to make sure that the community college board, the local board, has to do this in appropriate form. That they have to adopt a Resolution indicating where those funds are going to be transferred, with the additional restriction that they determine that it relates as closely as possible to the original purpose of the bonds. And so for instance if you have issued bonds to build a new building and you end up with \$5,000 more in that fund than you need after you have paid off all the bonds and interest, you could perhaps decide that the best related fund would be the operation and maintenance fund to help you maintain that

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building. But, the board could not simply transfer that money willy-nilly, they would have to do it in a public sense by passing a Resolution to designate which was the most closely related fund and that the money was being transferred there. And so it puts the system out in the open, whereas before, it was probably being done under the table. Maybe not illegally, but certainly with no direction as to what was going to happen with that money. In terms of the Amendment dealing with the Bloomington area community college, which is to be up and running soon, as I understand it, the Amendment conforms to the wishes to the local people there. I think that districting can be done fairly so that we can assure that there will be broad representation on that board. I think we should allow them to do it the way they want to do it, and I support the Gentleman's Bill."

Speaker Young: "Representative Steczko to close."

Steczko: "Thank you...thank you, Mr. Speaker, Members of the House. I appreciate the debate that has taken place on House Bill 1190. And in terms of the first provision of the Bill, I think we've ascertained that monies in excess after these bond issues have been maintained, have been paid off rather, certainly will not be large amounts, but certainly should be amounts that possibly could go for the benefit of the educational programs or whatever programs, or similar programs at the community colleges. There is protections for the bond issuers, for the bond owners and for the taxpayers through the actions of the various county clerks. Secondly, with regard to the...the subdistrict Amendment, I think we all have to realize that this district which is being created was one of the ones which the Legislature forced on the particular district. Secondly, all of us realize that in a case like that it's

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important to have representation from throughout the district that is affected. So this Amendment will do that. It only affects the one district in the State of Illinois and I would ask for your 'aye' votes on House Bill 1190."

Speaker Young: "The Gentleman has moved for the passage of House Bill 1190. All those in favor vote 'aye', those opposed vote 'nay'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 61 voting 'yes'...Representative Turner for what purpose do you rise?"

Turner: "Mr. Speaker, I request a verification on this Bill."

Speaker Young: "The Gentleman requests a verification. Representative Steczo, requests a Poll of the Absentees."

Clerk Leone: "A poll of those not voting. Bugielski. Klemm. Krska. McPike..."

Speaker Young: "Excuse me, Representative Trotter votes 'no'."

Clerk Leone: "...and Wyvetter Young. No further."

Speaker Young: "Representative Santiago votes 'no'. Representative Preston votes 'no'. Representative Matijevich..."

Matijevich: "Change me to 'no'."

Speaker Young: "Representative Novak requests leave to be verified. Representative Mays votes 'aye'. Representative John Dunn votes 'present'. Representative Saltsman votes 'no'. Representative Sutker votes 'no'. Representative Petka votes 'aye'. Representative Ryder votes 'aye'. Representative Hartke votes 'no'. Representative Bugielski votes 'aye'. Speaker Madigan votes 'no'. Representative Breslin in the Chair."

Speaker Breslin: "Have all voted who wish? Representative Granberg. Representative Woolard changes his vote from 'no' to 'aye'. Representative Granberg changes his vote

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from 'no' to 'aye'. Representative Leverenz votes...changes his vote from 'aye' to 'no'. Representative Doederlein changes her vote from 'no' to 'aye'. Representative Parcells changes her vote from 'no' to 'aye'. Any further changes? Representative Van Duyne changes his vote from 'aye' to 'no'. The Gentleman from Will, Representative Wennlund changes his vote from 'no' to 'aye'. Representative Black for what reason do you seek recognition?"

Black: "Thank you, Madam Speaker. I don't have my glasses. I can't see up there. How am I recorded?"

Speaker Breslin: "You're voting 'present'."

Black: "I'm voting 'present'?"

Speaker Breslin: "Yes. Do you wish to decide?"

Black: "Perhaps I should vote 'aye'."

Speaker Breslin: "The Gentleman changes his vote to 'aye'. Representative Barger changes his vote from 'no' to 'aye'. Any further changes? Hearing none...Representative Churchill changes his vote from 'no' to 'aye'. On this question there are 62 voting 'aye', 45 voting 'no', 4 voting 'present'. This Bill having received the...Representative Turner asks for a verification. Okay. Mr. Clerk, would you poll the absentees if there's anyone not voting? Very good. Poll the affirmative."

Clerk Leone: "Poll of the affirmative. Ackerman. Barger. Black..."

Speaker Breslin: "Representative Turner...Representative Turner, Representative Ryder asks leave to be verified. He has leave. Proceed, Mr. Clerk."

Clerk Leone: "Brunsvold. Bugielski. Capparelli. Churchill. Countryman. Curran. Daniels. DeJaegher. DeLeo. Doederlein. Ewing. Farley. Flinn. Virginia Frederick. Giglio. Giorgi. Goforth. Granberg. Hallock. Hoffman.

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Homer. Hultgren. Johnson. Keane. Kirkland. Kulas.
Lang. Laurino. Levin. Mautino. Mays. McAuliffe.
McCracken. McGann. Mulcahey. Munizzi. Olson... Bob
Olson. Myron Olson. Parcels. William Peterson. Petka.
Richmond. Ronan. Ropp. Ryder. Satterthwaite. Sieben.
Steczo. Stephens. Tate. Terzich. Wait. Weaver.
Weller. Wennlund. White. Wolf. Woolard and Zickus."

Speaker Breslin: "Representative Giorgi changes his vote from 'aye' to 'no'. Representative White changes his vote from 'aye' to 'no'. Do you have any questions of the affirmative Representative Turner?"

Turner: "Yes, Ma'am. Representative Richmond?"

Speaker Breslin: "Representative Richmond. Bruce Richmond. Is the Gentleman in the chamber? How is he recorded, Mr. Clerk?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

Turner: "Representative Ronan? Al Ronan?"

Speaker Breslin: "Representative Ronan. Al Ronan. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

Turner: "Representative Flinn? Monroe Flinn?"

Speaker Breslin: "Representative Flinn. Monroe Flinn. Is the Gentleman in the chamber? He is not, remove him from the Roll Call."

Turner: "Representative Munizzi?"

Speaker Breslin: "Representative Munizzi. Is the Lady in the Chamber? How is she recorded?"

Clerk Leone: "The Lady is recorded as voting 'aye'."

Speaker Breslin: "Remove her from the Roll Call."

Turner: "Representative Didrickson, Leletta Didrickson?"

Speaker Breslin: "Representative Didrickson. Is the Lady in the

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Chamber? How is she recorded? She is recorded as voting 'no'."

Turner: "Representative Keane? I'm sorry. Representative Jim Keane."

Speaker Breslin: "Representative Keane, Jim Keane. How is the Gentleman recorded?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

Turner: "Representative Capparelli?"

Speaker Breslin: "Representative Capparelli. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

Turner: "Representative Farley?"

Speaker Breslin: "Representative Farley is in the Chamber. Representative Munizzi has returned to the Chamber. Record her as voting 'aye'."

Turner: "No further, Madam."

Speaker Breslin: "Remember if anyone changes their vote later on you can not go back to the Roll Call, Representative Turner."

Turner: "Representative Weller?"

Speaker Breslin: "Representative Weller. Is the Gentleman in the Chamber? How is he recorded? He's in the Chamber. Representative Barger asks leave to be verified. You have leave, Sir."

Turner: "No further challenges, Madam."

Speaker Breslin: "Very good. Representative Hasara, for what reason do you seek recognition?"

Hasara: "I'd like to change my vote please from 'no' to 'aye'."

Speaker Breslin: "Change Representative Hasara from 'no' to 'aye'. On this question there are 56 voting 'aye'. Representative Steczo, for what reason do you seek

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recognition?"

Steczko: "Madam Speaker, I'd ask leave for a Postponed Consideration please."

Speaker Breslin: "Very good. There are 56 voting 'aye', 46 voting 'no', and 4 voting 'present'. The Gentleman asks leave for Postponed Consideration and that is granted. House Bill 1190, will be on the Order of Postponed Consideration. The next Bill is House Bill 1484, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 1484, on Page 41 of the Calendar, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Madam Speaker, I'd like to have leave to return this to the Order of Second...for an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

Clerk Leone: "Floor Amendment #2 is being offered by Representative's Pullen and Mautino."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, very much, Ladies and Gentlemen. Amendment #2 provides for the notification for the referenda for the one year tax provision that's embodied in the Bill. I ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1484. On the question, is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment's adopted. Are there any further

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Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Read the Bill. Representative Mautino now ask leave for immediate consideration of this Bill as amended. Does he have leave? Hearing no objection, leave is granted. Read the Bill on Third, Mr. Clerk."

Clerk Leone: "House Bill 1484, a Bill for an Act to add Sections to the Public Community College Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. House Bill 1484 as amended with Amendments, with the final Amendment, provides for a notification and backdoor referendum as it pertains to a one year provision that would allow for the community colleges in the areas where there is a declining assess evaluation and economic decline to provide for a matching grant provision that was adopted last year, and this formula which would distribute those state monies to those schools would be levied and valid for only one year after the community college obtained the notification and the authorization to increase that levy from the state board that would be valid for one year. Specifically, it addresses those community colleges as follows: Black Hawk College, South Suburban College was the similar authority that was provided last Session, Lake Land College, Carl Sandburg College, Kankakee Community College, Belleville Area College and John Wood Community College. The impact of those Community Colleges involved is vital and it provides a safety net for them to survive while they are burdened with a formula in equities currently because of declining tax base. The impact of the taxpayers is restricted and the minimum tax rate is temporary. It does

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not effect the permanent tax rate indefinitely. It's a one year provision and is only valid for that period of time and I ask for affirmative support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1484. On the question, the little Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. Will the Sponsor yield for a question please?"

Speaker Breslin: "He will."

Cowlshaw: "Representative, I believe that this Bill as originally introduced made this provision subject to a backdoor referendum. Is that still so, or has the Amendment changed that?"

Mautino: "That is still the case. Representative Pullen had requested for the additional information and notification to be published in the local newspapers setting forth the Resolution, the specific number of voters required to sign the petition requesting the Resolution, the time that the petition must be filed, the date of the prospective referenda and the Secretary should provide those petition forms for an individual requesting one which is public notice two steps further than what was in the original Bill."

Cowlshaw: "I understand that, but it is still a backdoor referendum, is that correct?"

Mautino: "Correct."

Cowlshaw: "Thank you, very much."

Speaker Breslin: "Lady from Cook, Representative Parcels."

Parcels: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I have a memorandum which some of you might of have had from the Taxpayer's Federation which even though this is a referendum now, a backdoor referendum, probably would prefer a front door referendum. I don't know why we can't

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do all of these referendums front...referenda front door. They point out that this would be the first time a state agency would be allowed to certify and authorize a local property tax rate increase. This is a bad precedence to set and this is their reason for not approving the Bill. I think some of the ideas in the Bill are good, but I don't know why the Sponsor can't make it a regular front door referendum and get the acceptance of all of the Members of the House and therefore I would be opposed to this Bill."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. With all due respect to the comments the previous speaker made, I would bring to the attention of this House that we're not dealing with the situation that is...that applies everywhere. It applies to particular community colleges who find themselves in a particularly bad situation financially. Also the time is being limited for the application of it and we did in fact for all practical purposes save, Thornton Community College last year with similar kinds of Legislation. The public community college system in this state is a combined local and state effort. We have an obligation as the state policy makers for the community colleges to make certain that they can function and be viable and meet the need of economic and close to home kind of a college education program. So, I think it's vital that notwithstanding some of the misgivings that we do have that we support this Legislation."

Speaker Breslin: "Any further discussion? Hearing none, Representative Mautino, to close."

Mautino: "Well, thank you, very much Madam Speaker. I appreciate the comments of Representative Hoffman and I think he emphatically points out the dilemma that these community

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colleges are in. If you'll recall last year when this Legislation was presented, it was presented after the South Suburban College obtained that authority. So what we're doing is following for a one year provision for these entities that have been devastated by industrial loss and declining evaluation. I think the one year shot is extremely important to them. We're not talking about a lot of money but we are talking about a way for those entities to take care of those problems for example that were not taken care of when the Old Capital Development Board, and I forget exactly what it was called then, built some of these buildings and would not take care of those deficiencies in those buildings that the end result is either we come down and ask for a specific appropriation to correct those situations or we allow those individuals living in those areas to subsidize their own community college. That's what we're asking here. I think it's a good Bill. It's a one year provision and it does provide for certification by the state board and I think it's a right step to make for those community colleges that have been devastated by the loss of values. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 1484 pass?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open? This is final passage. Have all voted who wish? Representative Steczo, one minute to explain your vote."

Steczko: "Thank you, Madam Speaker, Members of the House. I just need, feel that it's important to expand upon what Representative Hoffman and what Representative Mautino said about the importance of trying to help our community colleges. I think all of us are aware that those local community colleges with the increased tuitions and unaffordability basically for many people of four year

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institutions are being forced to take more and more students, have more and more students enrolling and if they can't provide a good quality program because their tax base or what have you is not proper and not good enough or large enough to be able to afford those kind of programming efforts, then not only do we lose and the taxpayers ultimately lose but all those students who wish to have affordable education simply will not be able to do that at the community college level, so community college is..."

Speaker Breslin: "Bring your remarks to a close, Sir."

Steczo: "That community college education is becoming more and more important and this is a way to make certain that it, that quality education is provided."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question there are 64 voting 'aye', 43 voting 'no' and 6 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1543, Representative Parcels. Clerk read the Bill."

Clerk O'Brien: "House Bill 1543, a Bill for an Act to amend an Act relating to sale at retail of merchandise. Third Reading of the Bill."

Speaker Breslin: "Representative Parcels."

Parcels: "Madam Speaker, could I take this back to Second for purposes of an Amendment?"

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does she have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk."

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

Speaker Breslin: "Representative Parcels."

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

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House. The Amendment becomes the Bill and it is a...we've had some discussion between the Retail Merchants and the universities and they are in complete agreement in this so I would say it's an Agreed Amendment. It provides that the Governing Board of a state institution of higher learning may not permit a retail store operated by that institution to make credit sales when the credit extended is the credit of the institution. This will not prevent any retail store from making credit sales through an independent credit organization. You know, VISA or Master Card that is not affiliated with the institution. In other words, they don't want the credit of the university, behind these sales, except in certain things. They may use their university credit for text books or other items such as food and things that they will be using in the classroom. That is what the entire Bill is and I would ask for your acceptance of this Amendment."

Speaker Breslin: "You have heard the Lady's Amendment. Is there any discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Breslin: "She will."

Weaver: "Representative, would this also include athletic equipment?"

Parcells: "It was not specific, specifically addressed to athletic equipment. It listed in the Bill, text books, food, beverages, educational items required per use in classroom activities or items sold by some institution on credit before the effective date."

Weaver: "Would it be, would it be your intention then with this Amendment that it, that it exclude such things as lab equipment, text books and athletic equipment as long as their used the athletic classroom."

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Parcells: "Yes, if it was used for the athletic classroom, I would assume that would be such as where it says his classroom activity that, so the shorts you need for running out in your Phys Ed Class would be included in this."

Weaver: "Would this also apply then to extra curricular activities that are associated or affiliated with that university?"

Parcells: "They have not specified that and..."

Weaver: "Let me give you an example; cheerleaders, pom pon squads, athletic teams, sometimes buy their equipment from retailers, private retailers and sometimes buy it through the school. Would this Bill as amended prevent that?"

Parcells: "It would not, it would not...it has not addressed it. If you think that's an important thing, I would suggest that we put that Amendment on in the Senate and I would be happy to see to it that it is done that way."

Weaver: "Yeah, let's take a look at that. Thank you."

Speaker Breslin: "Any further discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted? All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Parcells now asks for immediate consideration of this Bill on Third Reading and on the Order of Short Debate. Is leave granted? Hearing no objection, leave is granted. Present the Bill on Third, Representative Parcells."

Parcells: "Thank you, Madam Speaker, Ladies and Gentlemen. I've just given you the background of the Bill you've heard a brief discussion on it. I think it's a good Bill. It will be good for students and good for the university and I would ask for your 'aye' vote on House Bill 1543."

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Speaker Breslin: "This Bill is on the Order of Short Debate.

Does anyone rise in opposition? There being none, the question is, 'Shall House Bill 1543 pass?' All those in favor vote 'aye', all those opposed 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2033, Representative McGann. Mr. McGann are you prepared on this Bill? Clerk, read the Bill."

Clerk O'Brien: "House Bill 2033, a Bill for an Act to amend an Act relating to Illinois Mathematics & Science Academy. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker, Members of the Assembly. House Bill 2033, was an...Amendment was placed on this Bill and then moved to Third Reading. The Amendment became the Bill. It was an agreed Amendment to clearly establish the Illinois Mathematics and Science Academy as a state agency effective this fiscal year. The academy is being funded by a direct state appropriation. Previously funding was received indirectly through a grant from the State Board of Education. A number of laws required clarification to accomplish this change. This Bill, by the way came through as a result of audits in the Legislative Audit Commission. There are many items in here. I discussed the Amendment in it's entirety. Representative Cowlshaw had one question and I believe that the executive director from the Legislative Audit Commission has resolved that question in her mind. I believe it's pretty well agreed for both sides and I'd ask for its passage at this time. Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of

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House Bill 2033, and on the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. I just have a brief question for the Sponsor if he is willing to yield."

Speaker Breslin: "Representative McGann."

Cowlshaw: "Thank you. First I want to thank Representative McGann for going to quite a bit of difficulty to, or at least taking some time to be certain that the question I had about this Bill last week was very adequately answered and I really appreciate that. I have just one question however, I believe there is another Bill, House Bill 2337, which generally treats with this same subject. Representative McGann, could you please tell me what is the difference between your Bill 2033, and House Bill 2337 which also has to do with the Math and Science Academy?"

McGann: "Yes, Representative you are correct. Actually this House Bill 2033, we're addressing now, House Bill 2337 and Senate Bill 1089, all have the same Amendment. When the three Bills started out, there was some confusion, there was some...shall we say not a total agreement amongst all the parties which would have been the State Board of Higher Education, the Science and Math Academy, and so forth. And I think it was an intention getting item #1 and #2 was, it was resolved and with the Amendments were put on all the three Bills but we're carrying it through this Bill here."

Cowlshaw: "So there are in fact some at least minor differences between 2033 and 2337?"

McGann: "No, not any longer. They all have the same Amendment on them now."

Cowlshaw: "Alright, very good. And anything that hasn't been resolved will be resolved before these..."

McGann: "The same way in the Senate. The Senate Bill, has the same Amendment."

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Cowlshaw: "Very good. Thank you very much, Representative."

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

McPike: "Will the Sponsor yield?"

Speaker Breslin: "He will."

McPike: "Representative McGann, it was our intent that the Board
of Higher Education would allocate money for the Math and
Science Academy. The Board of Higher Ed allocates money
for all the universities and is in charge of making
recommendations to the Governor as to how the total amount
of money spent will be allocated. It was our intent that
they would also allocate money for the Math and Science
Academy. Does this in any way affect that?"

McGann: "I think that they're going to be funded actually as a
separate agency. This was a result of the audit, and the
problems they had out there in accountability."

McPike: "Well, if they're funded as a separate agency, does that
mean that..."

McGann: "Just, Representative MCPike, let me just take a moment
and I'm going to answer that more accurately. The State
Board of Education will still do their budgeting and
allocate those funds to them."

McPike: "Thank you."

Speaker Breslin: "There being no further discussion,
Representative McGann, to close."

McGann: "I would just ask that we have a favorable vote to
resolve this."

Speaker Breslin: "The question is, 'Shall House Bill 2033 pass?'
All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. This is final passage. Have all voted who
wish? Have all voted who wish? The Clerk will take the
record. On this question there are 113 voting 'aye', none
voting 'no' and 1 voting present. This Bill having

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received the Constitutional Majority is hereby declared passed. House Bill 2571, Representative Weller. Clerk read the Bill."

Clerk O'Brien: "House Bill 2571, a Bill for an Act to amend an Act creating the Board of Higher Education. Third Reading of the Bill."

Speaker Breslin: "Representative Weller."

Weller: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. As public servants we all place great importance on community service, in House Bill 2571 we have the opportunity to encourage community involvement amongst our young people, particularly college students. We know volunteers are needed to help with literacy programs, substance abuse treatment and prevention programs for example, House Bill 2571 as amended encourages our young people to become community spirited by directing our state colleges and universities to encourage but not mandate students to volunteer. House Bill 2571, establishes a student volunteer corps at colleges and universities and creates a student volunteer task force at participating schools. House Bill 2571, also follows up a recommendation of the Illinois Financial Aid Study Committee by directing the Board of Higher Education and the State Scholarship Commission to research, develop and recommend a state sponsored student cooperative work program to the General Assembly for our approval by November 1, 1990. I know of no known opposition to this Legislation. It's supported by the Board of Higher Education, the Illinois State Scholarship Commission, our independant colleges and universities, the Illinois Student Association and our state universities and colleges. I'd appreciate an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of

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House Bill 2571, and on the question, the Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Question of the Sponsor."

Speaker Breslin: "Proceed."

Mulcahey: "Representative Weller, is this your first Bill?"

Weller: "This is my first Bill."

Mulcahey: "Thank you."

Speaker Breslin: "The Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "He will."

Black: "Representative, you said there's no opposition to this Bill, but I think there certainly are some serious questions about it. You called this the Student Volunteer Act, is that right?"

Weller: "Yes."

Black: "They don't have to sign up with selective service or anything do they?"

Weller: "No."

Black: "If I read this Amendment correctly, they get paid for this don't they?"

Weller: "No."

Black: "They don't get paid for it?"

Weller: "The universities have the local discretion, whatever, however, the state university or school would like to encourage students to volunteer is up to them locally. For example, they could give academic credit if they so wish."

Black: "Well, I see by your Amendment that you've given the Board of Higher Ed the authority to research and recommend a work study program. Is that the gist of Amendment #2?"

Weller: "The Amendment changes the, from establish state student work study to research, develop and recommend a state

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student cooperative work program."

Black: "But then, you've taken out, if they are in this program then it no longer can be used to offset a student loan. Is that right?"

Weller: "That is correct."

Black: "So it really is a volunteer program. Is that correct?"

Weller: "That is correct."

Black: "And they don't get paid."

Weller: "That is correct."

Black: "That doesn't violate any Fair Student Labor Practice Act does it?"

Black: "No."

Black: "Well, all right. I think the spirit of volunteerism should certainly be encouraged in not only on our college campuses probably throughout the state, but again, this is a, this is a somewhat more complicated Bill than it appears and I, for your first Bill in this Session I wish somebody had given you perhaps a simpler Bill to carry. Thank you Representative."

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

Satterthwaite: "Madam Speaker and Members of the House. Although this may be Representative Weller's first Bill, I'm a hyphenated Co-Sponsor and it is not my first Bill and so I would hope that we would get the backing of the Membership. It is a two part program. One of which is a volunteer program for students to encourage them into community activities. The other portion is a study that may result in establishing a work study program for which students could be paid but that is something that will have to come back for Legislative approval if that is to be implemented further. I commend the Sponsor for working with the committee and the Members to bring out the Bill in the form

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that was suggested in Committee and urge your support."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Madam Speaker, Members of the House. I also rise in support of this Bill. I think that the Sponsor should be commended for his efforts on this issue. This Bill 'read tabs' what America's all about, and has a true volunteer spirit. In this Bill what he tried to promote, this spirit arising at a very young age and some students have it and some do not. But this Bill tries to promote that. It's a tremendous idea. I'm sure it'll benefit these students in our society all the rest of their lives and hopefully ours as well. So I want to commend the Sponsor and urge we all vote 'yes' on this Bill."

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

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

Speaker Breslin: "He will."

Weaver: "Just, most of the previous questioners have covered a lot of what I was going to ask. Is it your intention that this Bill give students the opportunity to volunteer in fields that relate to their major in college?"

Weller: "That'll be up to the students and the college."

Weaver: "But it would not be prohibited?"

Weller: "That is correct."

Weaver: "So conceivably if a student were majoring in for example, political science, you would then offer that student a chance to volunteer in your political campaign under this Bill?"

Weller: "The universities and colleges would have local discretion how the program be structured."

Weaver: "I see, so it would be controlled at that university

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level?"

Weller: "That is correct."

Weaver: "Well, it sounds like a good idea. I could always use some extra help in my campaign and I intend to support this even though it is your first Bill. Thank you."

Weller: "Thank you."

Speaker Breslin: "Representative Weller, is recognized to close."

Weller: "Thank you, Madam Speaker. House Bill 2075, 2071 is a good Bill. It makes a state policy that we want our young people to become involved in the community as volunteers. Be sure that it's a priority. I hope you will join me in supporting House Bill 2070..2571. I ask for your 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 2571 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Weller, is recognized for one minute to explain his vote."

Weller: "Those of you that are casting red votes, I hope you all will reconsider. You know, all of us were young people at one time and you never know we may all be returning to college again someday and we will all want to have the opportunity to volunteer. So I would ask you to reconsider and cast an 'aye' vote."

Speaker Breslin: "This is final passage. Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Wojcik, one minute to explain your vote."

Wojcik: "Yes, Madam Speaker and Members of the House. Since Representative Weller, has taught us how to find the fountain of youth, I'd like to change my vote from red to green."

Speaker Breslin: "Very good. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting present.

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This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2606, Representative Black. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2606, a Bill for an Act pertaining to guaranteed student loans. Third Reading of the Bill."

Speaker Breslin: "Excuse me, Representative Hallock, for what reason do you seek recognition? Representative Hallock is recognized. Where is the electrician? Representative Hallock."

Hallock: "On that previous..."

Speaker Breslin: "Representative Hallock. Proceed, Sir."

Hallock: "I'd just like to commend Jesse White, in his great team work on that previous Bill."

Speaker Breslin: "Representative Black, to present this Bill, 2606."

Black: "Thank you, very much, Madam Speaker. House Bill 2606 amends the higher ed students assistance law. It authorizes the Illinois State Scholarship Commission to originate guaranteed student loans pursuant to federal law and regulation. It permits the scholarship commission to invest in tax exempt obligations and charge premiums for insurance on loans. I would urge and I'm joined in this Bill by the Chairman of the Higher Ed Committee, Chairman Satterthwaite. I would urge your favorable consideration of House Bill 2606."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2606. And on that question is, there any discussion? Hearing none, the question is, 'Shall House Bill 2606 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Bill having

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received the Constitutional Majority is hereby declared passed. House Bill 2607, Representative Ropp. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2607, a Bill for an Act to amend an Act authorizing College Savings Programs. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. House Bill 2607, changes the name of the Illinois State Scholarship Commission to the Illinois Student Assistance Commission because it in effect provides for more college saving programs for students than loans any more and it also authorizes the establishment of those saving programs for students who attend colleges and universities. I welcome your support on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2607. On the question, is there any discussion? Hearing none, the question is, 'Shall House Bill 2607 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye' none voting 'no' none voting present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2803, Representative Shirley Jones. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2803, a Bill for an Act to amend the Baccalaureate Savings Act. Third Reading of the Bill."

Speaker Breslin: "Representative Jones."

S. Jones: "Madam Speaker, and Members of the House. House Bill 2803, amends the Baccalaureate Saving Act to require the Baccalaureate Trust Authority to develop a program for the purchase of college savings bonds on an installment basis."

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Speaker Breslin: "The Lady has moved for the passage of House Bill 2803, this Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Bureau, Representative Mautino."

Mautino: "Question of the Sponsor, is this her first Bill as well?"

Speaker Breslin: "Representative Jones."

S. Jones: "Yes, it is."

Mautino: "Okay. What...Representative what exactly is the Baccalaureate Trust Authority?"

S. Jones: "Pardon me, I didn't hear you."

Mautino: "What is the...your Bill addresses the Baccalaureate Trust Authority. How are they going to purchase those bonds?"

S. Jones: "The authority implements the program to create the purchase of college savings bonds."

Mautino: "Do you feel that's a good program?"

S. Jones: "Yes."

Mautino: "How many students do you think it'll help, any?"

S. Jones: "Millions of students."

Mautino: "Sounds like an excellent Bill, I'm glad to here that we're gonna help that many students. Is that statewide or is that just in the City of Chicago?"

S. Jones: "Statewide."

Mautino: "Oh, you've got a good downstate Bill, is that what your saying?"

S. Jones: "Yes."

Mautino: "Good, glad to hear it, I think you've got an excellent piece of legislation. But I do have some concerns since I really don't know what the cost is gonna be. Do you have any idea what that cost would be?"

S. Jones: "The minimum cost."

Mautino: "That's as good as any I guess."

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Speaker Breslin: "The question is, 'Shall House Bill 2803 pass?'

All those in favor vote 'aye', all those oppose vote 'no'.
Voting is open. Have all voted who wish? Have all voted
who wish? This is a first Bill. The Gentleman from Cook,
Representative Turner, one minute to explain your vote."

Turner: "Thank you, Madam Chairman and Members of the Assembly.
As you know Representative Jones, is my seatmate and this
is a long day and I'd hate to disappoint her and have to
sit next to her between now and 10 o'clock, so I encourage
all you Members because if you think she's smiling now, if
you don't do the right thing I'm the guy that's gonna have
to bare the...we encourage you all to give her a great vote
on this."

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

S. Jones: "This is just to save the children, please vote 'aye'."

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

Hultgren: "Thank you, Madam Speaker. Representative Jones, I
didn't intend to vote for this but anybody that has to sit
next to Representative Turner you deserve a 'yes' vote,
we'll give you 'yes' one on this one."

Speaker Breslin: "Have all voted who wish? The Clerk will take
the record. On this question there are 114 voting 'aye' 1
voting 'no', and none voting present. This Bill having
received the Constitutional Majority is hereby declared
passed. The next...the next Order of Business is the Order
of sports reform. Second Reading. Sports reform. Second
Reading. The first Bill, House Bill 2623, Representative
Lang. Clerk read the Bill."

Clerk O'Brien: "House Bill 2623, a Bill for an Act to amend the
Civil Administrative Code. Second Reading of the Bill."

Speaker Breslin: "Are there any Floor Amendments? Representative

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Lang, for what reason do you seek recognition?"

Lang: "I would move to put both House Bills 2623 and 2625 on Interim Study."

Speaker Breslin: "Okay, you've heard the Gentleman's Motion, it's a good Motion. Does anybody object? Hearing no objection, House Bills 2623 and 2625 will be placed on the Order of Interim Study. The next Order is House Bills sports reform. Third Reading. House Bill 2624, Representative Lang. Clerk read the Bill."

Clerk O'Brien: "House Bill 2624, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentleman of the House. House Bill 2624, amends the School Code to provide that all school districts provide instruction relative to anabolic steroid abuse in grades 7 thru 12. We all know of the serious problem that's developing in the area of anabolic steroid abuse. It's a growing area, growing area of concern. The fiscal note that we've received indicates there's no fiscal impact. Local school districts will merely be responsible to include some discussion of anabolic steroid abuse in their current drug program. Since there's no cost, I would ask for your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2624, and on the question the Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "He will."

Black: "Representative, I...I certainly would concur with you that there is no direct cost, however, I do think it's worth noting that is a curriculum mandate. Is it not?"

Lang: "Yes. It is a curriculum mandate."

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Black: "I appreciate your...your forthrightness in that answer.

Madam Speaker, to the Bill. I think the Sponsor is certainly to be commended for what he's trying to do, and there isn't any question that anabolic steroids is a problem with our young people today. We've read considerably... we've read considerable number of articles about it lately but I think at some point all of us on this floor are going to have to say, 'you cannot continue to piecemeal the school curriculum.' I've heard from several of my teachers not on this Bill, I don't think they have any problem with what the Gentleman is trying to do, but in an atmosphere in an era when we're constantly criticizing our schools for not doing their job, for falling further and further behind the country say of Japan on their educational process. At some point in time we have to stand here and say, 'we cannot continue to add to their school day and mandate continual curriculum mandates.' No matter how worthy the initiative is and this is certainly worthy. There just isn't going to be time in the school day to take care of all the curriculum mandates that we try to install no matter how noble the purpose on our School Code. It is for that reason and that reason alone that I stand in reluctant opposition to the Gentleman's Bill."

Speaker Breslin: "Representative Stephens from Madison."

Stephens: "Thank you. To the Bill, the Sponsor has a fine record of sponsoring well-meaning and good legislation, however, I have to rise in opposition, in agreement with Representative Black, it's just, you know we can have the thought and the theory that well we'll just kind of work this in with what we're teaching now, but the fact is, there's only so many minutes and hours in a day, and there are only so many days in a year in the school calendar. The biggest complaint that we get locally is, you know you

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guys keep telling us how to run our schools and what we have to teach and how to brush, you know, brush their teeth and every other thing that we have to do. I agree with your intent, I know that you want to try to deal with a serious problem but we just have to stop somewhere in telling teachers what it is they have to teach and taking more and more time away from the basics that we continue to complain that their not getting the job done teaching. So Representative, I agree with your intentions and you're a fine Sponsor but I have to rise in opposition to your Bill."

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

McNamara: "Thank you, Madam Speaker. I rise in support of this fine piece of legislation. There's a very good reason that we are again taking a look at steroid abuse education which is another form of drug abuse. If we can't encourage our schools to include in their curriculum the difficulties of drug abuse, then we are a sorry mess as a state. I encourage everyone to put up their 'aye' vote. This is definitely something that's absolutely necessary, let's stop ruining our kids, teach them what the problems are, we know education is the answer. Let's support this fine piece of legislation."

Speaker Breslin: "There being no further discussion. Representative Lang to close."

Lang: "Thank you, Madam Speaker. I have the same concerns that many of the other members do about mandates to schools. When I talked to the educators and school people in my district, they tell me they don't want mandates and I respect them and I understand that and I don't want to add additional mandates to them. However, this is what we might call a free mandate, it won't cost any money and

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beyond that there's already a mandate to school districts to teach about drugs. This will simply require them to add a few minutes of time or whatever it will take, whatever each individual school district decides to add steroid abuse to their discussions about marijuana, heroin, cocaine, crack, and all the others. It's a very important piece of legislation. I would echo the words of Representative McNamara, let's help our kids protect themselves. Let's give them the information and the tools they need to make informative decisions about their life and, I would move for passage of House Bill 2624."

Speaker Breslin: "The question is, 'Shall House Bill 2624 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there 81 voting 'aye', 27 voting 'no', and 4 voting present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2626, Clerk read the Bill."

Clerk O'Brien: "House Bill 2626, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House, House Bill 2626, as amended creates the Steroid Control Act of 1989. It establishes criminal penalties for possession and distribution and it establishes an education fund for the purpose of informing the public of the dangers of anabolic steroids. The Amendment further authorizes DASA to develop and implement statewide and steroid education programs to alert the public particularly student athletes, athletic trainers, coaches, pharmacists, and health club personnel as to the dangers and possible harmful side effects of the use and abuse of anabolic

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steroids. The Bill has several different levels of penalty for possession and this is a Bill whose time has come. This is a Bill that we need to implement to protect our young people to inform health club personnel that they can't just give anabolic steroids to people to build musclemass. I would encourage any questions you have, and want to encourage your 'aye' votes."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2626. And on that question, the Gentleman from Dekalb, Representative Countryman."

Countryman: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "He will."

Countryman: "Do we have any forfeiture provisions in this Bill at this time?"

Lang: "Yes, there are forfeiture provisions."

Countryman: "So, we talked about this a little bit when the Amendment went on, but remind me and refresh my recollection if you...if you could, I think we talked about the possibility of forfeiture of the the items used say a car with possession with the intent to deliver, which was possibly a Class A misdemeanor. Is that correct?"

Lang: "Possession with the intent to deliver could lead to forfeiture."

Countryman: "And is that a Class A misdemeanor or is it a Class 4 Felony?"

Lang: "It's a Class A misdemeanor."

Countryman: "You know of anywhere else in the law where we permit a forfeiture of any property for violation of the law, that's still a Class A misdemeanor?"

Lang: "I don't know of any as I stand here now, Representative."

Countryman: "Well, I can't think of it either, may be one, but I can't think of it. I...are you still working on this Bill

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or is it in its final form?"

Lang: "As far as I'm concerned I'd like to be able to say to you it's in its final form."

Countryman: "You don't anticipate any Amendments in the Senate?"

Lang: "There may very well be Amendments in the Senate, and I'd be happy to work with you to to discuss this issue further and propose an Amendment in the Senate."

Countryman: "Well it just seems to me, Madam Speaker to the Bill. I'm not opposed to the good work that Representative has done here. But I think we're a little bit amiss when we allow forfeiture for misdemeanors and I frankly didn't agree with this Amendment when it went on, and for that reason I'm gonna withhold my support at this time and vote 'present', hopefully we can make some Amendments in this Bill in the Senate."

Speaker Breslin: "There being no further discussion, Representative Lang, to close."

Lang: "Thank you, Madam Speaker, this is a crucial area in our society today the area of drug abuse in general and as we know from reading the papers, watching the Olympics, listening to NFL linemen testify to a Congressional Committee and others, we know that this is a serious problem, the issue of steroids is part and parcel of the drug problem and we need to be dealing with it head on. I would encourage your 'aye' votes. Let's help protect the children, let's help protect those who believe they're doing something good for their bodies by using steroids and let's put a control and a clamp on them so that they can protect themselves."

Speaker Breslin: "The question is, 'Shall House Bill 2626 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this

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question there are 93 voting 'aye', 5 voting 'no', and 11 voting present. Representative Pullen for what reason do you seek recognition? Representative Barger for what reason do you seek recognition? Mr. Clerk, have I already announced the Roll Call? Okay add Representative Barger as voting 'aye', Representative Wait as voting 'aye'. There are 95 voting 'aye', 5 voting 'no' and 11 voting present. This Bill having received the Constitutional Majority is hereby declared passed. The next Order of Business is the Order of Rural Assistance. Second Reading. Rural assistance, Second Reading. The first Bill is House Bill 938, Representative Richmond. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 938, a Bill for an Act to amend an Act in relation to limited wine manufacturers. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 938, addresses some problems that the beer distributors and various others had with the Bill and so in keeping with my word to them I would make those changes in this Amendment. It reduces the gallonage from 100,000 to 40,000 and eliminates the language that would permit them to sell at retail at wine festivals, fairs, contests, seminars, club meetings and so on, and also eliminates the language that would have been unconstitutional in dealing with the waiver of a tax, so I would ask for approval of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 938. On the question is there any discussion? Hearing none the question is, 'Shall

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Amendment #1 be adopted?' All those in favor say 'aye', oppose 'no' in the opinion of the Chair the 'ayes' have it, Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The next Order of Business, Ladies and Gentleman is the Order of easements and conveyances, easements and conveyances. Third Reading. The first Bill the Sponsors are Matijevec, Giglio, and Johnson. The first Bill is House Bill 187, Representative Matijevec. Out of the record. House Bill 1136, Representative Giglio. Clerk read the Bill."

Clerk O'Brien: "House Bill 1136, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Giglio."

Giglio: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What this Bill does, we had a project of over \$2,000,000 for the Little Calumet River to clean up from the Indiana state line and in order to do that the Department of Transportation had to have easements, maintenance easements in order for the Department of Water Resources to go in and clean it up. There were some people who had some property in trust and there were other people who reluctant to sign the easements. They were under the impression that we were going to take their property away. We are not we amended the Bill to have the ordinance or the Bill read there for maintenance only and it's only 30 feet on each side of the center line of the river and with that it passed out of the committee, and also the understanding was that if the two municipalities agreed by council action that I would proceed with this Bill, the two city counsels: The Counsel of Lansing and the City of Calumet City have sent me letters documenting that they agree to this provision and with this, Ladies and Gentlemen of the House

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I would ask for your favorable support. So we can send it to the Senate and hopefully signed by the Governor."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1136. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Dupage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "Is there an emergency that would...would justify the use of the quick take powers, is this something that has to be done immediately while you litigate the value of the land taken?"

Giglio: "Well, we're not litigating anything, Representative, it's just an easement for maintenance like when two homes are back to back and you have like five or ten feet for the utilities and the reason for it now, this money was allocated four years ago, and it has taken all this time for the municipalities to try and get the people to sign these easements. We've been getting extensions six months one year and the last extension to use this money which is allocated in the water resources budget, will be disbanded by the first of July if we do not proceed and get these easements and continue with this project, so we don't do this now the \$2,000,000 that was allocated will be gone."

McCracken: "Okay, thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1136 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye', 9 voting 'no', and none voting present. This Bill having received the Constitutional Majority is hereby declared passed. With leave of the Body we'll go back to

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Representative Matijevich's call, House Bill 187. Clerk read the Bill."

Clerk O'Brien: "House Bill 187, a Bill for an Act concerning transfer of property rights in Lake County by the state. Third Reading of the Bill."

Speaker Breslin: "Representative Matijevich...Representative Matijevich."

Matijevich: "Madam Speaker, House Bill 187 is a Bill that started out as a conveyance Bill from the state to the City of North Chicago of a 160 acres. I have mentioned in the debate on Second Reading that the City of North Chicago had asked me to introduce the Bill. They had about a million dollars that they felt could be used for economic development of those 160 acres and it would do wonders, for example to our school district, the elementary school districts and the high school district for the assessed valuation that can be gained from it. The property in question was purchased by the State of Illinois. The Department of Transportation about 20 about 25 years ago for a rerouting of route 41 in North Chicago. The rerouting is not going to occur, it hasn't occurred for 25 years and the property in question ought to be used for development. The Bill has been changed now where I have asked for the transfer of the property from the Department of Transportation to DCCA. DCCA in my conversations with them felt that this would be good for development but they didn't want to in anyway take the property away from the Department of Transportation. I said in Second Reading that we would continue to negotiate with the Department of Transportation, that if I can get the Bill out of the House, and it does mean a lot to me and the City of North Chicago, that I would then ask Senator Geo-Karis to hadd the Bill we would continue to negotiate with the Department

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of Transportation and I think Senator Geo-Karis has more clout than I do with the Department of Transportation. So at this time I would ask the Members of the House to pass Senate...House Bill 187, I it means a lot to me and the area, and I would urge your passage and ask a plead for your help."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 187. And on that question the Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker. Would the Sponsor yield to a question?"

Speaker Breslin: "He will."

Wolf: "Representative Matijevich, is the Maryville shopping center in this Bill now?"

Matijevich: "No."

Wolf: "Thank you."

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

Parcells: "Thank you, Madam Speaker. I'd like to stand in opposition to this Bill. I see this as a two step conveyance, we take it from IDOT who incidentally for anybody that's interested, IDOT does not want to give this up. IDOT says we do have plans for it. This property was purchased with highway users funds and if anybody's going to profit from that it should be the highway users. We can't just keep throwing away our money like this. But over and above that IDOT says we do have plans for this property. Things are slow when your building highways, it may be another 5 or 10 or 15 years, but they do want it, they do not want to give it up. DCCA is not clamoring for it they don't have a position on wether or not to take it, but I think down the line we'll find next year or the following year that all of a sudden DCCA will be conveying this property and the property has been appraised at about

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three and half million dollars and the residents of this state and the users of roads and highway funds are the ones who will lose out in this thing. They won't be getting that money back, I'm all for economic development, but I don't think we put economic development in a place where we're going to put a highway. Once we get the economic development up, if we need this highway then we have to condemn all that land with buildings on it. I think it's...I know what his intentions are and I think they're very honorable but I think this particular hunk on land is not an appropriate site for this economic development, because IDOT really wants this and DCCA is not enthusiastic about getting it and I would ask for your 'no' vote on, House Bill 187."

Speaker Breslin: "Any further discussion? Hearing none Representative Matijevec, to close."

Matijevec: "Madam Speaker, in the Committee hearing and have never I heard DCCA say that...I mean the DOT say this is going to be used for a highway development. Those plans have been scrapped, if you knew the area there's no way that Route 41 can be realigned now. DOT has said only now that it's good for flood control. The fact of the matter if this area is developed, and it is in prime land for development, that flood control purposes can be upheld in the development process. This is an area that ought to be developed and the State of Illinois will get I think they purchased the land I think for about 600 and some thousand something like that. They'll probably get \$3,000,000 or so back in return, this is I think area that ought to be developed and I would urge the Members to help this Bill along. We'll finally get DOT's approval, I'm sure, and we have to get the Governor's signature. I promised the membership on Second Reading if we do get the Bill passed

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out of the Senate, if the Governor vetoes it I Chief Sponsor of the Bill will not try to override his veto. So a lot of things have to be done before we can pass this Bill, but at this stage I would urge your support."

Speaker Breslin: "The question is, 'Shall House Bill 187 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Votings is open. This is final passage. Have all voted who wish? The gentleman from Dupage, Representative McCracken. One minute to explain your vote."

McCracken: "Thank you, Madam Speaker. I rise in opposition and those of you who found the underlying Bill not palatable and who may be voting because the Bill's been so substantially changed on Second Reading, I think the Sponsor's intention is still quite the same, he wants this developed ultimately and by changing it from IDOT who does not want it and is vehemently opposed to this Bill to DCCA he seeks a kinder Sponsor for jurisdiction of this property. So if you didn't like the underlying Bill I don't think you should be voting for this because of Amendments because I agree with Representative Parcells, this will be back and it will be a two stage conveyance. First the transfer to DCCA and then later a conveyance to North Chicago or it's use for economic development."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing. One minute to explain your vote."

Ewing: "Madam Speaker, I've always been opposed to the state giving away land, that's not a new posture for me. When the Community I represent needed a few acres from the state, they paid for it and they paid full value. I think that's the way we ought to do it in this state, but on the other hand we have now people on the other side of the aisle promoting this who I think were quite vitriolic about the Mitsubishi development in Central Illinois and that

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type of development and yet now that they want it in thier community it's time to just come along and roll over and play dead. It think this is a bad Bill, if there's a plan to develop this, let them bring it to this Body, let us decide when the plan comes. I think that's a better idea."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you, very much, Madam Speaker. I stand in support of this legislation. It would seem to me that that the marriage of this land IDOT over 22 years is a long enough engagement and I think it's about time that..."

Speaker Breslin: "Excuse me, Representative Hartke proceed."

Hartke: "I would think that this marriage has gone on long enough and I think an engagement of 22 years you can make up your mind wether you are or are not going to use that that piece of property. I think this is a move by Representative Matijevich, to put this property back on the tax roles to who have become an asset to the State of Illinois rather than a liability. I don't think we'd go around giving away pieces of property but I think this'll be good for the State of Illinois and I support the measure."

Speaker Breslin: "Is there any further discussion? Hearing none the Clerk will take the record. On this question there are 65 voting 'aye', 40 voting 'no', 9 voting present. Representative McCracken asks for verification. Poll those not voting Mr. Clerk, and then proceed to a Poll of the Affirmative."

Clerk O'Brien: "A Poll of those not voting: Ronan. No further."

Speaker Breslin: "Proceed with the affirmative."

Clerk O'Brien: "Balanoff. Black. Bowman. Breslin. Brunsvold. Bugielski. Capparelli."

Speaker Breslin: "Representative LeFlore, changes his vote from 'present' to 'aye'. Proceed, Mr. Clerk."

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Clerk O'Brien: "Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Frederick. Giorgi. Goforth. Hannig. Harris. Hartke. Hicks. Homer. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Granberg, changes his vote from 'present' to 'aye'. Representative Satterthwaite, for what reason do you seek recognition?"

Satterthwaite: "Leave to be verified please?."

Speaker Breslin: "Does she have leave to be verified, Mr. McCracken?"

McCracken: "Where is he?"

Speaker Breslin: "Representative Parcels, could the Gentleman have leave to be verified? Fine. And Representative Keane ask leave to be verified. Leave is granted. Representative Flowers, changes her vote from 'present' to 'aye'. Representative Woolard, changes his vote from 'present' to 'aye'. Proceed, Mr. Clerk."

Clerk O'Brien: "Matijevich. Mautino. McAuliffe. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Saltsman. Santiago. Satterthwaite."

Speaker Breslin: "Excuse me. Representative McGann, for what reason do you...?"

McGann: "Could I have leave to be verified please?"

Speaker Breslin: "The Gentleman requests leave to be verified. Leave is granted. Representative Shaw, asks leave to be verified. Leave is granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Shaw. Steczo. Stephens. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative,

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Representative McCracken?"

McCracken: "Yes, Thank you. Representative Balanof? Oh there he is, he just came in."

Speaker Breslin: "Representative Balanoff, is in the Chamber."

McCracken: "Representative Santiago?"

Speaker Breslin: "Representative Santiago. Is the Gentleman in the Chamber? How is he recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Saltsman?"

Speaker Breslin: "Representative Saltsman. Representative Saltsman. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Terzich?"

Speaker Breslin: "Representative Terzich. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Capparelli?"

Speaker Breslin: "Representative Capparelli. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Krska?"

Speaker Breslin: "Representative Krska. How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative DeLeo?"

Speaker Breslin: "Representative DeLeo. Representative DeLeo. The Gentleman is not in the Chamber. Remove him from the Roll Call."

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McCracken: "Representative Giorgi."

Speaker Breslin: "Representative Giorgi is in his Chair."

McCracken: "Representative Levin?"

Speaker Breslin: "Representative Levin. Ellis Levin. Remove the Gentleman from the Roll Call."

McCracken: "Representative Anthony Young?"

Speaker Breslin: "Would you repeat that, Representative McCracken?"

McCracken: "Anthony Young?"

Speaker Breslin: "Representative Anthony Young. Anthony Young. Representative Levin, has returned to the Chamber add him to the Roll Call voting 'aye'. Representative Young, Anthony Young is not in the Chamber, remove him from the Roll Call, Mr. Clerk."

McCracken: "Representative Homer?"

Speaker Breslin: "Representative Homer. The Gentleman is in the Chamber."

McCracken: "Representative Mulcahey?"

Speaker Breslin: "Representative Mulcahey. Representative Mulcahey, is the Gentleman in the Chamber? He is not, remove him from the Roll Call. Representative Capparelli, has returned to the Chamber add him to the Roll Call voting 'aye'. Representative Terzich, has returned to the Chamber add him to the Roll Call voting 'aye'."

McCracken: "Representative Farley?"

Speaker Breslin: "Representative Farley. How is the Gentleman...he's in the Chamber."

McCracken: "Representative Keane?"

Speaker Breslin: "Representative Keane, had leave to be verified."

McCracken: "Representative Van Duyne?"

Speaker Breslin: "Representative Van Duyne, is in his Chair."

McCracken: "Representative Shaw?"

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Speaker Breslin: "Representative Shaw, had leave to be verified."

McCracken: "Representative Satterthwaite."

Speaker Breslin: "She had leave to be verified."

McCracken: "Representative Laurino."

Speaker Breslin: "Representative Laurino, is in his Chair."

McCracken: "Representative Lou Jones."

Speaker Breslin: "Representative Lou Jones. How is the Lady recorded? She's recorded as voting present."

McCracken: "Representative Flowers?"

Speaker Breslin: "Representative Flowers, the Lady voted personally."

McCracken: "Representative Black?"

Speaker Breslin: "Representative Black. How is the Gentleman recorded?"

Clerk O'Brien: "Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative McAuliffe?"

Speaker Breslin: "Representative McAuliffe. Representative McAuliffe. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'aye'."

Speaker Breslin: "Remove him from the Roll Call."

McCracken: "Representative Goforth?"

Speaker Breslin: "Representative Goforth. Representative Wayne Goforth. The Gentleman is in the Smoking Chambers, will you accept that, Representative McCracken?"

McCracken: "No."

Speaker Breslin: "Representative Goforth your leader will not accept that. Remove the Gentleman from the Roll Call."

McCracken: "Okay, Representative Stephens?"

Speaker Breslin: "Representative Stephens. Representative Goforth, has returned to the Chamber, add him to the Roll Call voting 'aye'. Representative Stephens, Mr. Stephens, the Gentleman is not in the Chamber, remove him from the

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Roll Call.

McCracken: "Nothing else."

Speaker Breslin: "Representative Harris, for what reason do you seek recognition?"

Harris: "Record me 'no'."

Speaker Breslin: "Record Representative Harris, as voting 'no'. There are 59 voting 'aye', 41 voting 'no' and 5 voting present. Representative Hartke, for what reason do you seek recognition? Representative Hartke."

Hartke: "How am I recorded?"

Speaker Breslin: "Your recorded as voting 'aye'."

Hartke: "Okay, let's keep it there."

Speaker Breslin: "Representative Matijevich, there are 59 voting 'aye', 41 voting 'no' and 5 voting present."

Matijevich: "Madam Speaker, I appreciate, I know there's some Republicans, one of them even came to me and said I think you got a good Bill John but if I'm varified I got to take a walk. Now that means that somebody pressured somebody and this is a good Bill. This is a good Bill because I have told the membership and I as I said on Second Reading that I'm a person of my word that if...if the Governor vetos this Bill we're not going to go further and the fact of the matter, is that what this Bill does is what Republicans always stand for and that's economic development. You get the most for your money. The state's gonna get more for it we're going to put, eventually, we're going to put..."

Speaker Breslin: "Representative Matijevich I'm afraid no more votes are walking on the door. What is your pleasure Sir? Shall we take the record?"

Matijevich: "Well, there is a vote walking in the floor."

Speaker Breslin: "Representative Anthony Young, did walk in the door, add him to the Roll Call voting 'aye'. On this

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question there 60 voting 'aye', 41 voting 'no' and 5 voting present. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 2664, Representative Johnson. Clerk read the Bill."

Clerk O'Brien: "House Bill 2664, a Bill for an Act in relation to state property. Third Reading of the Bill."

Speaker Breslin: "Representative Johnson."

Johnson: "Thank you, Madam Speaker, Members of the House. This is a relatively noncontroversial Bill. The Bill as it originally was introduced and passed in Committee allowed school districts to be included among the units of local government to have the opportunity to purchase surplus state transferable property. Department of Central Management Services added two Amendments to that substantive Bill. The first would expand the number entities eligible to participate in the state surplus program to include educational, health care and charitable groups. The second Amendment had to do with the parcel of real estate in Springfield. I know of no opposition and I would ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2664. This Bill is on the Order of Short debate. Does anyone rise in opposition? Hearing none the question is, 'Shall House Bill 2664 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', none voting 'no' and none voting present. This Bill having received the Constitutional Majority is hereby declared passed. Representative Parcels is recognized for a special introduction. Please give her your attention."

Parcels: "Ladies and Gentlemen I have a big honor today. I have

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here coming up that I'd like to introduce to you proudly the 1988 thru 89 New Trier High School girls Varsity Tennis Team and their outstanding coach Mary Jo Timmis who is right here. These young ladies had an exciting and challenging season this year, culminating in their victory as the 1988-89 Illinois State Champions. It is quite amazing to note that they and their teammates some of whom have already graduated from New Trier, have won the Illinois State Girls Tennis Championship for three years in a row and if that isn't amazing enough, New Trier girl's team have won six state titles in the last eight years. Obviously Mary Jo Timmis is a fantastic and inspiring coach to have attained this unbelievable record. Not only with this group but also with girls who have been at New Trier for the last eight years. It gives me personal pleasure to honor one particular team member. Kim Anderson. Kim is a neighbor of mine and I've watched her grow from a little girl who could barely hang onto a tennis racket into a fine and competitive singles player. There was a day when I could beat this little girl when she was about 4 feet tall, but no more, she would kill me on the tennis court, she really pounds the ball, you'll be hearing more about Kim, cause she is only a Sophomore this year and has two more years to help bring in two more championships. To honor this fine team and Coach Timmis, I introduced a Resolution which was adopted this morning and right now I'd ask the Clerk to read the Resolution."

Clerk O'Brien: "House Resolution 515, Whereas, The Members of this Body take great pride in recognizing the outstanding efforts of the athletes throughout this state Whereas, It has come to the attention that the New Trier High School Girls Varsity Tennis Team won their third consecutive state championship and Whereas, The Trevian netters finished this

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season scoring 17 points to beat Homewood-Flossmoor, their only serious challenger in the tournament; and Whereas, Under the direction of Mary Jo Timmis, the New Trier Girls Tennis Team has captured six state championships in the past eight years and Whereas, The numerous achievements of the New Trier Girls' Varsity Tennis Team confirmed our belief that hard work and dedication are effective when you set goals and strive to achieve them therefore, be it Resolved by the House of Representatives the Eighty-Sixth General Assembly in the State of Illinois that we congratulate the New Trier High Girls' Varsity Tennis Team on a successful season that we commend the players and the coach for their hard work and dedication and that we extend our very best wishes to them for continued success in all of their future endeavors and be it further resolved that a suitable copy of this preamble and Resolution be presented to each member of the New Trier High School Girls Varsity Tennis Team and their coach, Mary Jo Timmis."

Parcells: "Coach Timmis, would like to say a word to you, and I think we should give a round of applause to this outstanding coach and her fine team."

Timmis: "Thank you, it is truly an honor to be here and on behalf of my coaching staff and incidentally it's pretty easy to be inspiring as a coach when you have a group of dedicated terrific athletes such as I have and have had in the past and hopefully will continue. On behalf of all of us we'd like to thank you for inviting us here and honoring us with this Resolution."

Parcells: "And a brief word from the team captain."

Team Captain: "On behalf of our team I just like to thank everyone here for honoring us with this Resolution. We appreciate it. Thank you."

Speaker Breslin: "Ladies and Gentlemen the next Order of Business

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is the Order of Rural Assistance. Third Reading. Rural Assistance. Third Reading. The Sponsors are Phelps - Richmond - Homer - Mautino - Hartke. First Bill, House Bill 421, Representative Phelps. Clerk read the Bill."

Clerk O'Brien: "House Bill 421, a Bill for an Act to amend an Act in relation to the development of health and university resources. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentleman of the House. House Bill 421 is another attempt among many to try to address the physicians shortage areas as well as the medically underserved areas or health manpower shortage areas which occur throughout the state in both rural and urban parts of the state. So the fact that we're on a rural assistance category is a little misleading. This Bill it does assist also the urban areas that do have designated shortage areas in the way of medically provisions. So we would appreciate your support for this in very much needed areas."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 421. On the question is there any discussion? Hearing none the question is, 'Shall House Bill 421 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting present. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 701, Representative Richmond. Clerk read the Bill."

Clerk O'Brien: "House Bill 701, a Bill for an Act to amend the Illinois Farm Industrial and construction Equipment Fair Dealership Law. Third Reading of the Bill."

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Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 701, amends the Illinois Farm, Industrial and Construction Equipment Fair Dealership Law, to include outdoor power equipment. This is the...it changes the short title to the Equipment Fair Dealership Law and provides that obligations created under the law apply to successor, wholesalers, manufactures and distributors. Currently the law covers farm implements, farm machinery, construction equipment, industrial equipment and all accessories and repair parts. This legislation would include outdoor power equipment under its guidelines. I would ask for your approval of this good Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 701. On the question, the Gentleman from McClain, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative can you explain just a little bit how this will operate if in fact you have accumulated maybe five or six parts and have had them for several years, knowing that they cost you different amounts of money when they were initially purchased. How does this actually work?"

Richmond: "This Bill would provide that a dealer who is forced into bankruptcy or going out of business and has been forced originally to acquire a bunch of parts by the...by the manufacturer that the equipment that he sells that whenever that should happen his inventory of parts which is still in good condition, would be he would be reimbursed by the manufacturer to the extent of 95 percent."

Ropp: "Okay...well you know if you purchase those parts over three or four years undoubtedly they'd be different prices."

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Is there some way to identify all those parts so you'll know what 95 percent of the original purchase price would be or is that averaged out?"

Richmond: "It's at 95 percent of the original purchase price, and I'm sure those records are readily available not only by the dealer but also the manufacturer."

Ropp: "Alright. So how many dealers have gone bankrupt or have really been involved in this kind of procedure in the last several years?"

Richmond: "I have no idea."

Ropp: "Is...What is the real intent here, it's really to help those people who find that they are in financial stress so that they can cut their losses isn't that correct?"

Richmond: "Well that's true, but it's a fair Bill to and it's also one that is certainly in place in other states. It would protect someone from that's into a bankruptcy situation for instance from being forced to sell at ten cents on a dollar or something that the parts that in many cases he's required to carry by the manufacturer, and I think it's a fair Bill too and for the manufacturer to retrieve this from him at 95 percent of the original cost and this is not an unusual situation."

Ropp: "Okay. This Bill added to what has been a customary process the addition of like lawn mowers and rototillers and those kinds of pieces of equipment. That's been added to this current statute isn't that right?"

Richmond: "Yes, that's what this Bill does right it adds those items for outdoor lawn care motorized equipment that where parts are great or it's necessary to carry a great number of parts for those implements and this adds to the original statutes. Those things that you've just mentioned along with other power lawn equipment."

Ropp: "Is there anybody against this Bill?"

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Richmond: "The John Deere was very much against it until we put the Amendment on and they are not necessarily for it but they've withdrawn their opposition to it, so one of their people told me just a very few days ago."

Ropp: "Okay, thank you."

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

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

Speaker Breslin: "He will."

Sieben: "Representative Richmond I voted against this Bill in Committee primarily because of Deere and Company's opposition and now I just heard you say that Deere and Company is not necessarily for the Bill, but with the Amendment they're not as much against it. Can you explain what the Amendment did to change Deere's...Deere and Company's position on the Bill?"

Richmond: "Yes, Amendment #3 removed an exemption that covered retailers of lawn and garden equipment who are not primarily engaged in the farm equipment or construction industrial equipment business. In other words it was expanded to include all of the K-Marts and people of that nature. And in which incidentally most of those import their equipment it's manufactured out of this country. But anyway this by addition of this Amendment the John Deere people told me that they still had problems with the original statutes not necessarily Amendment or this addition to the statute but they are not necessarily in favor of it but they have withdrawn their opposition."

Sieben: "Thank you. When Deere and Company or Case-IH or White farm equipment, when they establish a dealership out in the area the marketing area to represent them does normally that farm implement company have a contractual arrangement between the parent company and that dealer that's

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representing them?

Richmond: "Yes, I would assume that would be right."

Siebens: "Are there provisions normally in those agreements between the manufacturer and the dealership dealing with the repurchasing of inventory parts and excess equipment, should that dealership be terminated?"

Richmond: "Well, I'm sure that in many cases that would be the case...but of course this...our state laws would supersede that, we have that requirement as a...in our statutes now, all we're doing is expanding to include the lawn equipment."

Sieben: "Madam Speaker to the Bill. I'm going to continue my position in opposition to this Bill. I'm not sure that it's necessary at...in today's economic environment in the agriculture community to extend these provisions of protection to the dealers, I know the dealers in my area have been through some difficult times and are coming through those times I know that the sales of farm machinery and repair parts is doing quite well and I'm just not sure that it's necessary to expand the provisions of this area of the statute to extend these buy back provisions to outdoor power equipment for my farm implement dealers. I know they've asked for this legislation, but and I'm also not sure that it is wise to extend the provisions of this to all retailers such as K-Mart, Wal-Mart and other manufactures that are selling these equipments and I'd urge the Members on my side of the aisle to vote 'no' on this legislation."

Speaker Breslin: "The Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you, Madam Speaker, I also rise in opposition to the Bill. This originally as drawn this Fair Dealership Act, was an 85 percent buy back level in 1987 that was

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raised to 95 percent and now we seek to expand the scope of the Bill to cover outdoor power equipment, which is a euphemism for lawn mowers I suppose. They want to cover outdoor equipment that is not farm related by the expansion of the scope of this Bill. It really shouldn't even be under the category where subject matter call of farm assistance, it's really lawn mower dealer assistance. So I think by extending this concept to what is not even necessarily an agricultural implement scope, really does a disservice to the public. This is typically something that is covered in dealer manufacturer contracts. It is...it had been the practice before the adoption of the Act originally that'd be contracted. We take that right-of-contract away. More importantly though we favor, to the exclusion of all others, not only the farm implement industry but also the power lawn mower industry, no other industry has this guarantee of buy back. I'm sure a used car parts store would like to be able to do it or car dealers generally would like to be able to have this buy back guarantee, but there's no reason to take away from the parties the right to free contract and there's really not an adequate demonstration made to warrant, what I think is a very unusual use of government power essentially guaranteeing the inventory of a particular class of dealership. I rise in opposition."

Speaker Breslin: "Representative Richmond, is recognized to close."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen. This Bill actually is just a Bill to protect a small business person, the farm implement dealers and the dealers who deal with the, in the power lawn equipment which includes a great number of things. Included in the farm implement dealers and the heavy implements also are in this same

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business and for that reason there was a great deal of opposition by the John Deere Company and that has been addressed by the Amendment that we added. That was the reason for including those that as the former speaker referred to as non-agricultural type of dealerships. So but I think is an effort to help the small business man. I think that deserves our support, and I'd appreciate yours."

Speaker Breslin: "The question is, 'Shall House Bill 701 pass?' All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Brunsvold, one minute to explain his vote."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. In Committee we discussed this issue, John Deere was a player in the discussions. They actually asked Representative Richmond, to Sponsor the Amendment. John Deere, and the small number of distributors that do get tied to their manufacturer like John Deere or Case Implement sell their equipment are tied to this provision. Now if they're tied to this provision then the people that sell the Honda's and those type of mowers should also be tied to that provision. If not then lets eliminate the whole process and not tie anybody to the buy back of the equipment. So it's an all or nothing situation I think with John Deere and I rise to support the Representative, and say that let's...if we're gonna do this for...for John Deere or...if we're gonna do this for John Deere and Case then let's do it for the whole marketplace. And let's make this a level playing field for everyone. And I stand to support the Gentleman and ask for more green votes."

Speaker Breslin: "Have all voted who wish? 60 votes are required for passage. Have all voted who wish? The Clerk will take the record. Representative Richmond, asks for a Poll of

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those not voting."

Clerk Leone: "Poll of those not voting: Balanoff. Farley. Giglio. Keane and Trotter. No further."

Speaker Breslin: "Have all voted who wish? Representative Richmond, what is your pleasure? There are 59 voting 'aye' and 42 voting 'no' and 9 voting present."

Richmond: "Postponed consideration please."

Speaker Breslin: "Put this matter on the Order of Postponed Consideration, Mr. Clerk. House Bill 702, Representative Richmond. Clerk read the Bill."

Clerk Leone: "House Bill 702, on page 26 of the calendar. A Bill for an Act to amend the Meat and Poultry Inspection Act. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House 702, is is a Bill that should meet with a lot greater support than the previous one. This Bill is a consumer protection Bill that's designed to protect the potential buyers from the bait and switch scam. A bait and switch scam, a lot of you are no doubt familiar with that term; That's where there's a big advertising campaign and to furnish a locker full of meat for x number of dollars. Real fine high grade meat until your locker is filled and then it's the that's where the switch comes in. This is protect the consumer and those people who are in legitimate business. That's what this Bill is aimed at. It requires the seller to have on hand the sufficient quantity of the product to meet demands and that advertisement shall not be used to induce the sale of a similar product. And by Amendment we included the domestic grown wild, what would normally be thought of as wild game bison, and Deere and so forth, so that it comes under Meat Inspection Act and can be sold to the consumer in safety, and I ask for your

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support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 702. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being no opposition. The question is, 'Shall House Bill 702 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 112 voting 'aye', none voting 'no' and none voting present. This Bill having received the Constitutional Majority, is hereby declared passed. House Bill 1494, Representative Homer. Clerk read the Bill."

Clerk Leone: "House Bill 1494, a Bill for an Act to amend the Family Practice Residency Act. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. This Bill would help with the current physician shortage problem that is being experienced in many areas of the state by providing an inducement to physicians who will agree to come to one of those designated shortage areas and remain for at least two years by offering to assist that physician with the repayment of his or her educational loan. There is a cap on the Bill that says that the assistance would be limited to \$20,000 a year or 25 percent of the principal indebtedness which ever is less, and I know of no opposition, the Bill came out of Committee on a unanimous vote. Would answer questions and ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1494. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none the...Representative Wojcik, in opposition."

Wojcik: "I just have a question of the Sponsor."

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Speaker Breslin: "Proceed."

Wojcik: "Representative, where would you be able to find the money to operate this?"

Homer: "There'll have to be a special approp...there would have to be an appropriation for funding of the Bill, Representative."

Wojcik: "Do you know what approximately what it would run how much, how many dollars?"

Homer: "I don't believe there was a fiscal note requested on the Bill. So I don't have that information available to me."

Wojcik: "There is a fiscal note I guess."

Homer: "What does it say?"

Wojcik: "To the Bill Madam Speaker and Members of the House. According to the fiscal note it says that it's anticipated that approximately 20,000 per physician would be the estimated cost the first year. However, it could rise to 120,000 and evidently the succeeding years will rise to approximately 480,000 after four years so, I do rise in opposition."

Speaker Breslin: "The question is, 'Shall House Bill 1494 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 98 voting 'aye', 14 voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1782, Representative Phelps. Clerk read the Bill."

Clerk Leone: "House Bill 1782, a Bill for an Act to amend the Downstate Public Transportation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

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

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House. House Bill 1782 tries to address the needs that the rural population has in regards to public transportation. Now we know the idea of public transportation is one that has usually we think of as the metropolitan areas and we know that that justly is so and I've been here the last four and half years seeing large amounts of money that goes to RTA and CTA and we know why and it is justified. However, we would like for you to acknowledge along with us in small urban areas as well as the rural areas that we do not have the opportunity to raise the matching funds that there is required to tap into the Section 18 money which is federal money for public transportation. Even in the City of Springfield as you see the buses that are accommodating those people that says transit...Springfield Transit System. They have a means the way of of triggering mechanisms to tap into the...not only the state money that's set aside to match the Federal Section 18 money. And many of you live in counties that are asking for this assistance and it sure doesn't amount to very much money, but would go a long way and I might names those counties. They are: Jo Daviess, Henry, Boone, Henderson, McDonough, Peoria, Stark, Tazewell, Fayette, Clay, Jefferson. I could go on, there's 20 or so counties that are requesting this type of assistance and there again I want you to understand it's...it's to try to increase the state's part to help these rural or public transportation systems that are either about to be created or just barely in existence to take care of their operating deficit similar to what we have with the metropolitan areas that have funds to trigger the matching funds in the federal Section 18 money. I'd appreciate your favorable support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1782. This Bill is on the Order of Short

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Debate. Does anyone rise in opposition? Representative Harris, in opposition."

Harris: "Thank you, Madam Speaker. Also I would like to request, this Bill has perhaps a greater significance than what was initially thought and I believe I would be joined by the requisite number of Members to pull this matter off of Short Debate."

Speaker Breslin: "Does Representative Harris, have six friends? One, two, three, four."

Harris: "Probably not, but that was not the question."

Speaker Breslin: "I only see five so far. One more, there we go. The Gentleman asks that the Bill come off of Short Debate, leave is granted. Proceed, Representative Harris."

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

Speaker Breslin: "Proceed."

Harris: "Representative if we can, this Bill has gone through a couple of Amendments specifically in Committee and then again on the House Floor. Could we review it just a little bit. Specifically the Amendments relating to some of the downstate districts. Can you tell me Amendment 2, in particular. Has that now opened up this legislation to all transit districts that might be started in the State of Illinois?"

Phelps: "I don't have a copy of Amendment 2 what does it say, and maybe that can remind me and I can answer the question."

Harris: "It deals with municipalities of over 50,000. Effectively what it does I understand, effectively what the Bill does now is that any municipality over 50,000 whether or not it was in existence at the time of the initial act of 1979."

Phelps: "Representative Harris, I think I remember now. Amendment 2, was presented by Representative Novak and we found that his area was the only one that was not among

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those municipalities that were allowing the state dollars to flow, so we permitted them to come in."

Harris: "So now what we've said is that any municipality over 50,000 that starts a transit district whether or not they were in existence as of the date of the Amendatory Act of 1979, that's now been that's now eliminated, so anyone that starts one would be eligible for this for this subsidy, is that correct?"

Phelps: "Right."

Harris: "And the subsidy as I understand it is is what?"

Phelps: "In the small urbanized areas in the municipalities that you have just mentioned or alluded to it's my understanding they have 1/16th of the sales tax that helps provide a mechanism for the state's share to match the federal Section 18 money. But the small rural areas in which I am trying to capture in this piece of legislation do not have the capacity to come up with a local funding such as the 1/16th sales tax that I mentioned that the municipality of 50,000 and over do."

Harris: "But the subsidy itself, which we are...which are now allocating with your Bill. Has a percentage of...of the operating deficit of any district is set at what level?"

Phelps: "At what level?"

Harris: "At what level."

Phelps: "I believe that the small cities of rural Section 18 received like zero zero...point zero zero four percent, compared to ninety nine point ninety nine six percent for urban areas."

Harris: "Well, if I can, as I read the Bill and I'm assuming I'm looking at Amendment I'm looking now at Amendment #1, which I understand becomes the Bill, is that correct?"

Phelps: "Right."

Harris: "Alright, as I read the Bill it says that any participant

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who qualifies for federal operating assistant funds shall receive funds to pay 25 percent of its operating deficit. So in other words any any transit district of a municipality over 50,000 is going to receive, assuming it has an operating deficit, 25 percent of its deficit paid for by the State of Illinois."

Phelps: "Right, but Representative Harris, that shouldn't mislead you to believe that all those municipalities with 50,000 and over population would need the extra funds to, from the state, to reach that 25 percent. Many are already receiving over 25 percent. The reason we reached that level was to put really small rural areas that I'm alluding to throughout these states and these counties that I've mentioned do not even come close to receiving that 25 percent but those already in the system are receiving probably more than that 25 percent."

Harris: "I follow what your saying. We mentioned the RTA and the CTA in particular."

Phelps: "Right."

Harris: "The RTA and CTA looking just at the CTA. CTA has a requirement for a fair box recovery ratio."

Phelps: "Right."

Harris: "Are there any requirements for such type of ratios, specifically with the CTA it's 50 percent, are there any requirements for that, for some of the downstate transit districts?"

Phelps: "In order for the federal Section §18 to flow there are local matching funds required and you know in my area I think you have county units of government giving pledges to these either for profit private companies or either they may go through the senior citizen nutrition kitchen type operations. But anyway they have some local funds that are contributed to local taxes, and they even have fund raisers

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such as chilli suppers and all those kind of things to meet those local funds, but the percentage from that I believe is like two cents per capita, in the rural areas, that's that's based on under 10,000 population."

Harris: "For...I'm not sure, I'm not sure how we got into chili suppers but I'll let that go. For all of the, for all of the districts which may start up then even if they are or are not currently receiving funds, we are guaranteeing 25 percent of of their operating deficit..."

Phelps: "Deficit, right."

Harris: "Under this Bill?"

Phelps: "Right."

Harris: "So, that any new one could start up, we're gonna guarantee 25 percent of their operating deficit with I assume what, are these federal dollars or are these GRF?"

Phelps: "Of the 25 percent deficit money we're tapping into would be state dollars that would...extra dollars that would need to match what Section §18 there are and I don't know how many that would be Representative Harris but..."

Harris: "Are these federal dollars which we're simply flowing through in other words passing through the state treasury or are they General Revenue Fund dollars?"

Phelps: "The Federal I believe is like 50 percent 50 or 60, I can't...it escapes me I don't have it on here but then the state seems to contribute like 20, 25 and so we're asking for the 25 percent that the local..."

Speaker Breslin: "Proceed, Representative Phelps. Your running out of time, however."

Phelps: "...That the local rurals can't come up with so it...that's what we're trying to get to."

Harris: "Alright, in the interest of time. As I understand it has a fiscal note been filed in this Bill? I believe one was requested."

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Phelps: "It was. I wasn't aware of it. Aside"

Harris: "Has a fiscal note been filed on this Bill?"

Phelps: "That's what I was told."

Harris: "If I can, to address the Bill, a fiscal note has been filed as I understand the fiscal note is \$500,000 and if I can Representative and Ladies and Gentlemen of the House, the fiscal impact is \$500,000. Now that may not be to terribly significant when some of the other sums of monies that we throw around here, but it is General Revenue dollars. In other words we are prioritizing the subsidy of small metropolitan transit districts with \$500,000 of General Revenue Funds. We are giving these districts a priority claim on our General Revenue Funds, to the tune of \$500,000. The Gentleman's aim is admirable but it's not an insignificant Bill, we're making somewhat of a major change here and I worry that the \$500,000 is only the camel's nose under the tent, that it could grow in future years as some of these districts become larger and more of them get on line. It's a cause for concern and I'm not sure that the Bill is in proper form to send over to the Senate and I would certainly recommend a 'no' vote."

Speaker Breslin: "The Gentleman from Kankakee, Representative Novak. The Lady from Sangamon, Representative Hasara."

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

Speaker Breslin: "He will."

Hasara: "Representative, what does this do for the Springfield Mass Transit?"

Phelps: "I believe that if they are presently not reaching the level of assistance that would address the 25 percent operating deficit that some of this money could go for their system. But I honestly think that they had enough money to meet that 25 percent threshold, so it probably wouldn't be effected. That's my own opinion, I have no way

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of knowing."

Hasara: "They probably would not be affected?"

Phelps: "Probably would not receive any additional money, I don't know but I would say that you're reaching at least 25 percent of your operating deficit because of the mechanism you have on the one sixteenth sales tax that's kicked in the section 18 matching money."

Hasara: "Okay. So if Springfield, or other communities such as Springfield, are not eligible under your Bill would not we be hurt by taking money out of that pool of money to give to other districts?"

phelps: "No, because you're already safeguarded by what you're raising and what it would do if you fell below that one sixteenth for some reason didn't reach the threshold that you presently are operating under, this would automatically cover you within that 25 percent operating deficit if they ever did fall below your matching funds now that your raising."

Hasara: "So your criteria is not population, it's percentage of funds?"

Phelps: "Any public transit system that is not reaching...cannot cover 25 percent of their operating deficit, the state will kick in the extra money, which they say is \$500,000. I don't know if it'd be that much or not."

Hasara: "Where is this money coming from?"

Phelps: "It's my understanding that there is money available right now under the Department of Transportation Budget that is left over either from Section 18 or money that that is surface leftover from the lack of having to come up with extra dollars because of the one sixteenth sales tax matching."

Hasara: "You think this is in DOT's budget now?"

Phelps: "Yes, I do."

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Hasara: "Do you know their position on the Bill?"

Phelps: "I think they might be neutral, I don't know if they're working in opposition but they...they've been real sensitive to the needs that are addressed here and I don't know how adamant they are against it."

Hasara: "Okay. They are saying it is not budgeted Representative but I of course am very interested in Springfield. In fact, they're telling me they're opposed."

Speaker Breslin: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Speaker, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. The Amendment that was adopted shortly would help out the Kankakee area. The Kankakee Metro Area is the only urbanized area in the state that does is not eligible for Mass Transit assistance, primarily because when the Downstate Act was adopted in 1979, I believe our area did not have a mass transit plan. We've had a lot of economic development in our area with two new malls coming into the Northern part of the county and our communities has four contiguous communities that are right on top of each other and the aspect of public transportation's is very important. So to me this Bill's very important, and I also want to rise in support of Representative Phelps, substantive matter in this Bill. I think it's a good issue for downstate. We're not trying to sneak money away from one fund and put it in another fund. It's downstate needs good rural assistance and I think this is good endeavor and I appreciate your support."

Speaker Breslin: "The Gentleman from Grundy, Rep...Weller."

Weller: "Thank you, Madam Speaker. Would the Gentleman yield for a question? Representative let me lay out some circumstances that affect my district and about 27

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townships that are part of the metropolitan area around the City of Chicago and the Regional Transportation Authority district. There are nine townships that are in the Will County portion of my district that have been paying taxes to the RTA for about 10 years without receiving a dime in service, they paid one and a half million dollars in taxes. These townships are kind of between a rock and a hard place they're paying these taxes to the RTA, they're not receiving any service and because they're in the RTA district they're ineligible for Section 18 funds from the federal government. The question I have for the Sponsor is, would these townships those nine townships or the total of 27 townships in those six counties, would they be eligible for this type of subsidy?"

Phelps: "Just as a response without any detailed information, Representative Weller, I would say we are not involving RTA authority at all with this."

Weller: "But the question is, since these townships are included in a mass transit district would they be eligible for subsidy if they're not currently receiving service and they wanted to start some local service?"

Phelps: "When you say...when you said mass transit though you said in a regional transit authority. So I think that is separate and aside of downstate and rural areas and..."

Weller: "So this legislation excludes those six counties?"

Phelps: "It doesn't spell it out that they're excluded but I don't believe it's the intent to address those type of counties in my honest opinion."

Weller: "Representative, I rise in support of your legislation because of the impact on the Kankakee County portion of my district, however, in the future I would like the opportunity to discuss with you how this legislation could be amended after it becomes law to include unserved

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townships and mass transit areas such as the southwestern portion of Will County."

Phelps: "Good idea."

Speaker Breslin: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Those of you from the 11 communities downstate who are presently in the downstate transportation Mass...Transportation Act, beware or this is...this is your money. I just got off the phone with the head of our mass transit district and this is an issue that is not a new issue this is one that always comes up and I'm perfectly willing to look for another funding source but this would directly draw away from Peoria and Springfield and some of the other downstate communities and so having learnt that I must speak against the Gentleman's Motion and urge a 'no' vote."

Speaker Breslin: "Representative Phelps, is...excuse me Representative McCracken."

McCracken: "Thank you. I also rise in opposition. Current law allows the department in its discretion to make these grants. It has a limited pool of GRF money available for that purpose. By taking away that discretion from a certain class of communities and requiring a 25 percent operating subsidy, you take away all that discretion. And if the pool of money is not enlarged, then the losers have to be the other communities not covered in this Bill. That's what is going to happen. So, you Members of the other communities, as Representative Leitch says beware. This is a reallocation toward the communities which are the subject of the Bill. And no matter how you slice it, how arcane the formula becomes for distributing these funds, with the requirement that some of them receive 25 percent

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of an operating subsidy, you are going to lose out in those other communities. This is a reallocation Bill, it is not harmless to the other affected communities, and I rise in opposition."

Speaker Breslin: "Representative Phelps is recognized to close."

Phelps: "Thank you, Madam Speaker. In reference to the previous speaker, and the one before him, they are mistaken, this does not take from other transit authorities whatsoever. There is money there, you know it, and I know it. It's a matter of the flexibility and the Department of Transportation to say where it goes. When the rural areas have 22 percent of the population of this State; 22 percent of the population, and receive .004 percent of the moneys allocated for this type of program, and you in the metropolitan areas getting 99.996 percent, and you can't let us have 500,000 to take elderly to the hospital, or about 50 miles to just to see a doctor, treated with cancer, come on. I appreciate your favorable support."

Speaker Breslin: "The question is shall House Bill 1782 pass. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 73 voting 'aye', 73 voting 'aye', 34 voting 'no', and 7 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Representative Brunsvold, for what reason do you seek recognition?"

Brunsvold: "Thank you, Madam Speaker. Will the Gentleman from Saline County was discussing senior citizens, and I would like to discuss a Senior Citizen sitting next to me. Representative Sutker, has a birthday today, we have spent, we have spent...or spared no expense to try to find out how

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old he is. We started with the premise, he wasn't born yesterday, and that was okay, then we were talking about how old he was and someone mentioned the fact that they wanted to know how old dirt was? And, we rejected that, totally. We finally discovered that he's three score and six. That's all, and he has at least that many cookies over here if anyone would like, if the 'Reps' would like to come over here and grab a cookie, chocolate chip cookie and enjoy his birthday, and my good friend as the former Mayor Daley used to say, my good friend Carl Sutker. My good friend, and my good seatmate, Carl Sutker, and please come over and get a cookie. Thank you."

Speaker Breslin: "And they are delicious. Representative Sutker."

Sutker: "Madam Speaker, you know this goes on each year, and as you see, I get older, but I want you all to join with me and share the chocolate chip cookies that Joel Brunsvold and Barbara Penozo so generously provided, and I'm going to ask you as a birthday present to me, to stay with me today until 10:00 p.m., so we can enjoy each others company. I can't tell you how much I would appreciate being with you this entire day and through the evening as well."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Well, Madam Speaker, Ladies and Gentlemen of the House. We've heard some good rhetoric, on that side of the aisle, but I have it on very good authority, that Cal Sutker went to school with Thomas Jefferson, and I'm aware of that because I crossed the Delaware with Washington."

Speaker Breslin: "Ladies and Gentlemen, since we are...have a little break here, I have two items that I would like you to consider. One is that several Members have noted, that there are registered lobbyists on the floor of the Assembly from time to time. Registered lobbyists are not allowed on

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the floor of the Assembly. We would ask them not to come on and we would ask you not to invite them on. Secondly, we would encourage you not to make introductions during this busy time of our session. Thirdly, it is the intention of the Chair to go until 10:00 p.m. this evening, in honor of Representative Sutker. Representative Sutker, however, the Speaker would like you to know, they would like Representative McPike and Representative Keane to know that there will be chicken and beverages provided at 7:00 p.m. So, you can be prepared to be here and be comfortable. Representative Sutker at Representative Olson's desk."

Sutker: "Mrs. Speaker, I want to thank the Speaker for providing dinner for all of you on my behalf. It's just another generous gesture on my part and because of my birthday, and you are all welcome. Mary Lou Cowlshaw, do you have a question? Please, the cookies are available, and of course the dinner will be as well, and it's all in my honor and I'm most grateful to you."

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

Countryman: "Well, Madam Speaker, the Bulls are playing in a tournament, and some of us are going to miss that if we have to stay here until 10.00 o'clock tonight, so we would like Representative Sutker to furnish us with some watch band tv's, so we can keep track of that game on the floor, and we figure since it's his birthday, he could furnish three or four of those for both sides of the aisle, and we'd be much appreciably...appreciate it."

Speaker Breslin: "And we will pause Representative Countryman to be informed as to what the score is, periodically, if you would like to have that. Okay, Ladies and Gentlemen were still on the Order of Rural Assistance, we have five more

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Bills. The first Bill is, the next Bill is House Bill 2520, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 2520, a Bill for an Act to establish an Illinois Rural Bond Bank. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. By agreement with my Cosponsors, McCracken and Leverenz, we have the Amendment ready, it's being checked by 'Mod Attorneys'. We would like to take this out of the record at this time, but reserve the right to bring it back as soon as that Amendment done"

Speaker Breslin: "Fine. Out of the record. House Bill 2594, Representative Hartke. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2594, on page 33 of the Calendar. A Bill for an Act concerning use of state funds. Third Reading of the Bill."

Speaker Breslin: "Representative Hartke."

Hartke: "Thank you, very much, Madam Speaker, Members of the House. House Bill 2994 (sic-2584) creates the sustainable Agriculture Act, which has the purpose of encouraging and funding research into methods of production Agriculture, which provides the highest rate of return, and...preserves the environment and productivity of the land. By federal law farmers are required to follow if they're going to participate in the federal farm programs, and those farmers who have highly rotable land they must comply with a conservation plan by 1990. This is a Missouri show me idea, which would create a system where we would develop some experimental research and education plots to demonstrate farmers on how they can do a better job of providing food for America and preserving land. I would be happy to answer any questions you may have."

Speaker Breslin: "The Gentleman has moved for the passage of

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House Bill 2594. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He will."

Ropp: "Representative, in all due respect to your interest here, and I'm not really opposed to the idea, but I just want the body to know that the extension service of the University of Illinois which was passed into law by the federal government, I think their celebrating their 75th anniversary this year, or maybe it's their 50th, but it's a long time. They have been doing these kinds of experiment programs for all those many years, and I guess I wonder why now in 1989, we want to do something again to duplicate the efforts that the extension services been doing. They've been doing it down at Dickson Springs, University of Illinois, Southern Illinois, and other areas throughout the state. Why do we want to duplicate what they've already been doing?"

Hartke: "I'm not confident that we are going to be duplicating what is done now at the University of Illinois. The University of Illinois has done all kinds of tests and research, and so forth on productivity on land, but not necessarily on highly rotatable land. This is a different approach, I should say to farming."

Ropp: "Well...I, I think it's almost duplicating the same thing, because we've had the grasp waterways, and that's been as a result of being on a rotatable land. We attempted to have strip cropping, we've terraced, we've gone to chisel plow, we've gone to no till, and I, ridge till, there's just about any kind of program we already have in place, and I guess I'm not sure what the amount of money that your attempting to come forth with here, that we're going to do

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any better than what we have been able to come forth with through research and development over the last 50 years."

Hartke: "Well, I would say that the research and development the University of Illinois and Dickson Springs and so forth has been very good. Except that I don't think that it has put forth the effort necessary to explain to all farmers that there are methods of farming that have not been demonstrated by the university on a wide scale basis. Granted that the university has had small plots in small areas, under these things that you say, but, but it's not been done on a wide scale of, of what we envision."

Ropp: "Well, I think the current director of agriculture a couple of years ago had a two or three day seminar, or progress show on his very farm to attempt to demonstrate to the state, and to the world what soil conservation processes and programs were being initiated as a demonstration program. And I just kind of think, on this one anyway, that we've already done a lot of these things that you're attempting to come forth and demonstrate to people. We can demonstrate all we want to, but if those people aren't willing to explore new innovative ideas on their own, all this demonstrating will go for nought, and I just question, though this is a worthy effort whether or not this duplicated method is actually necessary at this time."

Speaker Breslin: "Gentlemen, this...to those who are seeking recognition, this Bill is on the Order of Short Debate, and one person has already spoken in opposition. Do you have questions to ask? Representative Black is recognized for questions."

Black: "Thank you, very much, Madam Speaker, a question to the Sponsor."

Speaker Breslin: "Proceed."

Black: "Representative, excuse me, but I'm not sure, are you

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calling for a pilot program, is that your intent?"

Hartke: "Yes, I am."

Black: "Alright, I think you have a program that appears to be very viable, and I believe the directory of the Department of Agriculture has indicated his support, is that correct?"

Hartke: "Absolutely. Last week he was in, in Southern Illinois, and he talked about the sustainable agricultural movement, and I passed around in each ones desk a little newspaper article that ran in the local paper, which he talked about this at some length, and what could be accomplished with the sustainable agricultural movement."

Black: "The only other question I have, Representative, is do you have a companion Bill, or have you identified a source for the money? It appears that even at a pilot program there will be about \$250,000 cost. Do you have a companion Bill, or have you identified the funding source."

Hartke: "Yes, I do. Coming out of the Ag Premium Fund of a quarter of a million dollars, \$250,000 for this year, to start this program off."

Black: "Alright, I'm sorry, let me make sure that I understood you. From the Ag Premium Fund?"

Hartke: "That's correct."

Black: "The Ag Premium Fund, alright, thank you very much."

Speaker Breslin: "Representative Mautino, to ask questions."

Mautino: "Thank you, very much Madam Speaker. That was one of my concerns, Chuck, it was asked by Representative Black. If we're taking the money from the Ag Premium Fund, we're taking it from the county fairs, and the 4-H fairs to do a project and program that the U of I is under the process of doing, and we just provided for about 64 million to the U of I, I think which should be able to accomplish that. I'm opposed to taking that money from the 4-H fairs and the county fairs that are always in need of assistance, to put

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it into a pilot program. You've got a good idea, but I think the U of I, under their research and development for 'Act', now can do it with no additional cost and taking it from those county fairs."

Speaker Breslin: "That wasn't a question Representative Mautino. Representative Hartke, is recognized to close."

Hartke: "Thank you, very much Ladies and Gentleman. Yesterday we worked on a Bill, 1406, on the fertilizer, fertilizer fee, and I think that part of that program could also be used to fund the sustainable Agriculture Act. They were working with the package. Representative Mautino's concerns are very valuable, but we'll work on that tomorrow, and I appreciate Representative Ropp's support on this Bill, as I see he is a Cosponsor of it. Thank you, very much."

Speaker Breslin: "The question is shall House Bill 2594 pass. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 81 voting 'aye', 27 voting 'no', and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2596, Representative Phelps? Out of the record. House Bill 2765, Representative Phelps? Clerk, read the Bill."

Clerk Leone: "On page 44 of the calendar. House Bill 2765, a Bill for an Act to amend an Act in relationship to Indigent Health Care. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker. I've really been trying to find a city issue so I'm not on a Phelps actual call here, but we do have a lot of concerns in the health care, and I appreciate your patience. The 2765 would require the Department of Public Health to provide assistance to

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community health centers established under the Federal Rural Health Clinic Services Act. As well as...the only thing that really preserves in this Bill, we've amended to take other criticism out of the Bill; the only thing left is...rises...it raises the physicians fee 100 dollars, and that will go approximately two to three million dollars would be raised. New revenues to go to health, the rural health clinics."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2765. On the question, the Lady from Lake, Representative Frederick."

Frederick: "Thank you, Madam Speaker. Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Frederick: "Was the Amendment adopted that put migrant health centers in the Bill?"

Phelps: "Yes. It's my understanding that it's on the Amendment that, I believe, if I might ask the Clerk, amendment #2 is adopted? It was not?"

Frederick: "Are you planning to withdraw that Amendment?"

Phelps: "No, I'm not."

Speaker Breslin: "Would you like to return this Bill to the Order of Second?"

Phelps: "Yes, I would. I request to return to Second Reading. I'm sorry."

Speaker Breslin: "Does the Gentleman have leave to return this Bill to the Order of Second Reading. For purposes of an Amendment? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker. What I intended to do is

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address the issue that the good Lady brought to my attention. The migrant centers is included in this Amendment, as well addresses to take all the other criticism out of the Bill, but leaves the Physician, increases in."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2765, and on that question the Lady from Lake, Representative Frederick."

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

Speaker Breslin: "He will."

Frederick: "Representative, could you please define what you mean by a migrant health center?"

Phelps: "I carried that language for the coalition for health care...I can't remember what their definition was. I don't know if it's the migrant people that actually are migrant workers, that have no access to health care, or what. I'm sorry."

Frederick: "Do you have any idea how many of those centers there are in Illinois?"

Phelps: "I think there was 3. I don't know exactly the location but it seems like that figures in mind."

Frederick: "Okay, Thank you."

Speaker Breslin: "Any further discussion? Hearing none, the question is shall Amendment #2 be adopted. All those in favor say 'aye', opposed 'no'. In the opinion of the chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Phelps now asks leave for immediate consideration of this as amended. Any objection? Hearing none... Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2765, a Bill for an Act in relationship to Indigent Health Care. Third Reading of the Bill."

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Speaker Breslin: "Representative Phelps. The Gentleman has pretty much explained already what the Bill does. Are there any further... is there any further discussion of it, as amended? Any further discussion? The Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "Yes, he will."

Black: "Thank you. Representative, if I understand what your doing here, now, Amendment #2 is now basically the Bill. Is that correct?"

Phelps: "It is the Bill, yes."

Black: "What about the provision for the 100 percent in the medical license fee, is that still a part of the Bill?"

Phelps: "Yes."

Black: "So, it goes from \$100 to \$200? Correct?"

Phelps: "Yes, and that's what my opening statement said, it would raise approximately 2.5 mil."

Black: "Alright, that, that had me confused because our, our Amendment #2 indicated that that might not be part of the Bill. I wanted to establish that fact. So even though Amendment #2 is now the Bill, there are still some underlying provisions...of the underlying Bill still in...incorporated. You didn't gut the entire Bill, then?"

Phelps: "Yes."

Black: "I see. Thank you, very much."

Speaker Breslin: "The question is shall House Bill 2765 pass? All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Dunn, one minute to explain your vote."

Dunn: "I just want to state for the record that I may possibly have a conflict of interest on this Bill, and none the

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less, I'm going to vote my conscious."

Speaker Breslin: "Mr. Clerk, take the record. On this question there are 88 voting...86 voting 'aye', 26 voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2781, Representative Phelps. Out of the record. Ladies and Gentlemen, the next Order of Business will be the Order of Consumer Protection, Second Reading, then Third Reading. So, we're on the Order of Consumer Protection, Second Reading, then Third Reading. The Sponsors on this Order are Dunn, Preston, and Barnes. The first Bill is House Bill 603, Representative Dunn. John Dunn. Clerk read the Bill."

Clerk Leone: "On page 4 of the Calendar. House Bill 603, a Bill for an Act to amend the Hearing Aid Consumer Protection Act. Second Reading of the Bill. Amendment #1, was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed, and no further Amendments."

Speaker Breslin: "Third Reading. House Bill 1825, Representative Preston. Clerk, read the Bill."

Clerk Leone: "House Bill 1825, on page 20 of the Calendar. A Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1, was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed, and no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2090, Representative Barnes. Jane Barnes. Out of the record. The next Order is Consumer Protection...Representative Barnes is in the chamber, with leave we'll go back to her Bill, that's House Bill 2090. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2090, a Bill for an Act requiring

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disclosures concerning smoke detectors. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Floor Amendment #1, is being offered by Representative Brunsvold and Terzich."

Speaker Breslin: "Representatives Brunsvold, Representative Terzich. Representative Terzich, do you want to present this Amendment? Representative Barnes, for what reason do you seek recognition?"

Barnes: "I think that Amendment #1 was presented by Barnes, Terzich, not Brunsvold."

Speaker Breslin: "I see, another confusing mistake. Representative Barnes is recognized on the Amendment."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2090, came out of Judiciary with the agreement that I would work on the Agreed Amendment with the realtors, and the fire marshals and the chairman and the spokesman. We have reached an agreement, and that is what number...Amendment number one does. It amends the Illinois law governing provisions the title of declaration which is commonly known as a green sheet in the real estate business. What the fire marshal office is attending to do is to educate more people in the State of Illinois that smoke detectors are a part of the state law, and that should be recognized in the sale of real estate. We want to make people aware of what the law is, and many real estate offices such as the South Side Realtor Board presents fire alarms at the time of the closing. This is going to be on a check sheet, and the realtor will be checking it off with the owner at the moment of transaction. Before that time they will also be aware that it is on the green sheet. It is the intention of the fire marshal's office to produce a pamphlet that will be passed

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out at the closing, informing people that smoke detectors are very important. Ninety percent of the fires that have occurred where there have been deaths, have not had smoke detectors. I would ask for an 'aye' vote on Amendment #1 to House Bill 2090."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1, to House Bill 2090. On the question, is there any discussion? Hearing none, the question is shall Amendment #1 be adopted? All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. The next Order Ladies and Gentlemen is the Order of Consumer Protection, Third Reading. The first Sponsors are Van Duyne, Levin, Cullerton, Terzich, Martinez, DeJaegher. Please be prepared to present your Bill on Third Reading. The first Bill, House Bill 141, Representative Van Duyne. Out of the record. House Bill 296, Representative Levin. Out of the record. House Bill 498, out of the record. House Bill 601, out of the record. House Bill 612, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 612, on page 26 of the Calendar. House Bill 612, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker. House Bill 612, provides that the proof of a public injury is not required in order to collect damages under this Act. This legislation would clarify that there is no such requirement in order for a plaintiff, to be protected under this Act. They must prove

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that some sort of consumer protection...concern is involved. It came out of Committee...and I appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 612. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being no opposition, the question is shall House Bill 612 pass? All those in favor vote 'aye', all those oppose vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 881, Representative Van Dwyne. Out of the record. House Bill 1019, Representative Martinez. Clerk, read the Bill."

Clerk Leone: "On page 39 of the Calendar, House Bill 1019, a Bill for an Act to amend the Illinois Food, Drug and Cosmetic Act. Third Reading of the Bill."

Speaker Breslin: "Representative Martinez."

Martinez: "Thank you, Madam Speaker, Members of the House of Representatives. House Bill 1019 comes from my concern of the growing numbers of the general population who are now learning they have high cholesterol, the impact of our...and the effect cholesterol have on our arteries the intention of 1019 is to pressure the food industry to quit using palm oil, palm kernel and oil and coconut oil. The industry uses these products to lengthen the length of the...of the products. But, it's a common knowledge that these oils are used to extend shelf life. What is not widely stated by the manufacturers, is that those 'oils' are absolutely hazardous to our health and the health of our children. These oils are extra high in fat content,

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which in turn elevates the cholesterol levels."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1019 and on that question the Gentleman from Vermilion, Representative Black."

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

Speaker Breslin: "He will."

Black: "Thank you. Representative, I don't think anybody in this chamber would disagree with you in your attempt to point out to the consumer some things that perhaps might not be in his or her best interest, if indeed it's going to add to the cholesterol problem, or bring about a heart attack. But...let me ask you a few questions about this and I hate to be provincial, and let me establish right up front, I have a Quaker Oats plant in my district and I know they're concerned about this and they're trying to find a substitute for coconut oil or palm oil, but to the issue at hand. If I understand your Bill correctly, this would only apply to products manufactured in Illinois, is that correct?"

Martinez: "Well, I didn't take that into consideration. I would assume I'd be concerned about Illinois, primarily."

Black: "Alright, then, that presents a problem. What if a product is manufactured in New York or California and is shipped to the Midwest, some of it's going to go to Indiana and some of it's going to go to Illinois, are you requiring that out of state manufacturer to put in big letters on their product that these foods are mislabeled because they contain coconut oil, palm oil, etc.?"

Martinez: "Well, if we're going to try to protect the people of Illinois, I guess we have to insist on that."

Black: "Alright, Representative, I think your Bill is silent on that point and I guess the point I'm trying to make, it

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appears to me, that it may only apply to an Illinois manufacturer. I don't know that you can require a California manufacturer of a food product to so label that product if it indeed is going to come into the State of Illinois. Now, if that's true and I...believe me, I don't know that it's true, but it appears to me that that's true, I think you're putting Illinois manufacturers like Quaker Oats at a very distinct competitive disadvantage. I don't have any problem with what you're attempting to do. I...but I do think the industry, the food industry is moving in the direction you want them to move and unless we can get some clarification on how this will affect Illinois based food processors and food manufacturers, I have to vote 'no' on your Bill, Representative."

Martinez: "Thank you, very much."

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

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

Speaker Breslin: "He will."

McNamara: "As far as the limitation that you have on this, you have a limitation to regulate the food products or the warning labels for only those that are coconut oil, palm oil or palm kernel oil. Is that correct?"

Martinez: "Correct."

McNamara: "When you are limiting that, why is that so much more difficult, cholesterol wise, than eggs, red meat, cheese, won't this expand it onto other food products as well?"

Martinez: "I don't think so. It just deals with the specified products. Recently, in a different study showed that eggs didn't cause that much cholesterol anyway."

McNamara: "But, the continuation of the food products group, suppose that tomorrow's study says, 'okay some of these oils are not that high in cholesterol or whatever'. I

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don't happen to have a cholesterol problem. But I do eat all of these products. Why would we have a warning label on only certain foods and not others?"

Martinez: "Well, if tomorrow...the products don't show any cholesterol building, then we can...you have to forgive me, I'm taking some medication and it makes me stutter. But, we can address that problem later, if that's what...will be in the future."

McNamara: "Well...to the Bill. I believe that there is a serious problem with this Bill. This is a serious problem, because it isolates three food products, doesn't take into consideration all of the other food products that we have, and also limits the enforcement action to Illinois alone, which as was pointed out before, creates an increased hardship on Illinois manufacturers. I believe that, in due respect to the Sponsor of this Bill, I believe that it is an ill conceived plan and I would urge a 'no' or a 'present' vote. Thank you."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Olson: "Representative I'm the...I have had a late unpleasantness as of January 23rd, with regard to this subject. And the fact of the matter is, that there may be a misunderstanding to what the intent of your Bill is relative to labeling. Saturated fat is a problem. The industry from the Far East, the coconut oil people, the palm oil and the palm kernel oil, have spent significant dollars in the Wall Street Journal to put down the criticism of this issue. May I suggest that you may want to reconsider, and if you can possibly do this, put this in a more simplistic form that would give you the technical advice that you need. I think that we are going overboard on selling oat bran, we

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are probably going overboard on labeling issues and I would just like to offer that as some advice, because I've been, become very cholesterol conscious for a good number of months, now. Thank you, very much."

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

Regan: "Thank you, Mrs. Speaker, move the previous question."

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

Martinez: "Yes, I'd just ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall House Bill 1019 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 52 voting 'aye', 52 voting 'no' and 10 voting 'present'. Representative Martinez, do you want postponed consideration? He indicates he does. Put the Bill on the Order of Postponed Consideration. Representative Levin, has returned to the Chamber, with leave we'll go back to his Bills on this order. The first Bill is House Bill 296, Representative Levin. Clerk, read the Bill."

Clerk Leone: "House Bill 296, a Bill for an Act to amend the Nursing Home Care Act. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The genesis for House Bill 296 came from one of the nursing home administrators in my district, who was concerned that the money, the federal money that is paid to the nursing home patients, the personal needs allowance of

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\$30 a month, which goes into an account for that nursing home patient that some relatives of patients were cajoling them not to spend this money, and then to turn it over to the relatives. With the intent that the money not to be used for the patient in the nursing home, and there is currently noway of preventing this from happening. House Bill 296 would simply provide that where money from a account for the nursing home patient was to be turned over to that...to a relative, money for the personal needs allowance, that the relative would sign an affidavit that they intended to use that money for the benefit of the patient. You know, the...we put on an Amendment on the floor to take care of a problem from one of the Members from the other side of the aisle, we worked with the industry on this, is I think, a good Bill, I don't think there is any controversy about it, it does not make the industry a policeman in any way, it just basically says to a relative who is going to take the money, you're supposed to use that money for the patient. If there is any questions I will be happy to answer, Otherwise I would ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 296. On the question, the Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Madam Speaker. There are a group of young people in the Gallery, in the Speaker's Gallery, some of whom may be working in nursing homes someday, and I want to take a moment to welcome and introduce the eighth grade class of Reed-Custer Jr. High School. Let's all give them a warm welcome."

Speaker Breslin: "The Lady from Cook, Representative Wojcik on the Bill."

Wojcik: "Yes, Madam Speaker, Members of the House. I would like

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to rise in support of this fine piece of legislation, and compliment the Sponsor for the time and the effort that he gave to me, so that I could extend to him my thoughts regarding this legislation. So, I ask that it does have a favorable passage."

Speaker Breslin: "Representative Levin is recognized to close."

Levin: "I just ask for a favorable Roll Call."

Speaker Breslin: "The question is shall House Bill 296 pass? All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question, there are 110 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 498, Representative Levin. Clerk, read the Bill. Excuse me, Representative Hallock, for what reason do you seek recognition?"

Hallock: "Thank you, Madam Speaker. On a point of personal privilege, I'd like to acknowledge that we're pleased to have with us today, Lee Daniels, Laurie...Lee Daniels daughter Laurie and her classmates are in the back of the chamber the House Republican side. Lee Daniels daughter Laurie."

Speaker Breslin: "Welcome. Welcome. Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 498, is presented on behalf of... myself, Representative Harris, Representative White and Representative Lang, and deals with the question of computer viruses. As has been in the press the last several months, there has been a problem among people that use computers, of programs that are intended to destroy either other programs or the operating system that the

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computer is a part of. I personally was a victim of one of these viruses about a year ago. I'm somebody who's a fairly avid computer person and went into one remote operating system and there was a message that said, destroy this particular program if you've taken it. It was found to be a virus. I went back to my computer, discovered one disc where...the catalog, it was giving you multiple copies of the same program; and when we finally traced it down, it was one program that was making...duplicating the directories on the disc, and if it'd kept doing that, it would end up kind of blowing up the system. I was fortunate, it didn't do any real damage to me, but it took a number of hours to trace it down, but I can appreciate what this can do on a larger scale. If you have a lot of data it can destroy the data. It can end up costing businesses billions of dollars. The current law that we passed a couple of years ago deals peripherally with the problem but does not specifically deal with the problem, does not deal with all the ramifications of the computer virus. This particular Bill as amended, deals with the issue and I think deals with it in a balanced way. If there are any questions, I...would be happy to answer them, otherwise I would just ask for a favorable Roll Call."

Speaker Breslin: "Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill, 498, a Bill for an Act to add Sections to the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "This Bill is on the Order of Short Debate. Does anyone rise in opposition? Representative Black in opposition."

Black: "Well, thank you very much, Madam Speaker. I'm not sure whether I'm going to oppose the Bill, but I will, if I don't get the correct answer to a question. If I may ask the Sponsor. Thank you."

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Speaker Breslin: "Proceed."

Black: "Representative, in the original Bill, I believe you were calling for a Class 4 Felony as a charge against a person who commits computer tampering. Now if I'm following you correctly, did you amend that in Amendment #2? Did you take that out and go to a civil clause for remedy?"

Levin: "Amendment #2 did...couple of different, three different things. First of all..."

Black: "Well Representative, all I'm concerned about is whether you've taken the Class 4 Felony out of this Bill, that's all I'm concerned about."

Levin: "No."

Black: "You have not?"

Levin: "No."

Black: "So a person who commits...computer tampering is, could be found guilty of a Class 4 Felony, correct?"

Levin: "That is correct."

Black: "Thank you very much."

Speaker Breslin: "Representative Pedersen, for what reason do you seek recognition?"

Pedersen: "Thank you, Madam Chairman. A question of the Chair. We've gone down this list and we've called about six Bills and then we're going back to cover those people who were not present when you started this Special Order. Can we go through the order and then go back to these people? Let the people at the bottom of the order have a chance to call their Bills?"

Speaker Breslin: "We certainly can. ...However, leave was given to do this, Representative Pedersen, and you did not object."

Pedersen: "I understand. In the future, because we have so many Bills coming up, we will object if this continues."

Speaker Breslin: "...I would...I think that is a good point."

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People should expect to wait until the end of the call if they are not in their seats and ready to present their Bills at the time. This Bill has received complete discussion. The question is, 'Shall House Bill 498 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', none voting 'no', and 3 voting 'present'. This Bill having received the Constitutional Majority, is hereby declared passed. Representative Davis, for what reason do you seek recognition?"

Davis: "I meant to vote 'aye'."

Speaker Breslin: "Well, I'm sorry we can't change your vote at this time, but the record will reflect your desires, Representative Davis. Representative Laurino in the chair."

Speaker Laurino: "'Alright, settle down, you mugs'. House Bill 1128, Representative DeJaegher are you in the Chamber? Out of the record. House Bill 1473, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1473, a Bill for an Act to amend the Mobile Home Park Act. Third Reading of the Bill."

Speaker Laurino: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House. House Bill 1473 is a Bill which would create the office of mobile home ombudsman, an ombudsman appointed by the Governor with consent of the Senate. The primary job of the ombudsman would be to serve as a liaison between the state and mobile home park owners and tenants, and protect their rights. The ombudsman would have the authority to receive and investigate complaints against mobile home park owners, initiate investigations of allegedly unreasonable fees or

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rent increases, and initiate investigations of actions that mobile home owners that impede on the mobile home owners right to sell to the purchaser of the mobile home owners choice. I introduced this Bill in behalf of the Illinois Mobile Home Owners Association. They have felt the Representative Virginia Frederick, I know, has sponsored legislation in their behalf before, in our area we have a community that started out at first totally as mobile home units, it is called Park City, Illinois, and because of that area we have received many complaints about the abuses on the mobile home owners, and they are very frustrated, we...we passed the Mobile Home Tenants Act, but yet they find that the enforcement of the Act is very difficult, and they don't know who to turn to. In California and some other states, they have created the office of ombudsman, and it has been a big help to the, to the owners of the units. It is more helpful if an ombudsman Act, has some teeth in it. I think House Bill 1473 would be...would go a long way, it's a consumer Bill for mobile home owners, and I would appreciate your support."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 1473, and on that question, is there any discussion? Representative Black."

Black: "Well, thank you very much, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Laurino: "He indicates he will."

Black: "Thank you. Representative, I don't think anybody can argue with the eloquent statement you made on behalf of your Bill, but let me ask you a question, or two. It would seem to me that you might be amending the wrong Act. Have you given any thought to that?"

Matijevich: "Well, I've had that discussion with the, the Department of Public Health because their administration of

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the Mobile Home Park Act, and I just gave the reference bureau the intent of what I wanted in the creation of an ombudsman. They felt that it could be done by the Amendment of the particular the Mobile Home Park Act. I don't think there is anything wrong with that. We could've amended the mobile...I forgot what we entitled the mobile home tenants rights Act, or something like that. We could of done it that way too, but I think it can be done either way."

Black: "Well, thank you very much, Representative. Mr. Speaker, to the Bill. I would reluctantly stand in opposition, I do think that the wrong Act is being amended. I think the Gentleman referred to the Mobile Home Landlord and Tenants Right Act, which I really think should be the focus of his Amendment. I do believe as he indicated that the Department of Public Health has authority under the Mobile Park Act to do many of the things that he wants done. There is a cost of this Bill, and I think if we are indeed amending the wrong Act, we're going through an exercise in futility. And knowing the Gentleman is propensity to do us right, I'm sure it will get worked out at somewhere down...some point down the line, but I really think the wrong Act have is been amended in this case, and I would stand in opposition to the Bill."

Speaker Laurino: "Further questions? Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this good Bill. Many of you will remember down here that we have tried to address the problems that mobile home owners have had. We have been partially successful. I think an ombudsman will complete the task, and I hope that you will all vote 'yes'."

Speaker Laurino: "Further discussion? Representative Sutker."

Sutker: "Thank you, Mr. Speaker. Will the Sponsor yield for a

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question?"

Speaker Laurino: "He indicates he will."

Sutker: "Representative Matijevich, would the ombudsman also intervene on behalf of mobile home park owners in the event he has problems with tenants. Is it a two-way street?"

Matijevich: "It's a two-way street."

Sutker: "It is?"

Matijevich: "Yes."

Sutker: "Thank you."

Speaker Laurino: "Further discussion? Representative Balanoff."

Balanoff: "Yes, I come from a district with the only mobile home park in the City of Chicago in it. And nobody in the City of Chicago even knew that this mobile home park existed until a couple of years ago, when the ownership of the park changed. Then the lives of all the residents in the park, changed. Mail boxes were removed, parking places assigned, TV antennas removed, they were forced to take cable TV, many people were evicted, and the list goes on and on. Many of them were seniors on fixed incomes, and they have no where to turn. I think this is a good Bill, and I would urge an 'aye' vote."

Speaker Laurino: "Further discussion. Representative Regan."

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

Speaker Laurino: "He indicates he will."

Regan: "Does rental tenants have ombudsman, John?"

Matijevich: "No, they don't."

Regan: "Do homeowners have ombudsman?"

Matijevich: "No, they don't."

Regan: "People like disabled and the aged have ombudsmans, isn't that correct?"

Matijevich: "No, they don't. But it's not my fault. We had a Bill to do that."

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Regan: "I thought we already had ombudsmans for them. The point is, to the Bill. To supply taxpayers money to take care of a special interest group, or something that shouldn't be done, it's not fair. I think if you're going to have a situation like that, it should be done for all of us. I have some problems with my homeowner situation, I'd like to have ombudsman for that. Sometimes I'm complaining to my insurance company; I'd like to have an ombudsman for that. Everyone of these costs a lot of money, and I think we're going a little to far with the special interest groups. Thank you."

Speaker Laurino: "Further discussion? If none, the sponsor wishes to close. Representative Matijevich."

Matijevich: "Mr. Speaker, and Ladies and Gentlemen of the House. I appreciate the opposition, but I should tell Representative Regan, and any others that are so disposed that owning a mobile home unit is very unique. It's much different than renting an apartment because when you rent an apartment the landlord owns that apartment building, but when you own your own mobile home you own it. But still you are at the mercy of that mobile home park owner, and they really own your lives. So that is a very different, unique situation. And many of the mobile home units are being owned now by senior citizens, and that makes it more that they are more vulnerable to abuses. And if you want to really find abuse, when you own that mobile home unit, you own it, and then you want to move, you find out that you're at the mercy of that mobile home park owner and you can't move your own unit. You own it, but you can't do anything with it. You almost are forced to sell it to him, that is a very, very unique situation, and so I don't think we can put it in the category of the ordinary landlord-tenant situation. Because of those abuses, I

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think that the tenants and the owners and even the mobile home park owners ought to have someone to turn to to make complaints and to enforce and investigate those complaints, and therefore, I urge you to vote for House Bill 1473."

Speaker Laurino: "The question is shall House Bill 1473 pass. All those in favor vote 'aye', those oppose 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. This Bill having received 98 'ayes', 21 'ayes' and one voting 'present'. Having received the required Constitutional Majority is hereby declared passed. House Bill 1514, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 41 of the Calendar. House Bill 1514, a Bill for an Act in relationship to charitable trusts and solicitations. Third Reading of the Bill."

Speaker Laurino: "The Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. House Bill 1514 amends the Charitable Trust Act to put some teeth in penalties for some solicitations that people throughout Illinois have experienced by people who have set out to either defraud or certainly misrepresent facts to the public who they're soliciting funds from. It provides a...for a Class 3 Felony for submitting false reports to the Attorney General, or false registration information to the Attorney General's Office. It makes it a Class 4 Felony to make false or misleading claims during solicitations to people who they call up and solicit funds from. It also makes it a felony to solicit in the name of a charity that the fund raiser does not, in fact represent. So, if you make a false representation that your're calling from the, the Cancer Society or the heart fund, and in fact that's not the case you'll be committing a Class 4 felony.

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It makes it a felony to falsely state what the purpose of the funds solicited will be, what the use of those funds will be made of. I don't know what language I'm speaking, but if you make a false statement about what the money is to be used for that's a felony. It makes it a felony to solicit funds as a paid fund raiser unless you are first registered as a paid fund raiser with the State of Illinois. And if during the solicitation you fail to disclose that you are a paid solicitor, a paid fund raiser it makes that a crime also. This Bill has been worked on for many, many months with all the major charities, or I should say many of the major charities throughout the State of Illinois. The Attorney General's Office has been very involved in bringing the problem to, to the forefront, and to working out a solution which this Bill, House Bill 1514, encompasses. I'd be glad to answer any of your questions, it's been amply debated on Second Reading, and I solicit humbly your 'aye' vote, and I'm not a paid solicitor."

Speaker Laurino: "The Gentleman has moved for the passage of House Bill 1514, and on that question, is there any discussion? Representative McCracken."

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

Speaker Laurino: "He indicates he will."

McCracken: "Have the charitable groups reviewed this and assented to it, or are they still reviewing it?"

Preston: "They are still...they have reviewed it. Some of their problems have been put aside, but my understanding is there is still a review process that's going on, and we hope to continue that on in the Senate."

McCracken: "And then as it goes through the system you'll be working with them?"

Preston: "Yes, I certainly will, Representative."

McCracken: "Okay. Thank you."

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Speaker Laurino: "Further discussion? Representative Stephens."

Stephens: "I guess I wasn't paying attention. Well, to the Bill, Mr. Speaker. We debated this in a form of some Amendments that we were attempted to add to the fine piece of legislation that Representative Preston has before us. I rise in support of this legislation because I...as I understand it, groups like the Illinois Public Action Council will not be able to come before the residents and the citizens of Illinois, and misrepresent themselves or where the money is going. And this group which is under investigation now by the FEC, and has paid some considerable fines, and after they admitted some violations of the Election Code, I think ought to get a message from this. The people of Illinois aren't going to take that anymore. When...whether you agree with us on an issue or not or whether you are for a candidate, or against a candidate, you ought to just have the guts to come to someones house and say, who you are, where you get your money, what you represent, and what kind of vote that money is going to go to support. So, a message to the Illinois Public Action Council, to get your act together is a green vote on this Bill. So, if you feel like I do about IPAC, let's vote green."

Speaker Laurino: "Further discussion? Representative Harris."

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

Speaker Laurino: "Proceed."

Harris: "Does the Bill provide any ratio or formula in terms of how much is spent versus how much is returned to a charitable organization? Am I dealing with the right Bill here?"

Preston: "Representative, there is no restriction in the legislation as to what ratio is necessary, however, there is a requirement that that ratio be stated in the contract

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that the charity enters into with the fund raiser, and that that information be available to the public upon request."

Harris: "Thank you very much."

Speaker Laurino: "Further discussion? Being none, the Gentleman from Cook, Representative Preston, to close."

Preston: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I just solicit your 'aye' vote, it's been well debated, and we've had cooperation from Members on both sides of the aisle as well as the Attorney General's Office, and I appreciate your aye vote."

Speaker Laurino: "The question is shall House Bill 1514 pass. All those in favor will vote by indicating 'aye', the others in dissension will vote 'nay'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. House Bill 1514 108 'aye' votes, 0 'nay', and 2 voting 'present', having received the Constitutional Majority is hereby declared passed. House Bill 1530, Representative Flowers. Representative Flowers in the Chamber? Out of the record. House Bill 1546, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1546, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1546 as amended simply requires that seat belts and roof top hatches be installed in any new school buses built after the effective date of the Bill. This is an issue that has been debated for many years in this House, has passed through the House one or more times only to not make it in the Senate. Mr. Speaker, could I have some order in the House, please?"

Speaker Laurino: "A little order for the Sponsor please?"

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Lang: "Thank you very much. The need for seat belts on school buses has been endorsed by the American Medical Association, the American Academy of Pediatrics, the American Academy of Orthopedic Surgeons, the American College of Preventive Medicine, Physicians for Automotive Safety, the Center for Auto Safety, the National School Safety center, the National PTA, and the Illinois PTA. The issues involving seat belts in school buses are as follows: Firstly and most importantly, reduction of injuries. Although, we see on a nationwide basis that there aren't very many fatalities in school buses, there are thousands and thousands of injuries each year in school buses. In 1977 the federal government had new construction standards but since that date there are not have not been a significant reduction in the number of injuries in school buses. Children who are unbelted in school buses have little collision from a side impact, and no protection from a roll over. During a crash they become human missiles as they go flying into the aisles, particularly the children in the aisles who are unbelted. One of the arguments that's been made against this Bill, is that children are now protected through compartmentalization. We've raised the seat backs and padded them, so that in a head-on collision children will bounce off the seat in front of them, and that's true, but that's only as far as it goes. Children have no safety from a side or a rear collision, where the bus may turn over, and they may get thrown out into the aisle, they start bouncing off of each other and serious injuries can occur. Secondly, we've got the issue of seat belt education. In our family cars we belt our children. This House has passed a Bill that states that if you drive a neighbors child in your car, you have to belt that child up, and what message are we sending to our

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children if we don't require them to continue that habit in their school bus. Finally, belted children aren't running around the bus, and we've discovered through certain studies that driver distraction is one of the greatest causes for school bus collision. If the children are in their seat and belted they won't be running around the bus causing distraction for the driver. The driver will be able to keep his eyes on the road and pay attention to what he is doing. Now there have been studies regarding the issue of seat belts, the one that most of you, who have discussed this issue with me, have mentioned is the one from Canada, and the Canadian study is flawed frankly. The Canadian study only studied head-on collisions, the Canadian study did not take a look at collisions from the side or collisions from the side. Finally, in the Canadian study the dummies that were used to simulate children had spines and necks that were much stiffer than an actual child. Accordingly, the studies from Canada are flawed. Likewise are the recent studies from the federal panel that has worked on this. You may have heard on the news a couple of weeks ago that a federal panel indicated that school buses won't save lives. Well, that panel was flawed because there were no advocates for seat belts on that panel, but there were several school bus manufacturers on that panel. Several people involved in numbers crunching for school districts, and they were advocates against the position requiring seat belts in school buses. Finally, that very study...that very study states, though the committee agreed that a federal mandate is not warranted, some Members expressed the opinion that the uniform safety restraint policy for all motor vehicles is sufficiently important that states and local school districts should encouraged to be equip new buses with seat belts. For all

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of these reasons, Mr. Speaker, Ladies and Gentlemen of the House, I urge you to protect the school children of the State of Illinois, and I urge you to vote 'aye' on this Bill."

Speaker Laurino: "The Gentleman has moved for the passage of House Bill 1546, and on that question is there any discussion? Representative Didrickson."

Didrickson: "Thank you. Will the Sponsor yield for a question?"

Speaker Laurino: "He indicates he will."

Didrickson: "Representative Lang, are you talking about seat restraints coming from the floor, or they bolted to the floor, are they coming from ceiling and can we retrofit existing buses?"

Lang: "The Bill refers only to new buses Representative. Were...when we're not going to require that all buses in the State of Illinois have seat belts. Only new buses manufactured after the date of the Bill."

Didrickson: "How are you going to handle the politics of parents then believing that this is a safety measure that they want for their children and get my kid on one of those buses with those restraints?"

Lang: "There is nothing in this Bill that requires that school districts across the State not retrofit their buses, maybe this will encourage them to go ahead and retrofit their buses, but we won't mandate that with this legislation, because if I did mandate that with this legislation, all of the anti-mandate people would be voting against this Bill, and I feel that this Bill has been tried and attempted and previous Bills have tried to retrofit buses and they have failed."

Didrickson: "Why have they failed, though? In your mind, can you retrofit a bus? Everything I've ever heard has said that you cannot retrofit an existing bus."

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Lang: "Well, perhaps you can't, I didn't study that issue, because when I got into the issue..."

Didrickson: "So, I guess my question is then the politics of having some haves and have nots is going to be a reality?"

Lang: "That may be a problem, and maybe parents will go to their local school boards and complain about that, and if the local school boards want to go through the effort of retrofitting buses, and it is possible, they'll go ahead and do that."

Didrickson: "Would...Second question, Representative Lang. Would you answer for me, please the studies and the statistical evidence you have discounted the Canadian study, you have discounted the federal panel. Could you tell me what you do count? What is significant in terms of why we should support this measure."

Lang: "What is significant are all of the various groups that have endorse seat belts on school buses, many of them..."

Didrickson: "No, I'm asking for studies."

Lang: "Excuse Me."

Didrickson: "I'm asking for studies."

Lang: "Well, the vary federal study that came out a couple of weeks ago, I just quoted to you what they had to say, and in that study, and I'll repeat it again, because I think it bares repeating. They said although they don't think there should be a federal mandate requiring seat belts in school buses. They do go on to say..."

Didrickson: "They do not believe that they should be a federal mandate."

Lang: "They do not believe there should be a federal mandate, but they go on to say that, it is sufficiently important that states and local school districts should be encouraged to equipt new school buses with seat belts. So, although, they did not feel it was appropriate for a federal mandate,

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which is what you heard on the news, they went on to indicate that they felt there was efficiently important and sufficient impact that local school districts should be encouraged to use to, or order new school buses with seat belts."

Didrickson: "Thank you. To the Bill, Mr. Speaker. As one who as voted and supported, and fought for the use of seat belts in cars by adults, and voted and supported the use of infancy seats in cars. I stand in opposition to this measure from all the evidence that I have ever read or heard with regards to studies, indicates the fact number 1, you can't retrofit existing buses, number 2 compartmentalization is the best that in terms of technology available for safety of young people, and number 3, that when you do harness or put a seat belt across a developing child, there are many organs that get damaged severely versus the compartmentalization where the shock is absorbed and then back. I think that you have some very serious safety questions that you have to answer yourself, with regards to young people. Clearly as I opened up and said that I am a supporter of safety measures and have supported many of them on this House Floor, and fought for them. This one is illfounded."

Speaker Laurino: "Further discussion. Representative Regan."

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

Speaker Laurino: "He indicates he will."

Regan: "Representative, what is the additional cost to each bus, to have the belts installed?"

Lang: "The estimate is approximately \$1200 per bus, however, studies I have seen have shown that many school districts that order buses from time to time have been able to pressure if you will, the bus manufacturers to say to them

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if you want us to buy these five buses, you better throw those belts in. So, there have been many cases where although the actual cost of putting those belts in maybe 1200 dollars, there have been numerous cases where school districts really haven't paid any more for those buses."

Regan: "Representative, is it, is it true that then you want small businesses and big businesses to pay for the seat belt installation, and how do you know that every one of them is going to do that?"

Lang: "I'm sorry..."

Regan: "I propose that there is a fiscal impact to this Bill, and therefore it is a mandate, because the additional school buses are going to cost 1200 dollars more, so this is a mandate without funding, and that's what we all said that were not going to do. Isn't that true?"

Lang: "There is no question that it's a mandate, the question is how much it will cost school districts, and I...my assertion would be, even if it does cost \$1200 a bus, that's about a dollar a child a year in a school district, and it seems to me that we spend a lot of money protecting children. One more dollar per child per year in a school district to protect the child's life, to protect the child from injury is not too much for our local school districts to spend."

Regan: "To the Bill. It's been shown that this safety factors are not required, that their safer with...If you have a situation that there is a fire, a belt is going to hold the children in the bus, that's been proven before, also the fact that the belts can be used as weapons, by the children on each other, and I'd advise a no vote here."

Speaker Laurino: "For what reason does Representative Munizzi seek recognition? Representative Parke."

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

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House. As I read 1546, I must regreably rise in opposition to this Bill. Though I think the sponsor is well intended, we've discussed this legislation. As recently as May 5th, the National Research Council, the National Academy of Sciences, came out and said that in fact seat belts on school buses were ineffective that the best approach is to raise the seats in front, that in fact on two or three years ago not far from where I live, a school bus, a small school bus was involved in an accident, and the majority of the injuries were from the seat belts themselves, hurting the internal organs of these young developing children that in fact, there were counter productive, in fact were were more dangerous than the accident itself, because of the damage to these children. I might also respectfully point out that this legislaition is just that they must all be in the school buses. It doesn't say that it's mandatory that they have to have them on. We have a fiscal note here. They say that it's \$1200 per vehicle, with a total cost, a total cost of \$3,600,000 in fiscal year 1990 alone. And I also point out in 1980 there were only five debts since 1980. There were only five deaths since 1980 involving children on school buses, three of those were outside the school buses. Unfortunately, this Bill though well intended does not solve the problem, in fact, could very well enhance the problems. The Illinois School Board Association, EDRED, and the Illinois Association of Public Transits are against this legislation. I must respectfully ask this General Assembly to vote against this well-intended Bill."

Speaker Laurino: "Are there further questions? Representative Balanoff."

Balanoff: "Yes, thank you, Mr. Speaker. For those who want to talk about costs, I want to tell you that I for one even

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resent talking about costs when we're talking about our children and human life because I don't believe you can put a price on a human life. The safety of our children is not for sale at any price, even if the cost is twelve hundred dollars per bus. If it saves just one life and presents... prevents one injury then the cost is not too great. And I'd urge an 'aye' vote."

Speaker Madigan: "Speaker Madigan in the Chair. Ladies and Gentlemen, we're going to introduce... we're going to interrupt the debate. We're going to interrupt the debate. We have a very special guest with us this afternoon and he's right down in the well in front of the Speaker's podium, right next to Mr. Ackerman's desk. Our guest is Mr. James Brady, who served as press secretary to President Reagan and was with Mr. Reagan on that faithful day. And he has joined us today and he may have a few remarks to offer to us or he may not. It's his decision to make, but if we could turn on the microphone at Mr. Ackerman's desk."

James Brady: "Thank you, Mr. Speaker. First of all, I'd like to thank the Illinois House of Representatives for their cordial welcome back to Illinois to the bear. The bear is proud and pleased to be back and to see many of his old friends. Not that my friends have gotten older, I've gotten older. Sometimes I say to myself, my...grows older. And I...I will spare you a speech today. Thank you so much, my friends."

Speaker Laurino: "...Representative Hicks, arise? Representative Hicks."

Hicks: "Thank you, Mr. Speaker. Since it appears we're at ease for a minute, I'll take a minute of personal privilege. I am back from China. I just came in yesterday and I do have about 350 pictures of the trip in China. I did get out of China on Friday night, just about four hours before they

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declared martial law. And I spent four and a half days in Beijing during the riots and I've got all kinds of pictures of it. If anybody would like to look at them, they're welcome to come and look at them."

Speaker Laurino: "...Okay. While the Members and staff are visiting with Mr. Brady, the House will continue its work. And on that...if there are no further questions of House Bill 1546, Representative Lang to close."

Lang: "Thank you, Mr. Speaker. Could I have a little order? I know there's people talking to Mr. Brady. Thank you very much. Welcome to seat belts, part two. Ladies and Gentlemen of the House, to address some of the comments that some of the other speakers made. The issue of compartmentalization... this... this is a term that refers to a child being in his seat and having the seat in front of him be so padded and so high that he's safe because he will bounce off that seat, but that only covers a child in the case of a head on collision. School buses, Ladies and Gentlemen, have a different center of gravity than an automobile, and if they're hit from the side they will roll over. When a school bus rolls over, a child is not in a compartment. He's not compartmentalized. A child who is not compartmentalized and is not in a belt is going to roll over into the aisle or against the window. There is no other alternative to that. Relative to the issue of these seat belts causing injuries to young children, I can only read to you the statement of the American Academy of Pediatrics, and they should know. They state, 'with the restraint presently available, any school aged child can safely wear a seat belt'. That's as plain and as simple as it can be. The issue of seat belts in school buses relates to injuries. It relates to a habit that we're trying to enforce in children. If we're going to make them wear seat

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belts in their personal car at home, we certainly ought to make them wear seat belts in any other vehicle in which they travel. Please remember we have two sizes of school buses in this state. The smaller size school bus already is mandated to have seat belts. This is simply an addition so that the larger school buses will have seat belts. Let's protect the children of our state. We want to protect them at home. We want to protect them at school. We want to give them drug education classes so that they don't take things that are harmful to them. Let's show them that we care about them 24 hours a day. Let's protect them on their way to school. Let's protect them on their way home from school. This truly is a pro-life issue. The... the statement that only a few children die each year in school bus accidents is a disgusting statement, Ladies and Gentlemen, because the life of one child or the arm or the leg or the face of one child should be a sufficient image enough to us to make us do what is right. And what is right in this case is to protect the school children of our state. Please vote 'aye' on House Bill 1546."

Speaker Laurino: "Question is, 'Shall House Bill 1546 pass?' All those in favor vote 'aye', those in dissent vote 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. Representative Lang, for what reason do you rise?"

Lang: "Can we put this Bill on postponed consideration please, Mr. Speaker?"

Speaker Laurino: "Does the Gentleman have leave for postponed consideration? Leave being granted, it shall be desi... it will be put on postponed consideration. Ladies and Gentlemen of the House, it's the desire of the Chair to

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move Bills as quickly as possible considering the fact that we have approximately 700 Bills on Second and Third Reading. So, if you would like to cooperate with the Chair after the Sponsor expl... explains his Bill, if there is not much opposition, could we possibly have one person speak in opposition and then if there is further questions you can either ask questions or explain your vote in opposition to the Bill. Thank you very much. House Bill 1549, Representative Levin. This Bill is on Short Debate also."

Clerk O'Brien: "House Bill 1549, a Bill for an Act to amend an Act relative to sales representatives. Third Reading of the Bill."

Speaker Laurino: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. About four years ago we passed the sales representative Bill to give wholesale sales representatives the ability if they are terminated by their principals and they're not paid their outstanding commissions, to sue for troubled damages and attorneys' fees in order to guarantee that they would in fact be paid. We're one of about sixteen states that's passed such legislation. A few months ago a constituent of Representative Barger came to me and pointed out one loophole in the Bill that we passed, and that is it only provides relief of... if the sale that the commission is due for is to a... a company located in the State of Illinois. In the case of Representative Barger's constituent, he was an Illinois resident and he had substantial sales to a company in Indiana. And what this Bill simply does is to strike from the law we passed three years ago, the requirement that the commissions that are old be from companies within the State of Illinois. So that the long arm statute would apply, whatever proper test

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the courts would apply and particularly in the case of situations like that of Representative Barger's constituent, where the negotiations and discussions took place in the State of Illinois, he would be able to take advantage of the current law that we have in this state. I know of no opposition and would ask for a favorable Roll Call."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 1549, and on that question is there any discussion? Representative McCracken."

McCracken: "I know we're trying to speed this up, let me just ask a question. Does this have any implications for jurisdiction? You didn't... Is it... Is it solely for the purpose of the final compensation..."

Levin: "Yes."

McCracken: "... whether you can enforce your action for that?"

Levin: "Yes."

McCracken: "Alright, thank you."

Speaker Laurino: "Further discussion? Sponsor to close."

Levin: "Mr. Speaker, I would just ask for a favorable Roll Call."

Speaker Laurino: "Wonderful. Shall... Question is, 'Shall House Bill 1549 pass?' All those in favor indicate by voting 'aye', those opposed 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. House Bill 1549, having received 108 votes 'aye', 0 voting 'nay', and 0 voting 'present', having received the Constitutional Majority, is hereby declared passed. House Bill 1827, Representative Saltsman."

Clerk O'Brien: "House Bill 1827, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker, Members of the General Assembly. Last year we passed legislation banning tinted

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windows on the passenger and driver's windows in the front seat of our automobiles. Even though we needed to control the hazard of having film that was too dark for safety reasons we went too far with our demands. After this law came into effect, we have talked to many law enforcement agencies as well as the industry that applies this film for tinted windows. I have found out that most people concerned are satisfied that if a tint of 35 percent or more of light and vision that is allowed to enter the automobile is not out of line. Our problem was how to monitor and police and gauge the darkness that would be applied to the car windows that would be legal. This Bill, as amended, answers the questions by making the applicator responsible for selling his product and would not allow him to tint less than 32 to 38 percent of light or vision to enter the automobile. The gauge that is used to monitor the window tint costs \$700 and naturally they cannot afford to put them in every police car in the State of Illinois. This legislation will put the merchants that sell the product back on their feet. It would require, first, an identification tag placed between the film and the window that is guaranteed not to be 35 percent or less. Second, there would be an identification tag for the inner side of the door, or the door post applied to prove that this applicator has put on a thirty-five percent or over vision into that tint. The third item that would help police...the system would be a receipt from the company that applied... that the applicator that applied this film onto the window of these automobiles. I talked with State Police and I know we all received many letters during the winter months of people complaining about this program. And everyone here knows that we don't want our police officers being blinded by approaching an automobile where

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the film is too dark. What this Bill does, is it leaves 35 percent and over vision on all windows of automobiles, but it still lets it reduce to 17 percent on the back windows on vans, trucks and so on. This would just apply for passenger cars. We think this is a good compromise, the industry thinks it's a good compromise, and even though some one... some people don't want tint at all, the majority of the people in the State of Illinois do want some type of tinting to alleviate the pains of a hard summer. So at this, I would ask for passage of this Bill. I think we made the compromise because we went too far last year by banning the whole thing. And I hope that this compromise will work in the future and put the people back to work. There's been about a thousand jobs lost over this program and about nine million dollars in state revenue. So I'd ask for its passage."

Speaker Laurino: "The Chair wishes to express the desire that all people not entitled to the House floor, please leave. If you don't do it of your own free will, the Doorman will assist you. The Gentleman has moved passage of House Bill 1827. Does anybody stand in opposition? Representative McAuliffe."

McAuliffe: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise with reluctance to oppose Representative Saltsman's Bill, but I think we handled this matter properly last year when we outlawed these tinted windows. I can tell you from personal experience, as I'm sure Representative Goforth can, that you can't see in these cars. When you walk up to the car you're at the mercy of the driver of the car. If he has a gun pointed at you, you cannot see into the car, especially at night. It's much worse at night. There's no way that you can see what this fellow is doing in the car. Well, the Bill we

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passed last year was a Bill that made it a little safer for a police officer, and law enforcement officers to approach a car in the daylight or at night. If we change it now we're going to go back to the way it was before. I think this Bill that was passed last year was a direct result of a policeman being killed by shotgun blasts in one of the suburbs of Chicago. So I would urge everyone who is interested in protecting the lives of law enforcement officers to vote against this Bill."

Speaker Laurino: "Further opposition? If you have questions... Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the Sponsor, I rise in opposition to this legislation and you know, I... we... we passed a law which I think did what Representative McAuliffe said just previously, it was a good Bill, it was a compromise Bill. Don't let the Sponsor fool you. This is not a compromise piece of legislation. The Bill is unenforceable. It's just unenforceable. The Bill is... is very similar to an Arizona law which the Arizona State Police have said it's virtually unenforceable when... over the years that they've had it. You also have to keep in mind that when you're talking about 35 percent tint, it depends on what kind of atmospheric conditions are... on the outside. If it's a bright sunny day that's one thing. If it's cloudy or if it's at dusk or even at dark, as Representative McAuliffe said, that tint becomes much, much darker. and it's virtually impossible to see inside of the car. Representative McAuliffe mentioned police officer. The police officer came from my district. Thank the Lord he was not killed. He was wearing a bullet proof vest. But nevertheless, he was... spent a good ten days in the hospital after being hit by a shot gun blast. I point out

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to the Members a couple of things, one is that last year's Bill was a compromise. It was a good compromise. We got all of the police groups and all of these groups together. We worked out the Bill. We worked it out over a series of months. It was a lot of negotiation. We came up with a good compromised Bill. We have made some exceptions to the law when they were necessary. Representative Hultgren had House Bill 315, which made some allowances for some medical reasons why somebody ought to have tint on their windows. So we've made some appropriate changes where they're necessary. But... But the present law that we have has only been in effect for a year, so I think that we need more time to look at this legislation to make sure it works. You know, the present law as Representative McAuliffe said protects cops. It's a good law. It's going in the direction of protecting our police officers. This Bill would really change us back, would move us right back to where we were. I might also point out that this Bill..."

Speaker Laurino: "Representative Kubik, will you bring your remarks to a close, please."

Kubik: "This Bill... let me make two final points. This Bill will be in violation of federal law. The federal regulation is 30 percent tint. This would be an addition to 30 percent and I point out to you, let's not change the law. The present law is a good law. If we change this law, if we adopt the Gentleman's Bill, this Bill will make police officers sitting ducks or perhaps more aptly, dead ducks. I urge your 'no' vote on this Bill."

Speaker Laurino: "Representative Wolf."

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

Speaker Laurino: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All

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those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Gentleman from Peoria, Mr. Saltsman to close."

Saltsman: "Yes, thank you, Mr. Speaker. I think the previous Speaker was wrong when he said that 30 percent is a federal law and our Bill is worse. When you gauge tinted windows, the higher the number the more light can get through. It's the lighter the film. Thirty five percent is a much lighter film than 30. We are presently letting automobiles run around from a 1981 model or older with any color tint. Eight percent, ten percent, you can't even see in them. This limits everything to 35 which is a good view. I had 35 percent on my own automobile and by looking through the passenger's side at my ignition, I could see my key ring from sixty foot away, and that's about one-fifteenth the size of a handgun or whatever type of weapon. There has never been a police officer killed and recorded due to tinted windows. The man that was shot in the suburb of Chicago was... was... was the police officer... the man was seven foot from the car, leaving the automobile, he did have tinted windows, but you cannot relate that shooting, and it was not a death, to tinted windows. What we're doing now, is we're coming with a very light tint, a tint that will help this industry, we all got mail on this and this is a compromise that we think that everyone can live with. So, I'd ask for your vote for this and hope we can send it over to the Senate. Thank you very much."

Speaker Laurino: "Question is, 'Shall House Bill 1827 pass?' All those in favor will vote 'aye', those opposed vote 'nay'. This is final passage. For what reason does the Gentleman from Will, Representative Wennlund, arise?"

Wennlund: "Thank you, Mr. Speaker, explain my vote. I had two people put out of business completely in my district as a

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result of the prior legislation. I believe Representative Saltsman's correct. I'd like to see more green votes up here. This is a good compromise. It's not going to endanger the lives of police officers and it also is going to keep some people in business in this State and I urge more 'aye' votes."

Speaker Laurino: "For what reason does the Gentleman from Peoria, Representative Leitch, arise?"

Leitch: "Thank you, Mr. Speaker. I rise to explain my vote and to say that I am proud to be a Cosponsor of this with Representative Saltsman. This has been devastating to a number of small business people and I would commend Representative Saltsman for doing an extremely thorough job to work out a very reasonable compromise to correct some flaws in a Bill that went way too far last year. And I would just like to strongly urge Members on my side to add some more green votes. Thank you."

Speaker Laurino: "The Gentleman from Vermilion, Representative Black to explain his vote."

Black: "Well, thank you very much, Mr. Speaker. We passed this Bill out of this chamber last year by a count of 102 to 10 and now we're gonna change it a year later. Let me just tell you the Federal Government... the Federal Government won't allow it. They only go 30 percent tint. We have checked with the Department of Transportation at the Federal Government and a letter from the Federal United States Department of Transportation, the 'feds' specifically state that their agreement to review the proposal of the window tinters, in no way should be taken as approval of this proposal. In fact, the Attorney General of North Carolina was told that an identical proposal in his state was in fact a violation of federal law. This may cost us a tremendous amount of money in

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federal highway funds no matter how good the arguments might be and should the Bill get the prerequisite number to pass, I will ask for a verification."

Speaker Laurino: "Representative Preston, to explain your vote. You have one minute."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I stand in support of Representative Saltsman's Bill. I loved hearing some of the arguments from the opponents of this Bill that the same people who rise and staunchly support everyone in the world's ownership of handguns is now saying that policemen are killed not by guns, but by tinted windows. That's an insane argument. In tinted windows for the small amount that's permitted under this Bill causes a hardship on no one. It... It stimulates the economy. It keeps some small business people in operation. Many of them went out of business or are about to because of the legislation we passed and this does not in any way whatsoever jeopardize police officers. Police officers, if they can't see in a vehicle, don't approach it, they tell the people to get out of the vehicle if they suspect anything untoward inside. This simply is a Bill that's a good concept. It's a compromise and I urge your 'aye' vote."

Speaker Laurino: "Representative McGann to explain his vote, you have one minute."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I, too, would like to explain my vote in support of this piece of legislation. Here's the current law right here, on this side here. Here's the proposed tint. Also, to protection for car owners, all the way down the line. Finally, I would like to state that under the Department of Transportation, the granting of this petition signifies that the agency believes that a review of the issues raised

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in the petition appears to have merit. That's from the Department of Transportation. I'd like to see some more green votes. Appreciate it."

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

Leverenz: "Well, first, Mr. Speaker, we will say we are voting our conscience. Secondly, I have not sold my 1985 Riviera yet, and if you want to see it I'll bring it down next week. The red herryings raised on the other side of the aisle about losing federal funds, I don't think that holds water at all. In the 110 votes that were voted on last year, that really is deceptive. There were about five or six different pieces in that Bill that passed last year and this was just one part of it. And one of the Gentleman on the other side that rose to speak to that, made all the train whistles in the entire state blow. So, just be a little more careful when you pass some roller out of here that comes over for confirmation from the Senate. I would encourage as many green votes as possible."

Speaker Laurino: "Representative Ropp to explain your vote, you have one minute."

Ropp: "Thank you, Mr. Speaker and Members of the House. I think adequately last year we responded to a crisis. I think maybe after looking at it a year later we have a bit over reacted. I think Representative Saltsman is attempting to kind of bring us back on course and I think as you have visualized from Representative McGann, the tint is one that is acceptable for those both inside and out and I think that it's a good compromise and would appreciate more support."

Speaker Laurino: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. House Bill 1827, having received 65 'aye' votes, 38 'no' and 7 voting

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'present'. Representative Black has asked for a verification. Mr. Clerk, read the affirmative votes."

Clerk O'Brien: "Poll of the Affirmative. Ackerman. Balanoff. Barger. Bowman. Capparelli. Curran. Davis. DeLeo. Didrickson. Doederlein. Dunn. Edley. Farley. Flinn. Giglio. Giorgi. Granberg. Harris. Hartke. Hicks. Homer. Johnson. Shirley Jones. Keane. Kirkland. Kulas. Lang. Laurino. Leitch..."

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

Ronan: "Thank you, Mr. Speaker. I'd like leave to be verified."

Speaker Laurino: "Leave... Permission for Representative Ronan to be verified? Leave. Proceed, Mr. Clerk."

Clerk O'Brien: "Leitch. Leverenz. Levin. Matijevich. Mautino. McCracken. McGann. McNamara. McPike. Mulcahey. Novak. Petka. Phelps..."

Speaker Laurino: "Excuse me, Mr. Clerk. Representative Turner? Leave to be verified? Leave. Proceed, Mr. Clerk."

Clerk O'Brien: "Phelps. Preston. Regan..."

Speaker Laurino: "Excuse me, Mr. Clerk. Representative LeFlore? Leave to be verified? Oh, vote aye... Representative LeFlore wishes to be recorded as voting 'aye'. Proceed, Mr. Clerk."

Clerk O'Brien: "Rice... Rice. Richmond. Ronan. Ropp. Saltsman. Santiago. Satterthwaite. Sieben. Stange..."

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

Shaw: "How am I recorded, Mr. Speaker?"

Speaker Laurino: "You're not...you're recorded as not voting."

Shaw: "Would you vote me 'aye' please?"

Speaker Laurino: "Record Representative Shaw as 'aye'. Representative Johnson. Proceed, Mr. Clerk."

Clerk O'Brien: "Steczo. Terzich. Turner. Van Duyne. Wait.

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Weaver. Wendlund. White. Williams. Wolf. Woolard.
Anthony Young. And Mr. Speaker."

Speaker Laurino: "Are there questions of the affirmative?
Representative Mulcahey? Leave to be verified?"

Mulcahey: "Yes, if I may."

Speaker Laurino: "Leave to be verified. Representative Janie
Barnes, how do you wish to...vote 'aye'? Record
Representative Barnes 'aye'. Representative Black, do you
persist in your verification? Representative Black."

Black: "I get my mike turned on, here we go. Representative
Kirkland?"

Speaker Laurino: "Representative Kirkland? Representative
Kirkland? Is the Gentleman in the chamber? Remove him."

Black: "Representative Regan?"

Speaker Laurino: "Representative Regan? Is the Gentleman in the
chamber? It appears he is not, remove him. Representative
Lang wishes to be verified."

Black: "Representative Stange?"

Speaker Laurino: "Representative Stange? Representative Kirkland
and Representative Regan have come back onto the floor.
Put them back on the Roll Call."

Black: "Representative Didrickson?"

Speaker Laurino: "Wait a minute, we're looking for Representative
Stange aren't we? Representative Stange? Is the Gentleman
in the chamber? It appears he is not, remove him.
Proceed."

Black: "Thank you. Representative Balanoff?"

Speaker Laurino: "Representative Balanoff? Is the Gentleman in
the chamber? Representative Balanoff? Appears he is not,
remove him. Representative Kulas wishes to be verified.
Proceed, Representative Black."

Black: "Representative McNamara?"

Speaker Laurino: "Representative McNamara? Representative

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McNamara, are you in the chamber? Appears he is not,
remove him, Mr. Clerk."

Black: "Representative Shirley Jones?"

Speaker Laurino: "Representative Shirley Jones? She's in her
seat."

Black: "Thank you."

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

Harris: "Thank you, Mr. Speaker. I would like to be recorded as
a 'no' on this Bill."

Speaker Laurino: "Representative Harris wishes to be recorded as
'no'. Representative Regan, what do you... you wish to be
recorded as 'no'? Record Representative Regan as 'no'.
Representative Didrickson, for what reason do you arise?"

Didrickson: "I'd like to be recorded 'no' on this Bill, please."

Speaker Laurino: "Record Representative Didrickson as 'no'.
Proceed, Representative Black."

Black: "Thank you very much, Mr. Speaker. Representative Dunn?"

Speaker Laurino: "Representative Balanoff has returned to the
chambers, put him back on the Roll Call. Representative
Anthony Young wishes to be verified. Okay, proceed."

Black: "Thank you very much. Representative Flinn?"

Speaker Laurino: "Representative Monroe Flinn? Representative
Flinn? Representative Monroe... Morrow. Sorry, I get you
guys confused."

Morrow: "Thank you, Mr. Speaker. I don't believe I'm shown as
being recorded as voting. I'd like to vote 'aye' on this
piece of legislation."

Speaker Laurino: "Representative Morrow wishes to be recorded as
'aye'. Representative McNamara has returned to the
chambers, put him back on the Roll Call.
Representative..."

Black: "Nothing further."

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Speaker Laurino: "Monroe Flinn? Is the Gentleman in the chamber?
Remove him, Mr. Clerk. Proceed, Representative Black."

Black: "Mr. Speaker, nothing further, I don't want to take any
more time. This has yet to be heard in the Senate."

Speaker Laurino: "House Bill 1827, receiving 64 'aye', 40 'nay',
6 voting 'present', having received the required
Constitutional Majority is hereby declared passed. House
Bill 1888, Representative Wojcik. Read the Bill, Mr.
Clerk."

Clerk O'Brien: "House Bill 1888, a Bill for an Act to prohibit
misleading labeling of menus. Third Reading of the Bill."

Speaker Laurino: "This Bill is on Short Debate. Representative
Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, what this
Bill does is it allows a full menu disclosure in
restaurants, wherein they list a particular product for
sale on its menu and when such product is not actually sold
to consumers an imitation is placed...or put in its place.
I've had a problem with some of the restaurants in my local
area, wherein they say that you're going to be getting crab
meat. And when they serve you this so called crab meat
sandwich or a stuffed tomato with crab meat, what you're
getting is a product from Japan, which is called sasumi or
pollock, and this is not crab, it's false disclosure. So
what this Bill says is that if you are going to serve this
product or such a product that you advertise, you must
serve the correct product and not substitute for it. I
don't know if you're aware of some of the instances that
are going on nationally, but because of the demand for fish
products, they're now making scallops out of the bellies of
sharks and they're making artificial shrimp and they're
serving this. And people are being duped with thinking
that they're getting the true product and they're not. So

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what this Bill says is that if you're going to advertise crab meat or shrimp or scallops, you must serve crab meat, shrimp or scallops. You cannot substitute it unless you so state. So therefore, listening to me and hearing what I have to say about some of the restaurants in my area and in the Chicagoland area, I would ask for its favorable passage."

Speaker Laurino: "The Lady from Cook, Representative Wojcik has moved the passage of House Bill 1888, and on that question is there any discussion? Representative Ropp."

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

Speaker Laurino: "She indicates she will."

Ropp: "Representative, if in a restaurant they were serving oleo and they advertised it as butter, would in fact they be violating this law?"

Wojcik: "Yes."

Ropp: "And then what would be the penalty for that?"

Speaker Laurino: "Further questions?"

Wojcik: "Representative..."

Ropp: "...I don't have an answer yet..."

Wojcik: "...I'm trying to respond to you. Let me see. I had... Actually, I think that...hold on. Let me just look into the Bill further. Representative, I had agreed with the Department of Public Health to accept their Amendment, and at the time that I accepted their Amendment they did not specifically state what the charge would be..."

Ropp: "... What the penalty would be... Okay, another example. If it is... it's stated on the menu that there is milk, for example, and you end up getting half percent or skim milk, that's still... would that be a violation of this law?"

Wojcik: "No."

Ropp: "Why not?"

Wojcik: "Because, skim milk and milk, two percent, whole milk is

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milk. It's not a milk product. It's not artificial. It's not palm oil or coconut oil or anything like that, it's milk."

Ropp: "The only thing that when it comes from a cow it's like 3 - 2 - 5 or 3 - 5, and it has been altered from its natural content to be placed in the position of skim milk or half percent or two percent."

Wojcik: "But it's still milk, Representative. It's the difference between,...well you had mentioned before oleo and butter. Butter comes from a cow. Oleo is a synthetic made from a lard product."

Ropp: "No, oleo is not a..."

Wojcik: "...Or either shortening..."

Ropp: "...Oleo is not a synthetic..."

Wojcik: "...Well, it's..."

Ropp: "...Oleo comes from soybeans..."

Wojcik: "...Coconut oil, shortening, what have you. It is not butter fat which makes mar...butter."

Ropp: "Okay. I guess I would kind of like to see if it is milk as a natural product, it ought to be so labeled. If it is...or if it's anything other than natural milk, then it ought to be labeled skim or half percent or two percent or whatever might be, because there is a difference there. Okay, thank you."

Wojcik: "Representative, in answer to your question regarding the violation, if a violation is found the department would issue an order to abate the violation, and failure to comply with the order to abate would be a Class D misdemeanor."

Ropp: "And how much is that?"

Wojcik: "We have no idea what the dollar amount would be."

Ropp: "Okay, thank you."

Speaker Laurino: "Further questions? Representative Munizzi."

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For what reason does the Lady from Cook, Representative Munizzi, seek recognition? Your questions have been answered. I see. The Lady from Cook, Representative Wojcik to close."

Wojcik: "Yes, Mr. Speaker and Members of the House, I feel that this is a very important issue. I don't know about you but when I go to a restaurant I don't appreciate receiving a product that is made from a different type of fish instead of getting the real product. And I think that it's a good Bill. It's a good suggestion and I ask for its favorable passage."

Speaker Laurino: "The question is, 'Shall House Bill 1888 pass?' All those in favor indicate by voting 'aye', those opposed vote 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. House Bill 1888, having received 97 'ayes', 5 voting 'no' and 8 voting 'present' will be... having received the required Constitutional Majority is hereby declared passed. House Bill 1906, Representative Balanoff. Representative Balanoff in the chambers? Out of the record. House Bill 2003, Representative Stange. Representative Stange in the chambers? Out of the record. House Bill 2052, Representative Novak. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2052, a Bill for an Act regarding organically grown agricultural commodities. Third Reading of the Bill."

Speaker Laurino: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2052 creates the Organic Food Labeling Act. It defines what is meant by organic food and prohibits the advertiser of labeling of the commodity unless...as organic, unless the food meets certain

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requirements. There was a requirement in the Bill to make the Department of Public Health maintain records and an Amendment in committee deleted that. And another Amendment that we adopted redefined what organic food was. And I'd ask for your support."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 2052, and on that question is there any discussion? Seeing none, the question is, 'Shall House Bill 2052 pass?' All those in favor vote 'aye', those opposed vote 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. This Bill having received 107 'aye' votes, 0 voting 'no' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 2171, Representative Matijeich."

Clerk Leone: "House Bill 2171, a Bill for an Act in relationship to fire safety. Third Reading of the Bill."

Speaker Laurino: "Representative Matijeich."

Matijeich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2171 is an initiative proposed by the Illinois Association of Fire Fighters. It creates the Illinois Furniture Fire Safety Act and is designed to develop flammability testing and labeling procedures, for seating furniture for use in high-risk occupancies. The Amendment to House Bill 2171 became the Bill and was worked out in agreement with the furniture industry. The legislation is part of a national fire safety initiative program. For too long fire fighters and the public have died from poison gases emitted from materials in rooms of buildings and more than eighty percent of those who die in fires die from poison gases, not from flames. House Bill 2171 will go a long way toward fire safety and I appreciate your support

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for the Bill."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 2171, and on that Motion is there any objection? Representative Black."

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

Speaker Laurino: "He indicates he will."

Black: "Thank you. John, I think in committee you said this was purely prospective, is that correct? This isn't retrospective in any...any form?"

Matijevich: "Correct."

Black: "If you would, look on page three of the Bill. There's some confusion on page three of the Bill. Let's look on about line 31 on that page, 'this Act prohibits the sale or use of all seating furniture in public occupancies, et cetera', I guess it's the word 'or use'. And I just...for purposes of intent, you're not saying that if someone has purchased furniture prior to the effective date of this Act that they then couldn't use that furniture, correct?"

Matijevich: "No...no, not at all."

Black: "I see. Thank you very much, Representative."

Speaker Laurino: "Further questions? Seeing none, the question is, 'Shall House Bill 2171 pass?' All those in favor indicate by voting 'aye', those opposed vote 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. This Bill, having received 99 'aye' votes, 0 voting 'no' and 0 voting 'present'... Representative DeJaegher, for what reason do you rise? Record Representative DeJaegher as voting 'aye'. Representative Hartke, 'aye'. Representative Lang, 'aye'. Representative Satterthwaite, 'aye'. Representative Rice, 'aye'. Representative Santiago, 'aye'. Representative

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Ronan, 'aye'. Representative Turner, 'aye'. Take the record, Mr. Clerk. Representative Ryder, 'aye'. This Bill, having received 108 'aye' votes, 0 voting 'nay' and 0 voting 'present', having received the Constitutional Majority is hereby declared passed. House Bill 2592, Representative Giglio. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2592, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2592 is a Bill that requires those commercial vehicles of the second division to display their company name on the side or rear of the truck or trailer. We corrected it to...corrected it with Amendment #2 to conform with the Illinois Commerce Commission's requirement. And all we're saying is that if you do business and you're in a municipality you should display... you should display on your truck your name of your company and by doing this, not only will the people know in the community that you're legit., but it would also help people know that the municipality's getting some revenue because you have to file at least a work permit or a license in order to work in the village. I would ask your favorable support."

Speaker Laurino: "The Gentleman moves the passage of House Bill 2592, and on that question is there any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. I realize we're on Short Debate. The Sponsor, if he would yield, I need to ask him just one question."

Speaker Laurino: "He indicates he will."

Black: "Thank you. Representative, as you've amended the Bill, the Commerce Commission now is in support, is that

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correct?"

Giglio: "Yes."

Black: "Just one other question if you could address, I'm sorry, I said only one and I'm asking you two, I apologize. Is it...I guess...Can you enlighten me as to whether or not this is really a good idea? If you were operating Frank's Stereo store, you know, that's pretty expensive stuff, and you were making deliveries around the state, would you really want your name on the truck? You know, advertising the fact that this is a stereo business and there might be some really good, neat things in the truck?"

Giglio: "Well, to my line of thinking, yes, if you're legitimate... if you're a legitimate business man I don't think you should have any qualms or reservation about advertising. And what is happening in a lot of communities, a lot of people are coming in with these trucks, they're doing jobs, they're doing work, the municipality, the police department don't know they're business people. The municipalities are being short changed on the business license or whatever is required by the village, plus there's a lot of scams going on. These people used to go up to senior citizen places, steal from them, take their goods and services. The truck runs away. Nobody sees anything on the truck. They really can't catch them. And actually that's what it is. I'm just trying to have some identification. If you're a legitimate business man, you should have no qualms about advertising. If you're a plumber or a doctor or a lawyer and you're legit...you're a State Representative, you shouldn't be ashamed. You should be proud and advertise."

Black: "Well, I guess you have a point, because come to think of it, all the armored car companies have their names on the trucks, don't they? Thank you very much, Representative."

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Speaker Laurino: "Further questions? Seeing none, question is, 'Shall House Bill 2592 pass?' All those in favor indicate by voting 'aye', those opposed vote 'nay'. The vote is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. House Bill 2592, having received 106 'aye', 1 'nay' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 2690, Representative Hasara. Representative Olson, would you come up to the podium?"

Clerk Leone: "House Bill 2690, a Bill for an Act regarding fireworks. Third Reading of the Bill."

Speaker Laurino: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2690 adds sparklers to the list of items considered to be fireworks. This Bill is...has been endorsed by twenty-one different groups, ranging from the Office of State Fire Marshal, Chicago Fire and Police Departments, the Association of Commerce and Industry, the Illinois State Medical Society and Illinois State P.T.A., the American Red Cross, the Illinois Society for the Prevention of Blindness. I move for its adoption and would be glad to answer...try to answer any questions you might have."

Speaker Laurino: "The Lady has moved the passage of House Bill 2690, and on that question is there any discussion? Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. Would the Sponsor yield for a question? I guess she will. I just wanted to know if this became coded as a fireworks or as fireworks, how could you purchase the sparklers?"

Hasara: "You would not be able to, Representative..."

Wojcik: "...You wouldn't be able to purchase them..."

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Hasara: "...They would be illegal in Illinois."

Wojcik: "You mean we wouldn't even be able to have the birthday cakes, where they have the beautiful sparklers or the marching..."

Hasara: "...No, and I'm glad you brought that point up, because I think for so long we have considered sparklers as a toy. And... And I do think we need to adjust our thought on that as we have had to adjust our thoughts on some other things that we used to feel. For instance, I didn't know until three to five years ago that being around smokers was bad for my own health. And I...And I've had to change my opinion on that. I think we do think of sparklers as innocent toys. A sparkler burns at eighteen hundred degrees. Much hotter than a match or a cigarette lighter. And so I really don't think it's true to say this is a toy. We think of it as something so American, but in my opinion and in obviously in the opinion of all these other groups who have asked us to pass this Bill, we should no longer think of it as a toy. Anything that burns at eighteen hundred degrees is not an innocent toy in the best interest of our children."

Wojcik: "Representative, I have great respect for you, but I have to say that sparklers have been around my family, myself, all of my life and it has always presented an element of excitement...little children, adults, what have you. Wherever we've gone there's been a special occasion and a sparkler's been lit on a cake. I have a mother who's going to be ninety years old and we're going to have, hopefully, ninety sparklers on her birthday cake. I think that it's sad to see that another joy is going to be taken away. You want to talk about smoking, we've taken that joy away from some of the people on this House floor. Now we're going to take sparklers away from people. I have great respect for

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you, but I think that this is a bad idea."

Speaker Laurino: "The Chair would like to acknowledge the fact that Director Michael Lane from the Department of Corrections is on the House floor. Welcome, Mike. I'd like to remind you, Gentlemen and Ladies of the House, that we're... we are traveling at a slow rate of speed. There seems to be a lot of people that would like to speak on this. If it's at all feasible to explain your vote, please do so. If you have questions of the Sponsor, it's a different story. Thank you very much. Representative Peterson." (I do not know which Peterson this is.)

Peterson W.: "Thank you, Mr. Speaker. Question of the Sponsor. Sponsor yield?"

Hasara: "Go ahead. Yes."

Peterson W.: "Representative, what kind of statistics do you have regarding injuries over the past year that would suggest that this Bill should be passed?"

Hasara: "There were forty-seven sparkler injuries in 1988, Representative..."

Peterson W.: "...Forty-seven?"

Hasara: "Yes."

Peterson W.: "And what were those, severe, third degree burns? What type of injuries?"

Hasara: "Everything from a four year child having his eye burned out to more minor burns."

Peterson W.: "And what do you estimate were the total number of sparklers actually used in this state? Are we talking about hundreds of thousands of sparklers and we had forty-seven accidents? We're almost saying we've got hundred of thousands of cars, we have accidents we should bar cars. I mean, what...what's the proportion to...to total usage as to the accidents?"

Hasara: "I really don't know that figure, Representative, but

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I...you know, it's a lot different to ban a sparkler than it is to ban an automobile. There's certainly, I think, better alternatives to sparklers than there are to being transported by other than an automobile."

Peterson W.: "Well, I think, Representative, you'll find that sparklers as are near and dear to our hearts as our cars. So, I hope everybody reviews this Bill very carefully. Thank you."

Speaker Laurino: "Further questions? Representative Balanoff."

Balanoff: "Yes. Anything that burns at eighteen hundred degrees is not a toy. And not something that we want in the hands of adults and certainly not in the hands of children, which is where most often they end up. As was stated earlier, sparklers can and do cause serious injury. And I would urge a 'yes' vote for the ninety sparklers that shouldn't be on the birthday cake."

Speaker Laurino: "Are there further questions? If...your vote can...if your vote can be explained, I suggest you explain your vote, please. Representative Johnson."

Johnson: "Have we opened this up to debate? Can I do that?"

Speaker Laurino: "You may. I was just trying to move the House along, Representative Johnson."

Johnson: "Okay. It's really too bad that such a fine Sponsor and a good Legislator and a good friend has sponsored such a lousy Bill. Representative Petka and Stephens and I were just thinking out loud of the number of things that we use in our everyday existence, that if misused... are harmful, matches and ovens and lighters and kids' swimming pools and baseball bats and bicycles, certain kinds of adaptations for...for showers and bath tubs. To put sparklers in the same category that we do other incendiary devices doesn't make sense scientifically and in a free society where we think that certainly there's inherent risks in going out of

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your front door, but when you do that you also realize that the benefits from going out of your front door, just like the benefits from having a birthday party or Fourth of July celebration with a few sparklers, is probably worth the trade off. Nobody wants to see people hurt. Nobody wants to see people maimed, but virtually everything we do in society carries with it some risk if it's not done safely. We certainly have existing laws in the civil area and others to protect people who are injured in these areas. I don't know how many deaths, maybe Representative Hasara could bring us up-to-date on the number of deaths, but I doubt if there is anywhere near the same number of deaths, if any, connected with use of sparklers as there are from kids who ride their bicycle or tricycle and turn over on the street. It's unfortunate when any of those things happen. But I'd suggest to you that this Bill that just goes to far, it doesn't make sense in a bigger sense of the word and it doesn't make sense scientifically either. I respectfully ask for a 'no' vote from this excellent Sponsor, who normally sponsors excellent legislation. She just got a bad one here."

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

Lang: "Call the previous question, Mr. Speaker."

Speaker Laurino: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor indicate by saying 'aye', 'nays'. The 'ayes' have it. The question is, 'Shall House Bill 2690 pass?' All those in favor vote 'aye', opposed 'nay'. Board is open. Have all voted who wished? Have all voted who wished? Takethe record, Mr. Clerk. This Bill, having received 35...34 'aye' votes, 76 'nay' and 5 voting 'present', fails. Representative Didrickson..."

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Didrickson: "I wanted..."

Speaker Laurino: "...For what reason do you arise?"

Didrickson: "...To explain my vote. I was abiding by your suggestion and in the misrepresenting here I was recorded as 'no' and I wanted to be recorded as 'aye' and I won't explain my reason for 'aye'."

Speaker Laurino: "The record will sho...reflect your considerations. We're now going to return to the same Order of Business and start at House Bill 141, Representative Van Duyne. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 35 of the Calendar, House Bill 141, a Bill for an Act to amend the Illinois Pull Tabs and Jar Games Act. Third Reading of the Bill."

Speaker Laurino: "Representative Van Duyne."

Van Duyne: "Yes, thank you, Mr. Speaker. Last year, Ladies and Gentlemen, inadvertently we left a word in the Bill which prohibited bartenders and waitresses from selling the pull tabs and jar games, which we legalized. House Bill 141 is an attempt to rectify that simple situation by inserting the words with Amendment #1, the word 'employee', that means bartenders and waitresses and I wish you'd give me a favorable vote."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 141, and on that question is there any discussion? Seeing none, hearing none also... I was looking at the board, Mark. The Sponsor to close. The question is, 'Shall House Bill 141 pass?' All those in favor indicate by voting 'aye', opposed 'nay'. This is final passage. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. This Bill having received 95 'aye' votes, 10 'nay', 5 voting 'present', having received the required Constitutional Majority is hereby declared passed. House

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Bill 881, Representative Van Duyne. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 881, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Proceed, Representative Van Duyne."

Van Duyne: "Thank you, thank you, Mr. Speaker. House Bill 881 is an attempt to alleviate situations that come about with people who are diabetics, and by the way who are also insulin dependent. There have been cases where people of that sort have been driving automobiles and who appear to be drunk. And there has been instances where the troopers and the police have stopped them and taken them to jail, when really they should be taking them to a doctor or making sure that they get some insulin or some sugar, whichever is needed in this specific instance. Well, this hasn't happened and we're trying to alleviate the situation by putting a color code on his driver's license, which would be readily apparent to any arresting officer who usually asks for your driver's license. So when they see this color code on his driver's license they would know immediately that there may be some other reason why he's acting a little bit out of sorts. Now, we have Amendment #1, which also states that anyone who is a little bit reticent to have that on his driver's license does not have to have it, so the Amendment just says, 'upon request'. So, the Bill now just says, anyone who is insulin dependent upon request can have his driver's license color coded and I ask for your support."

Speaker Laurino: "The Gentleman's moved the passage of House Bill 881. Is there any discussion? Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield for a couple of quick questions?"

Speaker Laurino: "Indicates he will."

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Cowlshaw: "Thank you. Representative Van Duyne, I...I'm aware of a certain other...certain number of other types of illnesses or diseases from which people can suffer, that in fact if they do not take their medication they too can have some very unpleasant symptoms. There are any number of those kinds of things. Epileptics, for example. There is medication that can be given to people who are epileptic and as long as they take it and take it regularly, they do not have seizures. However, if for some reason they neglect to take that medication, they may indeed suffer a seizure. Now, I don't need to tell you that an epileptic seizure is every bit as severe, a kind of reaction on the part of a human being as the kinds of reactions that we get if we are diabetic. Consequently, it would seem to me that maybe this...you ought to have included any number of illnesses. Perhaps we could get the Medical Society to complete a list for us of all the people with all the different kinds of illnesses that exist, who might if they didn't take their medication or they took too much of it or for any other reason might have some kind of seizure or...or kind of reaction that would make it...make them not very safe to be driving a car. And then of course we could...we could devise different kinds of license plates for every single one of those different kinds of diseases. I recently inquired from the Secretary of State's Office, and I was told that we presently issue in this state, more than 150 different kinds of license plates. Now, as the number of license plates and the varieties of license plates proliferates, we just keep spending more money to produce all these different types of license plates. I really think that this is just one step too far. If someone is a diabetic and they are mistakenly taken into custody by a police officer and they are not drinking that

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will become very clear and in very short order. Finally, this Bill is on a order of call, called, 'consumer protection', and this House has a committee by that name. I have often thought that that ought to remind us that what the consumers of Illinois need is protection from the General Assembly."

Van Duyne: "Ladies and Gentlemen, the Lady is just slightly misguided. This has nothing to do whatever with license plates on an automobile. This has to do with your driver's license. And I might add that there's one other mitigating circumstance and it is upon request, because there are certain people who are diabetic that would just as soon that you don't know that they are diabetic. So that's why we had to have the Amendment put on. The Secretary of State has already been advised of this. The Secretary of State was in the committee when the Bill was heard and with the Amendment they have no opposition to this Bill, as far as I know."

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

Black: "Well, thank...thank you very much, Mr. Speaker, a question of the Sponsor. He just answered part of it. Representative, as you originally introduced the Bill, the opponents were...the opponents were the Secretary of State, the American Diabetes Association and the Department of Rehabilitation Services. Now you have said that where your Amendment has removed the opposition of the Secretary of State, do you know whether or not the American Diabetes Association and DORS have now taken a neutral position of the Bill?"

Van Duyne: "I have put on Amendment #1 to satisfy them. Now if they don't want to have this color code on their driver's license, they just don't have to ask for it. In fact, the

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Bill now states that if you want the color code on your license you must...it says, 'upon request', so you must ask for it."

Black: "In fact, what you've done is...is you've taken the mandatory language out of it, correct? Alright, thank you very much."

Speaker Laurino: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. I think there's some confusion on the Bill where the previous speaker mentioned about license plates. It has nothing do with, just as Representative Van Dwyne has done. All it is is a matter of pulling a colored curtain behind the person when they go for their driver's license and when they have their picture taken. And if they request that they are, you know, with the proper documentation and if they request that they want to have this special colored curtain behind them when they take the picture, it is a good means for law enforcement agencies to see their driver's license and they know right away that this person can be in a diabetic coma at the time. As many of you know, one of the symptoms of a diabetic coma is that you appear to be intoxicated. And what this would do is just show the police officers that the person is a diabetic, that they maybe should get some medical treatment first before putting them in jail as a someone with a D.U.I. I know someone that this has happened to myself, where the person was in a diabetic coma and he was arrested and thrown in jail because they thought he was drunk, but all it was is that he was in a diabetic coma at the time. So I ask for...I think this is a good piece of legislation. It is not mandatory. It's all on the people's free will if they wish to have their picture taken with a special colored curtain behind them, it can be done. Thank you very much."

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Speaker Laurino: "Representative Van Duyne to close."

Van Duyne: "Thank you, Representative Klemm. I know you're up to support the Bill and Representative Bugielski put it better than I can and it actually happened to his family. And so I would ask you for your support."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 881, and on that question, all those in favor indicate by voting 'aye', those opposed 'nay'. Representative Klemm to explain his vote."

Klemm: "Well, thank you, Mr. Speaker. I was going to ask if there needed any medical evidence or can somebody just ask for this special curtain behind their photograph, because obviously, I don't want those who are drinking a great deal deciding this would be a great deal of, you know, a good way a doing it. So that was my question and apparently you do have to provide medical evidence to the Secretary of State. Okay, thank you."

Speaker Laurino: "Representative Parke to explain his vote."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I've been informed that in fact, the Secretary of State is still opposed to this legislation. On the back of the driver's license you can have all of this information put on there already. This is not necessary and it is my understanding by talking to them that they are still opposed to this legislation."

Speaker Laurino: "Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. This Bill, having received 83 'aye' votes, 32 'nay' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 1128, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1128, a Bill for an Act in relationship

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to home care for disabled and aged persons. Third Reading of the Bill."

Speaker Laurino: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. What this legislation would in effect do is allow more persons to become eligible for home service programs from the Department of Aging, the Department of Rehabilitation. When determining eligibility, presently the eligibility is ten thousand dollars. Today, in this period of high inflation, an asset of ten thousand dollars is rather minimal. I think it goes without saying that ten thousand dollars today would hardly even bury a person. For that reason, I am asking that the asset be raised from ten thousand dollars to fifteen thousand dollars so that more people requiring home health care service could come under the umbrellas of the services we provide. Hopefully, that you will respond as I hope that you will respond, that we will make more people available for these services. And like I stated, ten thousand dollars a day is a rather minimal amount and I don't think that raising this an extra five thousand dollars is going to add that too many people to the rolls. It's a senior citizen piece of legislation. And for that reason, hopefully that you'll vote 'aye'."

Speaker Laurino: "Gentleman's moved the passage of House Bill 1128, and on that question is there any discussion? Representative Parcells."

Parcells: "Thank you, Mr. Speaker. I'm not sure if the Sponsor knows this or not, but the Department on Aging is very much opposed to this. Not that it wouldn't be wonderful to raise this even to twenty-five thousand dollars. It would be wonderful if we could take care of everybody very well, but the facts are that this will put 4,000 new clients into this. It is not in the department's budget. So the

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department must oppose it. It will cost 5.4 million dollars in 1990, that isn't in the budget. Furthermore, the important thing to know here is once we've voted this is not an as funded program. This is an entitlement. We must pay for it if we vote this through and you're talking about 5.4 million dollars. I say...as I say, I agree with the Sponsor's idea behind this. It would be nice if we could make it twenty or twenty-five thousand dollars, but at this time and with our budget constraints this is a very bad Bill. The department is opposed to it because the money isn't there and we would have to, I repeat, it is an entitlement program, we would have to pay it. I ask for your 'no' vote on House Bill 1128."

Speaker Laurino: "Representative Pullen."

Pullen: "I'd like to ask the Gentleman a question, please."

Speaker Laurino: "Indicates he will answer."

Pullen: "I'd just like to know, Sir, is this one of your Bills that you would like us to put on postponed consideration for you?"

DeJaegher: "No, this is not one of those Bills that I'd like to have you put on postponed consideration. And I'm going to bring you that Bill back, believe me, Penny."

Pullen: "We'll think about doing it anyway, thanks."

Speaker Laurino: "Any other questions of the Sponsor? Seeing none and hearing none, the Sponsor to close."

DeJaegher: "I realize that basically the Department of Aging has taken issue with this piece of legislation. I cannot for the life of me see that we're going to be expending that much money in this period of time. It's going to take an awful long time to make people knowledgeable that we are adding additional benefits. I think we as individuals have a responsibility to those people that are disabled and seniors, when we address ourselves to amount of ten

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thousand dollars. And as I said, for God sake, ten thousand dollars today is not even enough to bury a person. So for that particular reason, I must emphasize and hopefully that you'll support me in this endeavor that we raise this. Not to that inflationary mark, but to a margin of fifteen thousand dollars. Hopefully, you'll be supportive. Thank you."

Speaker Laurino: "Question is, 'Shall House Bill 1128 pass?' All those in favor vote 'aye', those opposed vote 'nay'. Representative Regan to explain his vote."

Regan: "Thank you, Mr. Speaker, Members of the House. I respectfully wish that I could vote 'yes', but what this does is take five million dollars out of the Department of Aging when there's people waiting in line for other services. There's meals on wheels, and in-home day care centers, and now we're extending the services for those few that don't need those and the others are waiting in line. So, I have to vote 'no'."

Speaker Laurino: "Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. This Bill, having received 66 'aye' votes, 39 'nays', 6 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 11...1530, Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1530, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Laurino: "Representative Flowers."

Flowers: "Mr. Speaker, I would like to bring House Bill 1530 back to Second for the purpose of an Amendment, please."

Speaker Laurino: "Does the Sponsor have leave? Leave is granted. Second Reading, Mr. Clerk. Any Amendments or Motions?"

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

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Representative Flowers."

Speaker Laurino: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 removes from the Bill the requirements that the prosecutor must demonstrate that it had...that it is economically feasible to rehab the residential property before an order can be entered, requiring the rent be assigned to a trustee for the use in repairing the property. Also the Bill increases the penalty for a violation of the proposed new subsection of the criminal housing management statute. Under the Amendment, maintaining a dangerous building at a time when real estate taxes are delinquent is a Class 4 felony. And a subsequent violation of the same section is increased to a Class 3 felony. And I'll be more than happy to answer any questions in regards to Amendment #1 to House Bill 1530."

Speaker Laurino: "Are there any questions of the Sponsor? Seeing none, all those in favor of Amendment #1 to House Bill 1530 indicate by saying 'aye', 'nay'. The 'ayes' have it. Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "With leave of the House, the Attendance Roll Call, the Lady would like to have the Bill put back on Third Reading and heard today. Does she have leave? Leave being granted, read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1530, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Laurino: "...Representative Flowers..."

Flowers: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1530 as amended, changes the offense of the criminal housing management. It authorized injunctions against property owners whose property constitute a health hazard. And I would urge for the passage of House Bill

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1530. Thank you."

Speaker Laurino: "The Lady has moved the passage of House Bill 1530, and on that question is there any discussion? Representative Stephens."

Stephens: "Would this include housing districts or housing authorities? Would they be considered owners?"

Flowers: "It says, 'a person commits the offense of criminal housing management'."

Stephens: "Would the mayor of a city who has the authority over a housing area and who let the sewer system deteriorate to the point where raw sewerage was pouring into the playground area left unattended, be in violation of your Bill should it become law?"

Flowers: "Representative Stephens, sewers are not residential real estate."

Stephens: "Well, what is? I mean, if...is plumbing..."

Flowers: "...A sewer..."

Stephens: "...Is plumbing..."

Flowers: "...A sewer is not a residential real estate."

Stephens: "Is a wall?"

Flowers: "That will probably make up the residential real estate."

Stephens: "Does the whole..."

Flowers: "...That is a part of..."

Stephens: "Does the whole piece of reside... does the whole residence have to deteriorate or could one part of it? Like a... like a sewer line? Is a sewer line part of...if it broke down and were not tended to? Isn't that one of the subjects of your Bill? Or please explain to me what sort of things have to break down and not be serviceable to be..."

Flowers: "It says, 'the physical condition or facility of the resident real estate'."

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Stephens: "How about an elevator?"

Flowers: "If that's a part of it, inside of it."

Stephens: "Okay, well it's let's..."

Flowers: "Does that make it up."

Stephens: "Let's go back...I think that sewage... sewerage systems make up a part of a resident...residence and my question is, if I'm right, if they do make up a part of a residence, the sewerage lines, that when you flush your toilet take the waste away from the home, if they are indeed part of a residence, and the authority in charge of that sewerage system lets that system deteriorate to the point where when you flush your toilet, your kids have to splash in the sewerage in the playground outside, would they be included? Come on, that's easy."

Flowers: "Only the person that controls the residential real estate is responsible for that."

Stephens: "Okay. Now, I guess we're getting right to my question. Would the...would it be the director of the housing authority or would it be the corporate officer of the city, that being the mayor in many towns with housing authorities?"

Flowers: "It is the person that has direct or indirect control of the resident."

Stephens: "So in Chicago, it would be the head of the Chicago Housing Authority and in other cities it would probably be the mayor."

Flowers: "What we're talking about single family housing also, they're, either just apartment buildings."

Stephens: "It could be...I understand..."

Flowers: "...You know..."

Stephens: "...It could be..."

Flowers: "...If you lived in Chicago...if you lived in Chicago and if you allowed your property to go down, it could also

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be you."

Stephens: "Right. And I understand how in my district we have a lot of duplexes and single family residences rented and I understand that if they're rented it would be the proprietor of that property, the owner of the property. But I'm more interested in some of the housing authority problems and I'm trying to establish whether in fact the person that would be guilty of a Class 4 or Class 3 felony, I guess...what have you made it?"

Flowers: "I think a lot of things would have to be taken into consideration. For instance, the infrastructure of the city, how old is it? Now if I purchase that property, I have no control over the infrastructure of the city. So therefor, if your sewer system backed up as the result of the infrastructure of the city being maybe a couple hundred years old, you cannot hold me responsible for that."

Stephens: "Okay. Let's say you own a...either as the director of the housing authority, or as an individual proprietor, you own a..."

Speaker Laurino: "Representative Stephens, bring your remarks to a close."

Stephens: "...that has an elevator. Can you just answer that one question? If that elevator were in your building and it did not function, would that come under the auspices of your Bill?"

Flowers: "Representative Stephenson (sic - Stephens), the Bill only applies to where there is delinquent taxes, where there's only delinquent taxes on the property. This is when the Bill would come into effect."

Stephens: "Thank you."

Flowers: "You're welcome."

Speaker Laurino: "Representative Wennlund. One minute."

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

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Speaker Laurino: "She indicates she will. You have one minute."

Wennlund: "Now, if the person commits the offense of criminal housing management when he has indirect control of residential structure, would the Secretary of Housing and Urban Development, Jack Kemp, be...could he be charged with this offense, a Class IV felony, if a HUD project may be maintained in a dangerous condition, or one unhealthy?"

Flowers: "Representative, HUD is not subject to this particular piece of legislation as far as the rule of state taxes are concerned. So therefor, as a result of that, he is not applicable in this part of the Bill."

Wennlund: "But a person who may be in indirect control, would the wife of an owner who may have indirect control over a project, could she be charged with this type of crime?"

Flowers: "If...if the property is tax delinquent in..."

Speaker Laurino: "Representative Wennlund, bring your remarks to a close."

Flowers: "If the property is tax delinquent..."

Wennlund: "This isn't Short Debate."

Flowers: "If the property is in that person's control, you are absolutely right, they would be in violation."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Making such an offense a Class IV felony, to go to big jail time for such an offense is absolutely ridiculous. I mean this goes far beyond any reasonable control over housing regulations. The City of Chicago and all other cities in which these housing projects are located in, have more than adequate controls and more than adequate methods to bring housing into compliance with housing codes and to make sure that they are in a safe and healthful condition. Making it a felony for anybody who has any ownership interest or any indirect control, is absolutely ludicrous. In all deference to the Sponsor, and she's a great gal, but

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this just goes too far and I urge a 'no' vote."

Speaker Laurino: "Question is, 'Shall House Bill 1530 pass?' All those in favor indicate by voting 'aye', those opposed vote 'nay'. Vote is open. Representative Shaw, to explain his vote."

Shaw: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. There is very little difference what Representative Flowers is talking about in this Bill, it's basically already current law. And the only difference is, here in this Bill, is a...is a slight change in the penalty. But the State's Attorney of Cook County can indict anybody under the Criminal Housing Act right now. But what Representative Flowers has done here, is increase the penalty, as we have had so many of the landlords, slumlords, go out and leave these houses and leave people, come and collect their rent and let these people live in firetraps and babies get burnt up. That's what we're talking about here, that's what Representative Flowers... And we need more 'green' votes on this Bill. I urge for its passage."

Speaker Laurino: "Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. House Bill 1530, having received 66 'aye' votes, 48 'nay' and 1 voting 'present', is hereby...and having received the required Constitutional Majority, is hereby declared passed. Higher Education. House Bill 700, Representative Hultgren. On page 37. Representative Hultgren. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 700, a Bill for An Act to amend an Act concerning funding of scholarships. Third Reading of the Bill."

Speaker Laurino: "Representative Hultgren."

Hultgren: "Mr. Speaker, may we take this back to Second for

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purposes of Amendment?"

Speaker Laurino: "The Gentleman asks leave to take this Bill back to Second Reading. Does he have leave? Leave being granted, Mr. Clerk, put this Bill on Second Reading. Any Floor Amendments?"

Speaker Leone: "Floor Amendment #1, is being offered by Representative Hultgren."

Speaker Laurino: "Representative Hultgren."

Hultgren: "Yes. In Committee there were some concerns expressed about this Bill and its impact on the budgets of the rest of the higher education community. In order to try and alleviate those concerns, Amendment #1 provides for a phased in...five year phase in of the full funding program. Be glad to answer any questions, and move for adoption of Amendment #1."

Speaker Laurino: "Gentleman moves for adoption of Amendment #1 to House Bill 700. Any questions of the Sponsor? Representative Keane."

Keane: "Thank you, Mr. Speaker. We're on the Amendment. The overall...question of the Sponsor, will he yield?"

Speaker Laurino: "He indicates he will."

Keane: "The...all the Amendment does, is it keeps the same fiscal impact, but it just takes a number of years to phase it in?"

Hultgren: "There is a phase in, yes."

Keane: "Is that the only change that the Amendment does for the Bill?"

Hultgren: "That's all that Amendment #1 does, yes."

Keane: "Alright, thank you."

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

Countryman: "I would like to ask the presenter a question."

Speaker Laurino: "He yields."

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Countryman: "Representative Hultgren, now this Amendment says the funds appropriated for each year shall be an amount equal to or greater than the following percentages of the amount appropriated for the academic year commencing August 1st of the year immediately preceding. Doesn't this lock us into an appropriation and really do something that we can't do here in the General Assembly, and that is to appropriate for I guess up to five years?"

Hultgren: "It certainly sets a goal, a goal which it would be my understanding is shared by the Board of Higher Education, and that is full funding of the scholarship plan. In fact, it is my understanding that the Board of Higher Education has adopted as a statement of policy, full funding for the monetary award program, and then that is in fact part of their three year budget plan."

Countryman: "Well, but doesn't this...You didn't answer the question. Does this in fact make us appropriate, by adopting this Amendment and if this Bill should pass, commit us to an appropriation for up to fiscal year 1993?"

Hultgren: "It certainly is a statement of legislative policy that it is the policy of the General Assembly to fully fund the scholarship program, a policy statement which I think the General Assembly has oftentimes repeated, but in the past we've fallen short."

Countryman: "Yeah, and when we fall short, where do these monies come from?"

Hultgren: "Well, in the initial years of the program, the monies would be fully available as a result of the tax increase which was passed earlier this year in the General Assembly. In fact, if you run the calculations on year one, you'll see that it would be fully paid for by the tax increase which was passed last week."

Countryman: "Yeah, but wasn't...doesn't this really take away

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from the appropriations that we would have to fund higher education at the University of Illinois, Western Illinois University, Eastern Illinois University, Northern Illinois University and all the other state funded institutions of higher education, including the community colleges?"

Hultgren: "No. No, it doesn't. As I indicated in the initial years of the program, and I'm referring to the handout that I received last week from the Speaker's Office; for example, in FY '89 there's an additional 15.5 percent increase in the funding for the monetary award program. And that works out to be the 15 percent increase which is provided for in House Bill 700. So, no it doesn't take away from any of the other higher education programs if you accept the allocation provided for in the Speaker's proposal."

Countryman: "Well, that is that you make certain assumptions, there's certain revenue which isn't in our existing budgets. Is that correct?"

Hultgren: "I'm sorry, Representative Countryman, I didn't hear your question."

Countryman: "You're making assumptions for revenue that isn't in the Governor's proposed budgets, is that correct?"

Hultgren: "That's...that's correct."

Countryman: "Thank you."

Speaker Laurino: "Representative Edley."

Edley: "Thank you, Mr. Chairman, (sic - Mr. Speaker) I would like to ask a question of the Sponsor?"

Speaker Laurino: "He indicates he will answer."

Edley: "Representative Hultgren, do you know the effect that this legislation would have on students attending public school vs. students attending private universities?"

Hultgren: "Well...it affects both the public and private students in the same fashion. That is to say, it fully funds the

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monetary award program, a scholarship program that is available to students attending public and private colleges in the State of Illinois, not colleges outside the State of Illinois, and would make funding available to them in a full amount. What has happened, Representative Edley, a more specific response to your question is that because this program has been underfunded in the past, students attending both public and private institutions, particularly middle class students who have financial need, who have demonstrated financial need according to the methodology which is used by the Scholarship Commission, have been unable to receive a scholarship, because of a failure of appropriation."

Speaker Laurino: "Bring your remarks to a close, Mr. Edley."

Edley: "Yes. The data that I've received from the Scholarship Commission, has indicated that the public school student would see his grant increase approximately 9 percent, and those students attending private institutions in this state, would received about a 53 percent increase. Presently, I think with the crisis that our colleges are facing, that we can't afford just to fund private education in this manner. Thank you."

Speaker Laurino: "Representative Didrickson."

Didrickson: "Yes. Mr. Speaker, Members of the General Assembly, I think the comments from the last speaker are very interesting and I am interested in knowing more about those. However, I'm going to limit my remarks to the fact that if we fully fund as this Amendment suggests, the scholarship fund in the State of Illinois, I would just alert or point out to those of you, many of you who understand this and realize it, that 65 percent, approximately, of those dollars, do go to students who have chosen to go to some very pricey schools, some very pricey

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and costly universities such as Northwestern University, the University of Chicago, et cetera. I think before we think about siphoning off dollars for those students who have made that kind of a personal choice, and that is an individual choice, we ought to make certain that we are funding higher education of the public universities and colleges in this state, and that we certainly ought to be funding elementary and secondary education before we pick up the tab for those students who have chosen to go to some of the most expensive private schools...Again, I mention that..."

Speaker Laurino: "Bring your...Please bring your remarks to a close, Representative."

Didrickson: "...65 percent of those dollars do go to private schools and not public universities."

Speaker Laurino: "Thank you. The questions is, 'Shall House Bill 700, pass?' All those in favor indicate...Oh, I'm sorry, I'm sorry. Shall... The Gentleman has offered Amendment #1 to House Bill 700. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. Roll Call. All those in favor vote 'aye', those opposed vote 'nay'. Take the record, Mr. Clerk. Amendment #1 to House Bill 700 having received 17 'aye' votes, 86 'nay' votes and 3 voting 'present', hereby declared failed. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. Floor Amendment #2 answers questions which were also raised in Committee, and that is specifically if the...if House Bill 700 passes, how will the funding for the scholarship program...how will the allocation be made. And this indicates that it will be a

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prorata reduction of other higher education programs in order to fully fund the scholarship."

Speaker Laurino: "Any questions? Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. I don't have any questions. I would just point out in this Amendment, that there's an attempt to mitigate to the degree that the Sponsor wishes to do so the basic problem with the legislation. Because in this Amendment we're in fact saying that if this reduces any...this program reduces any funding for other higher ed programs, that the reduction shall be done on an equally...on equal basis than on a prorata basis. This is the concerns that have been mentioned by a number of people, and the fact of the matter is, that 68 percent of this money already goes to private colleges and universities. Our basic responsibility is to fund public education. If people choose to do otherwise, that's their prerogative. And I do not believe this Amendment should be adopted, nor should we agree to the legislation."

Speaker Laurino: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I'm sorry I wasn't here for the discussion on Amendment #1, which addressed some concerns that were raised on this legislation. Amendment #2 basically provides for that reduction equally and fairly across the board. I think what we have to remember here with the underlying Bill and these Amendments, as we're addressing concerns that were raised to the Sponsor on the question of scholarship funding, a Session ago this General Assembly provided the necessary votes to establish the merit scholarship provisions and the five hundred dollar stipend. What the underlying Bill does, is to provide for funds to the students. We gave the universities millions of dollars with a vote last week. This legislation and this Amendment addresses those reduction provisions, but

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also provides for student...money to the students. That's what the bottom line of higher education is. And I stand in support of the Amendment. We should have adopted #1. I'm sorry I wasn't here when it was presented."

Speaker Laurino: "Further questions? Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Laurino: "He indicates he will."

Countryman: "Representative Hultgren, what you're saying by this Amendment, is that if the scholarship funding goes down, then we reduce prorata funding to higher education, which means we take program dollars from public education. Is that correct?"

Hultgren: "That's correct."

Countryman: "Well, I think it's a bad Amendment and I'd ask for a Roll Call."

Speaker Laurino: "Further discussion? Representative Satterthwaite."

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

Speaker Laurino: "He indicates he will."

Satterthwaite: "Representative, when you describe this as a prorata reduction, are you talking about a dollar for dollar reduction? Are you talking about a per student reduction? On what basis would we be making a prorata reduction to the higher education institutions?"

Hultgren: "It would be based on dollars, Representative."

Satterthwaite: "So, we're saying that if in fact we have the same amount of money for the future year as we had the previous year because of an obligation to fund the scholarships first, that we would give a reduction to each of the public higher education institutions to make up for that, and that if it resulted in a 5 percent decrease, it would be 5 percent to each institution."

Hultgren: "That's correct. I believe I followed your question,

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but I believe that's correct."

Satterthwaite: "And this would be based on their...their general fund monies, or all of the monies that are appropriated, or what figure would we take?"

Hultgren: "This would be based on the general fund monies."

Satterthwaite: "Well, I suppose if there is any justice, then we should spread that decrease equally, but I don't think that it really helps your Bill, to make sure that we are making a reduction across the board. It would not in fact, give any allowance for any particular needs of any one institution or another, and what we would essentially be doing is, building in inequities that may be there now, into the future. And for that reason, I think we should not accept the Amendment."

Speaker Laurino: "Further questions? Seeing and hearing none, the question is, 'Shall Amendment #2, to House Bill 700, be adopted?' All those in favor indicate by saying 'aye'. Roll Call. Alright, we'll have a Roll Call. Mr. Clerk. All those in favor indicate by voting 'aye', those opposed vote 'nay'. Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. Amendment #2, having received 18 'ayes', 82 'nays', 1 voting 'present', fails. Further Amendments, Mr. Clerk."

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. What's your pleasure, Mr. Hultgren?"

Hultgren: "Let's take this out of the record."

Speaker Laurino: "House Bill 700, is out of the record. The Chair recognizes Representative Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Republican Conference asks for an opportunity to meet in 118 for one hour."

Speaker Laurino: "Allowing perfunctory time for the Clerk to read

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messages from the Senate, the House will stand in recess for the period of one hour for the purposes of a Republican Conference in Room 118. We will begin immediately at 5:40."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following title, passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #511, 513, 514, 515, 517, 518, 520, 525, 526, 540, 541, 555, 571, 573; 577, 589, 606, 611, 612, 614, 619, 622, 625, 629, 632, 634, 637, 645, 647, 649, 650, 653, 654, 655, 656, 657, 658, 663, 665, 666, 667, 668, 670, 673, 678, 680, 681 and 686, passed by the Senate May 23, 1989. Linda Hawker, Secretary.' Senate Bills First Reading: Senate Bill 511, Countryman, a Bill for An Act to amend the Election Code. First Reading of the Bill. Senate Bill 517, Homer, a Bill for An Act to amend the School Code. First Reading of the Bill. Senate Bill 520, Peterson, a Bill for An Act to amend the Township Law. First Reading of the Bill. Senate Bill 298, Currie, a Bill for An Act to amend the Illinois Marriage and Dissolution of Marriage Act. First Reading of the Bill. Senate Bill 479, Barger, a Bill for An Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 481, Barger, a Bill for An Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 495, Hasara, a Bill for An Act to amend the Nursing Home Care Act. First Reading of the Bill."

Speaker Laurino: "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,

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and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #688, 692, 695, 696, 697, 698, 709, 710, 719, 721, 722, 725, 726, 727, 729, 731, 733, 734, 735, 740, 741, 742, 749, 753, 760, 764, 789, 791 and 794, passed by the Senate May 23, 1989. Linda Hawker, Secretary."

Speaker Laurino: "Representative Laurino, in the Chair. Senate Bills First Reading."

Clerk O'Brien: "Senate Bill 688, Kubik, a Bill for An Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 695, Hensel, a Bill for An Act authorizing the director of corrections to convey state property in Kane County. First Reading of the Bill. Senate Bill 698, Giorgi, a Bill for An Act to amend the Civil Administrative Code. First Reading of the Bill. Senate Bill 740, Sutker, a Bill for An Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 741, Sutker, a Bill for An Act concerning powers of attorney. First Reading of the Bill. Senate Bill 742, Sutker, a Bill for An Act to amend the Condominium Property Act. First Reading of the Bill. Further Senate Bill First Reading. Senate Bill 33, LeFlore, a Bill for An Act to amend the Foreign Banking Office Act. First Reading of the Bill."

Speaker Laurino: "On the Order of Government Programs, page 21 of your Calendar, House Bill 1927, Representative Davis. Read the Bill, Mr. Clerk. 1927."

Clerk O'Brien: "House Bill 1927, a Bill for An Act in relation to notices regarding the dangers of alcohol. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative Davis."

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Davis: "Thank you, Mr. Speaker. I certainly hope by the time I finish presenting this Amendment that we have the Members, at least on the Democratic side, back from the Republican Conference. However, I will proceed. This Amendment actually becomes the Bill and this Amendment requires that all retail establishments place warning signs that are uniform in nature, that state 'Warning, the Surgeon General has recommended abstinence from alcohol during pregnancy, because drinking alcoholic beverages during pregnancies causes birth defects.' This kind of legislation, very similar legislation, has passed in a number of states. It has become law in many of our neighboring states. We feel that many women who are now considered liberated, enter establishments that sell liquor and they may not be knowledgeable to the fact that drinking alcohol does cause birth defects and sometimes death. We urge your acceptance of this Amendment."

Speaker Laurino: "Representative Davis, moves that House Bill...Amendment #1 to House Bill 1927 be adopted. Is there any discussion on this issue? Representative McCracken."

McCracken: "Is this identical to a Bill that was passed out of here last week, sponsored by Representative Petka?"

Davis: "I hope so, Representative."

McCracken: "Have you given orders to your Democratic counterparts in the Senate to kill Representative Petka's Bill when it gets there?"

Davis: "Pardon? Did I do what?"

McCracken: "Why do we need this if we've already got a Bill over in the Senate."

Davis: "Well first of all, this Bill states, 'Warning, the Surgeon General recommends', similar to cigarette warnings. I think that might be a difference."

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McCracken: "Does the Surgeon General...has he made that statement?"

Davis: "Yes, he has."

McCracken: "Well now, with that in the Bill as amended, if this Amendment were adopted, are there opponents to this Bill? I mean is this designed to obviate the opposition?"

Davis: "This was designed to obviate any opposition and also to gain some support from the other side of the aisle. I have not received any notice of any opposition. I've received a number of letters of support."

Speaker Laurino: "Further questions?"

McCracken: "No."

Speaker Laurino: "Seeing none, all those in favor will indicate by voting...by saying 'aye' on Amendment #1 to House Bill 1927. In opposition 'nays', the 'ayes' have it, Amendment #1 is adopted. Further Amendments, Mr. Clerk."

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1945, Representative Wyvetter Youngue. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1945, a Bill for An Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1, was adopted in Committee."

Speaker Laurino: "Any Floor Amendments?"

Clerk O'Brien: "No Motions. Floor Amendment #2, offered by Representative Stephens."

Speaker Laurino: "Representative Youngue."

Youngue, W.: "Has the Amendment been distributed?"

Speaker Laurino: "Representative Stephens, this is your Amendment."

Stephens: "Yeah, we have a copy. We have a copy if she needs it."

Youngue, W.: "I don't have... Has the Amendment been distributed? I don't have a copy of it."

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Speaker Laurino: "Mr. Clerk, has the Amendment been distributed? Proceed, Representative Stephens. It has been distributed."

Stephens: "Okay. This...I think this is a good Amendment. This is...this provides that no agency may conduct their study unless they are requested to do so in writing by the Mayor of East St. Louis. This Bill deals with the City of East St. Louis and we think that the Mayor as Chief Executive Officer of the city, ought to request these studies to be done in writing, so that we know first of all, that the city wants it done and secondly, that the mayor is aware of the problem of his city as any good mayor would be. He'd be the one most appropriately to request the studies mentioned in the Lady's Bill. And so, I would be glad to answer any questions, and I would move the adoption of Amendment 2 to 1945 and request a Roll Call vote."

Speaker Laurino: "Representative Stephens moves that Amendment #2 be adopted to House Bill 1945. Is there any discussion? Representative Wyvetter Younge."

Younge W: "Will the 'movent' yield?"

Speaker Laurino: "He indicates he will."

Younge, W.: "If this Amendment is adopted, do you support the Bill?"

Stephens: "It's a fair question. Are there any other Amendments to the Bill that are going to be coming up here?"

Younge, W.: "Not to my knowledge."

Stephens: "I think that I would certainly be more likely to. I can't...I'm not sure that I would...if this is enough of an improvement upon your Bill, because the Bill requires 14 different code agencies to conduct a study of their involvement in East St. Louis. And one of the reasons that we introduced the Amendment was...I mean you know state government can only do so much and for us to single out the

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City of East St. Louis when there are other cities around the state that are in need of these 14 different agencies attention..."

Younge, W.: "I don't care. It doesn't make me any difference."

Stephens: "...I think requiring them to do this study, would cause them to reallocate many of their resources and so even though this Amendment, if it were adopted, would be an improvement, because maybe that would cut it down from 14 agencies, let's say only two or three, but the mayor would see fit to request assistance from, the Bill in its current form, if all 14 agencies are required to do this, would be a significant impact on the rest of the state. And so other states...other parts of the state, other cities, other municipalities, would suffer at the consequence of this mandated study of the City of East St. Louis. Now, I understand I served on the Task Force for the municipal financial problems of the City of East St. Louis, we heard tons of testimony about the financial problem that the city was in, and I agree that certainly there's a part that the state must play in the revitalization of the City of East St. Louis. But, to say that I could support the Bill with this Amendment, I'm not so sure that...If I had commitment from the mayor, that he wouldn't say write...sit down and write a letter, well I'm going to write all 14 agencies. Now if the mayor will commit to me that he does...he's not going to require each of the 14 agencies to do the...what you asked for in your original Bill, then I'd be a lot more likely to support the Bill with the Amendment on it as you request. But I don't think that the mayor is ready to make that commitment. So, Representative Younge, I don't suppose that I could make the commitment back to you."

Younge, W.: "Mr. Speaker."

Speaker Laurino: "Representative Younge."

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Younge, W.: "Yes, I suppose that if you want that commitment, you could ask the mayor yourself. I have no objection to the Amendment. I think it would certainly be very fair and equitable if the mayor would ask for the studies. And so, I have no objection to the Amendment and I would hope that the General Assembly, the House, would... Yes, let's vote for the Amendment."

Speaker Laurino: "Further discussion? Representative Shaw. Okay. All those in favor will indicate by saying 'aye' on Amendment #2 to House Bill 1945. Opposed, 'nay'. The 'ayes' have it. Amendment #2...Roll Call? Representative Younge."

Younge, W.: "...Third Reading."

Speaker Laurino: "Well the Amendment has to be adopted. Amendment #2 to House Bill 1945. All those in favor indicate by saying 'aye', 'nays'. Roll Call on Amendment #2 to House Bill 1945. All those in favor indicate by voting 'aye', opposed by voting 'nay'. Representative Stephens."

Stephens: "Well, Mr. Speaker, there must be something wrong with the sound system here, because I thought it...Never mind."

Speaker Laurino: "Have all voted who wished? Have all voted who wished? Take the record, Mr. Clerk. Amendment #2 having received 66 'ayes', 39 'nays', 1 voting 'present', has been adopted. Any further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Stephens. Representative Younge."

Stephens: "Well, this kind of dovetails with Amendment #2."

Speaker Laurino: "Excuse me, Representative Stephens. Representative Younge, for what reason do you rise?"

Younge, W.: "Has the Amendment been distributed?"

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Speaker Laurino: "Yes, it has."

Younge, W.: "May I have a copy of it?"

Speaker Laurino: "Proceed, Representative Stephens."

Stephens: "We think that Amendment #3 dovetails with Amendment #2, and that if a municipality requests the department to conduct a study, again we would...Amendment #2 said they would have to do that in writing and develop a plan with respect to the municipality under this Act, that the municipality, the benefactor of that study, would reimburse the department for all funds expended by the department in conducting a study and developing a plan. And we think that that's appropriate, because the one thing we want to avoid, when we try to revitalize municipalities that have wound up in financial distress, is we don't want them just coming and using the state's assets as a ploy to buy more time. We want them to take it very serious, knowing that when they request these studies, when they request our help, the state's help, that they recognize that they are buying something. And when you buy something of worth and of value, there's a price to pay. And we think this is an extremely important Amendment, because what it says to municipalities is, 'We want to help you, we've got resources. The things that we offer are good, they're sound and they cost money. And if...because they are of value, you should have to pay for them. And so, as we approach financial reordering in various cities, including East St. Louis, as they restructure and reorder their priorities, one of their new priorities would be to pay for the very medicine that helped cure them. And so I would move the adoption of Amendment #3 to House Bill 1945."

Speaker Laurino: "Representative Stephens, moves the adoption of Amendment #3, to House Bill 1945. Is there any discussion? Representative Younge."

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Younge, W.: "Would the 'movent' yield for a question?"

Speaker Laurino: "He indicates he will."

Younge, W.: "Do you realize that the municipality involved in this...the subject matter of this Bill is already having financial difficulty?"

Stephens: "Representative Younge, I served with you on the task force, and of course I recognize that the city is in extreme financial distress, because of the...because of a lot of factors. One being the management from the mayor, others being factors beyond their control. I understand that. What I'm saying to you, I think it ought to be public policy in the State of Illinois, that...that there is no free lunch, that when you...even though you're down, we ought to give you a way up, not just give you dreams to aspire to with no substance to them. And this gives an opportunity for this or any other city to have substance to their dreams. And I move its adoption."

Younge, W.: "Do you realize...Second question is, this study would be a benefit to the state in that it would be able to reexamine its priorities in economically depressed areas and come up with a plan as to how to build the local economy and to help those communities, particularly East St. Louis. Do you realize that is the purpose of this Bill?"

Stephens: "Well, I do, and I think what you asking is headed in the right direction. What this would do, this Amendment when adopted, will give cities an incentive. And I just don't understand why you would stand in opposition to that. It says to the city, 'Look, we're asking for help. Let us get the tools and as we work in the fields, we will pay for our tools.' That's all it says."

Younge, W.: "Mr. Speaker, may I speak to the Amendment?"

Speaker Laurino: "Go ahead."

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Younge, W: "I'm opposed to this Amendment, because it puts a burden on an already economically and financially depressed city. The purpose of House Bill 1945 is to have the state analyze what it is it is doing in East St. Louis, and how particularly the Department of Commerce and Community Affairs can reexamine and improve by coming up with a business plan as to how it's going to help build the local economy. I heard Jay Hedges testify before the Appropriations Committee in reference to the work that the Department of Commerce and Community Affairs is doing in East St. Louis. And he said, that the work that I am doing is a total failure. And under those circumstances, I believe that since the state is the beneficiary...will be the beneficiary of the study, it is appropriate that the state pay for the study, because the study is in reference to an...a city that is having economic trouble. Therefore, I ask you to vote 'no' on this Amendment. It is frivolous, it is worthless and it is inappropriate to these circumstances."

Speaker Laurino: "Further discussion? Representative Young."

Young, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Amendment and I would suggest that it's just another of a series of the mean-spirited Amendments we've seen filed by one Representative to another in this House. I would suggest to those who don't like the underlying Bill, to vote against the underlying Bill on Third Reading, but don't file these mean-spirited Amendments that would in fact destroy the intent of the original Bill. This Bill is geared toward East St. Louis and other cities in this state that are in financial distress and need help and assistance from the state in developing a plan to relieve some of that distress. Obviously these financially distressed

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communities who can hardly pay for city services, can reimburse the state for developing a plan. This is a state function to help local units of government within this state who are financially distressed. And I would just urge a 'no' vote on the Amendment. If you don't like the Bill, then vote against the Bill on Third Reading, but allow the Lady the courtesy of having her legislation heard in the form that she would like it heard. I urge a 'no' vote."

Speaker Laurino: "Representative McPike."

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

Speaker Laurino: "He indicates he will."

McPike: "I'm just reading the synopsis of this on our file folder. The Lady...I mean, everybody knows East St. Louis is broke. You know that, I know that, everybody that's ever been there. I mean it's a terrible, terrible situation. A third of the people have moved out of the town. There's no tax base left. They're absolutely broke. They're in debt to...probably fifty million dollars in debt. I wasn't on the task force, but they have an enormous debt. So the Lady comes to the state and says, 'Well, at least would DCCA take a look at East St. Louis and come up with a plan that would help us out a little bit.' And what does your Amendment do?"

Stephens: "My Amendment simply gives the city a real incentive to use the very information that DCCA and other...thirteen other code agencies would give them. Because without it..."

McPike: "Well, what does your Amendment do?"

Stephens: "I have seen..."

McPike: "What does..."

Stephens: "Representative, you have seen and I have seen tons of studies about East St. Louis. They are sitting on shelves

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today, instead of being utilized. Give the city a reason to use the studies. They'll sit...they'll take these studies..."

McPike: "Would you just tell me what your Amendment does. Does it require the city to pay for this study? Is that what it does?"

Stephens: "Requires...Yes, it does."

McPike: "Well, I'll tell you...Every now and then some of the things that happen on this floor are absolutely embarrassing and this really is. This is the most mean-spirited Amendment that I have seen offered in many, many years. This city...If anybody would come to East St. Louis, you wouldn't believe it. It's depressing to drive through it. Every other house is burnt down. It is really in terrible, terrible situation. Now the Representative from East St. Louis recognizes that there has been terrible mismanagement problems by the current administration. We recognize that. The Speaker said that he would not meet with the mayor, that he would meet with the new majority on the city council, but he wouldn't meet with the mayor. We want some new people to come in and help run the city. The Lady comes before us and says on her hands and knees, 'My God, I need a little bit of help. Won't DCCA give me a plan to try to help my community.' And he comes along and says, 'Yes, we will, you just pay for it.' Well, why don't they just go out and hire Arthur Anderson or 'Erston and Winnie' to do the plan, to do the study. You know damn well why they don't. They don't have the money. They don't have the money. If they had the money, they wouldn't be up here asking for some help. I think these kind of Amendments are disgraceful."

Speaker Laurino: "Representative Keane in the Chair."

Stephens: "Well, it's interesting that the Representative would

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point out why don't they hire some of these highflying firms. The fact of the matter is, that they have. The fact of the matter is, is that one of the reasons that the city is in the shape the Representative described so eloquently, is that because they've gotten so many free lunches with no strings attached. They have had tons of dollars poured into cities like East St. Louis across this country and one of the reasons they continue to decay, is because there's never a string attached. My Amendment simply says, if I can use the analogy, If a farmer's got a field that needs to be plowed and we're going to give him the utensils and the tools, that he would recognize the fact that he ought to have to pay for the use of those tools. And any farmer in Illinois would be proud to pay for the privilege to work in the field, and there's nothing wrong with asking a city to continue to contribute to its own upbringing. There is absolutely nothing wrong with an idea that says to you, 'Here is a way out.' To encourage you to use this way out, to use the keys to development, recognize that you have a responsibility to pay for those keys. And any city, any individual, any entity with any self-respect at all, would welcome the chance and say 'Yes, give us a chance to pay. We want to help ourselves. Let us prove, don't take thirty years of history that has caused the City of East St. Louis and others across the country like it, with...when they've had no precedent like this to be set for them. Don't let that history continue. Don't say to the citizens of East St. Louis and citizens across this country in similar circumstances, that we don't care enough about you to ask your responsibility. Don't say that to them anymore. Don't hold them down by giving them things that they will not use, because they accept no responsibility. Make them say 'We're responsible.' And

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when people say that they're responsible for their future, they take care of their future. Vote for this Amendment, improve the Bill. Help East St. Louis."

Speaker Keane: "The question is, 'Shall Amendment #3 to House Bill 1945 pass?' Those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this...On the Amendment, there are 43 'ayes', 63 'nos', none voting 'present'. The Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Representative McCracken."

McCracken: "Apparently the Bill affects a number of code agencies. A fiscal note had been requested, and to date, we are aware of four...five responses to that fiscal note. Now the Calendar may say that the fiscal note's been filed, but not all of the fiscal notes have been filed. Therefore, I think it should stay on Second."

Speaker Keane: "We'll get back to you in a second. Representative Barger, for what reason do you rise?"

Barger: "A point of information, Mr. Speaker. My Calendar says that today is the 23rd, Tuesday, and we are dealing with Bills that are on the Calendar for Wednesday, May the 24th. I was wondering why we had skipped over the rest of today and started on tomorrow, considering we still have 5 1/2 hours of today left before the real Speaker's going to let us go. Could you explain that to me, please."

Speaker Keane: "It's probably that because we're working such long hours, our body clocks have sprung ahead. I know mine has and...but, I'm sure it will all work out by Friday. Yes. Representative McCracken, to your point. The fiscal note...I am told the fiscal note request was filed...a fiscal note has been filed in answer to that request and

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the Bill is properly on Third Reading. Representative McCracken."

McCracken: "Well, the Bill as originally drawn affected 14 agencies. If you're going to define a fiscal note as being satisfied by any one physical note, then I suppose your right. But if you're going to define the Fiscal Note Act so that it covers the cost to the state when one asks for that information, then it hasn't been complied with. So, you know, your relying on semantics to justify a less than full disclosure as to the cost of that Bill, and we want to know what the cost is."

Speaker Keane: "I'm told that the fiscal note requirement does not require that there be a fiscal note filed for each agency. It's one of those things that we'll be working on in the new Fiscal Note Act."

McCracken: "You know, maybe today is Wednesday. Maybe we're not ahead on the Calendar."

Speaker Keane: "I'm on Wednesday, myself."

McCracken: "You're on Wednesday?"

Speaker Keane: "Third Reading. Next Bill is House Bill 1961, Representative Younge."

Clerk Leone: "House Bill 1961, a Bill for An Act to amend the East St. Louis Area Development Act. 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 Stephens."

Speaker Keane: "Representative Stephens, on Floor Amendment #2."

Stephens: "Well, with all respect to the Majority Leader, I will withdraw Amendment 2."

Speaker Keane: "Amendment #2 is withdrawn. Any further

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Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. This Chair is corrected. A fiscal note request has been...a fiscal note has been requested and has not been filed. The Bill will remain on Second Reading awaiting a fiscal note. Just a point of information to the Members; Supplemental Calendar...House Supplemental Calendar #1 has been circulated. It reflects Senate Bills on First Reading without House Sponsors. If you would look over Supplemental Calendar 1 and see if there's any Bills there that you are interested or have agreed to pick up, come up to the Clerk's desk and please pick up those Bills. The next Bill...We'll go back to House Bill 1824, Representative Flowers. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1824, a Bill for An Act to amend the Illinois Human Rights Act. 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 Flowers."

Speaker Keane: "Representative Flowers, on Floor Amendment #2."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House. I would like to withdraw Amendment #1, please."

Speaker Keane: "I'm sorry. You asked to withdraw House Amendment #1?"

Flowers: "I want to move to table Amendment #1 and Amendment #2 becomes the Bill."

Speaker Keane: "Alright. The Lady has asked leave to table Amendment #1. Is there leave? Leave and we'll use the Attendance Roll Call. Amendment #1 is tabled. House

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Amendment #2, Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, Floor Amendment #2 replaces the original language and becomes the Bill. This legislation mirrors changes made by the Federal Housing Amendment Act of 1988. It would make two substantial changes in Illinois law to conform...to conform with federal law. First, it would extend current protection for handicapped people in a real estate transaction. Second, it would extend the prohibition against discrimination against families in housing because of children. Currently the Illinois law protects families with children age 14. This Amendment extends protection to families with children under eighteen in accordance with the federal law. I'll be more than happy to answer any questions in regards to House Bill 1824."

Speaker Keane: "Representative Deuchler."

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

Speaker Keane: "She indicates she will."

Deuchler: "Representative Flowers, would you summarize for us the provisions of this Amendment that relate to the Attorney General?"

Speaker Keane: "Representative Flowers."

Flowers: "Representative Deuchler, on the federal level, if the...if the complainant wants to have the federal government to come in to assist them, they can do the same thing on the state level."

Deuchler: "Is the Attorney General in agreement with this provision?"

Flowers: "The Attorney General's Office came to me today and we're currently discussing this issue. I have not heard anything from their office until today."

Deuchler: "Are they suggesting to you that they will be further modifying the Bill when it goes to the Senate?"

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Flowers: "Yes, they did."

Deuchler: "Can you characterize for us what that might involve?"

Flowers: "I have no idea. They are going to deal with that in the Senate."

Deuchler: "No further questions."

Flowers: "Thank you."

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

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

Speaker Keane: "Representative Johnson, on Floor Amendment #3."

Johnson: "Amendment #3 gives immediate access to the courts, to litigants. I think this is opposed by the Sponsor. I move its adoption."

Speaker Keane: "Representative Flowers, on Floor Amendment #3."

Flowers: "I do oppose the Amendment, Mr. Speaker."

Speaker Keane: "Alright. Question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes'...the 'nos' have it, and Amendment fails. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Wait a second. Wait a second. Wait a second. House Bill 2375, Representative Giorgi. 2375, Second Reading. You have a number of Bills on Government Programs. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2375, a Bill for An Act to amend an Act in relationship to toll highways. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2386, Representative Giorgi. Mr. Clerk, read the...take it out of the record."

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House Bill 2397, Representative Giorgi. Mr. Clerk...Out of the record. House Bill 2398, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2398, a Bill for An Act to amend the Illinois Highway Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2418, Representative Giorgi. House Bill 2418, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2418, a Bill for An Act to amend the Metropolitan Civic Center Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2511, Representative Giorgi. Out of the record. Out of the record. House Bill 2531, Representative Youngue. Wyvetter Youngue. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2531, a Bill for An Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Tate and Dunn."

Speaker Keane: "Representative Tate, on Floor Amendment #1."

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

Speaker Keane: "Representative Tate."

Tate: "Withdraw Amendment #1."

Speaker Keane: "Amendment #1 is withdrawn. Any further Amendments?"

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

Speaker Keane: "Representative Youngue."

Youngue, W.: "Thank you, Mr. Speaker. Amendment #2 would

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authorize the establishment of a enterprise zone demonstration corporation in the East St. Louis area. It would authorize that corporation to come up with a preliminary plan for the enterprise zone in East St. Louis that would specifically make fire, police and trash pickup available in the enterprise zone. It would authorize the establishment of an earnings tax in order to pay for those municipal services. And I move for the adoption of the Amendment."

Speaker Keane: "Is there any discussion on Amendment #2. There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. The '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 just for a second to pick up House Bill 2511, Representative Giorgi. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2511, a Bill for An Act to amend the Court Reporters Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2534, Representative Wyvetter Youngue."

Clerk Leone: "House Bill 2534, a Bill for An Act to amend the Southwestern Illinois Metropolitan and Regional Planning Act. 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."

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Younge, W.: "Thank you, Mr. Speaker. I'd like to table Amendment #2 and put the Bill in Interim Study."

Speaker Keane: "Is there leave to table Amendment #2. Leave. Amendment...Withdraw Amendment #2 and is there leave to put the Bill in Interim Study? Leave has been granted. House Bill 2535, Representative Wyvetter Younge."

Clerk Leone: "Did he say...House Bill 2535, a Bill for An Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Wyvetter Younge."

Younge, W.: "Thank you, Mr. Speaker. Amendment #2 takes out and deletes some duplicative language and I move for the adoption of the Amendment."

Speaker Keane: "The question is, 'Shall Amendment #2 be adopted?' Those in favor say 'aye', those opposed 'no'. The 'ayes' have it. Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 2537, Representative Wyvetter Younge. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2537, a Bill for An Act to amend the Civil Administrative Code. Second Reading of the Bill. There are no Committee or Floor Amendments filed."

Speaker Keane: "Third Reading. House Bill 2541. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2541, a Bill for An Act to provide for the establishment of a pilot Enterprise High School. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2639, Representative

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LeFlore. Representative Stephens."

Stephens: "Was there a fiscal note filed on the last Bill?"

Speaker Keane: "Mr. Clerk, was there a fiscal note request on 2541? Alright, hold...Mr. Clerk."

Clerk Leone: "There is a fiscal note and a state debt impact note on file for House Bill 2541."

Speaker Keane: "Third Reading. House Bill 2639, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2639, a Bill for An Act to amend the Illinois Human Rights Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2652, Representative Wyvetter Youngue. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2652, a Bill for An Act to amend an Act in relationship to economic and social development. Second Reading of the Bill."

Speaker Keane: "There's been a request for a fiscal note. Has that been...has the fiscal note been filed?"

Clerk Leone: "Fiscal note is not on file. All that is on file on the Bill is the state debt impact note."

Speaker Keane: "The Bill...Representative Wyvetter Youngue, would you prefer to have...Have you got any Amendments on this Bill? We would... Are there any Floor Amendments? Mr. Clerk, were there any Committee Amendments?"

Clerk Leone: "No Committee Amendments. Floor Amendment #1 is being offered by Representative Wyvetter Youngue."

Speaker Keane: "Representative Youngue."

Youngue W: "Thank you, Mr. Speaker. Floor Amendment #1 would take out any reference to the Cooperative Act and also the Illinois Infrastructure Bank. I move for the adoption of the Amendment."

Speaker Keane: "The Lady has moved for the adoption of Amendment #1. Is there any discussion? There being...Ladies and

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Gentlemen, could we have some attention, please? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment 1 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Youngue."

Youngue, W.: "Thank you, Mr. Speaker. Amendment #2 would put the demonstration under the auspices of the Illinois Development Finance Authority. And I move the adoption of the Amendment."

Speaker Keane: "Is there any discussion on Amendment #2? There being none...Representative McCracken."

McCracken: "Yes. Will the Sponsor yield?"

Speaker Keane: "She indicates she will."

McCracken: "Why do you want to transfer the authority's powers?"

Youngue, W.: "I want to transfer the authority to the Illinois Development Finance Authority, because I think that they would do a better job in reference to coming up with a long term economic growth plan for the metropolitan area. I think that they would be more effective in the enterprise zone, and I think that they would help to have economic growth, rather than the Department of Commerce and Community Affairs."

McCracken: "Are you not satisfied with what DCCA's done, is that it?"

Youngue, W.: "Well, as I said, Representative McCracken, the Director of DCCA admitted in the Appropriations Committee that he thought that the work of DCCA in the East St. Louis area had been a total failure. And we're looking for new leadership, and we believe that that leadership could come from the Illinois Development Finance Authority. And therefor, that is the reason for the change in this

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Amendment."

McCracken: "Alright, thank you."

Speaker Keane: "Any further questions? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "The Bill remains on Third Reading pending a fiscal note. House Bill...Second Reading. I'm sorry. The Bill remains on Second Reading pending a fiscal note. House Bill 2687, Representative LeFlore. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2687, a Bill for An Act to amend an Act creating a Board of Higher Education. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Amendments from the floor?"

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

Speaker Keane: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Members of the House. Amendment #1 to House Bill 28...2687 requires that the Illinois Board of Higher Ed to budget and report and monitor programs to improve race and ethnic relations on college campuses. The program requires the public institution of higher education to provide this caseload through an existing course in general education requirements leading to a degree. The Bill also requires the institution to report all case...report racism and discrimination to the Illinois Human Rights and the Department of the Attorney General. The Board of Higher Education is in support of this Amendment, and I urge a favorable vote."

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

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Countryman: "Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Keane: "He indicates he will."

Countryman: "Representative, do you have any idea what this would cost us?"

LeFlore: "The cost would be minimum, because we are consolidating the courses in with other courses."

Countryman: "I'm sorry, I'm having a hard time understanding you, there's a lot of extraneous noise here. You said it was absorbed in other classes?"

LeFlore: "There would be no cost associated with the course."

Countryman: "No cost."

LeFlore: "No cost whatsoever."

Countryman: "Okay. But as I remember, I don't have the Amendment right in front of me right now, but as I saw it, it talked about establishing classes. Does the..."

LeFlore: "That was the original Bill, Representative."

Countryman: "Oh. This Amendment doesn't establish any classes."

LeFlore: "Right. The Amendment changes that."

Countryman: "Okay. So there should be no cost with this."

LeFlore: "No cost whatsoever."

Countryman: "Is there a reporting requirement with this, with this Amendment?"

LeFlore: "Yes, there is a reporting requirement, in the event there's incidents. The reporting would be made to the Department of Human Rights and the Attorney General."

Countryman: "Okay. And..."

Speaker Keane: "Representative Countryman, are you...have you completed?"

Countryman: "I have one more question. I'm just...just got a hold of the Amendment here. This requires a reporting to...Well, I guess it would be the appropriate state's attorney under the criminal Act. Is that correct?"

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LeFlore: "Exactly. That's correct."

Countryman: "But...and, again, I apologize. I'm just having a hard time hearing you. It doesn't require reporting to the Human Rights Commission?"

LeFlore: "The Human Rights Department. Human Rights Department."

Countryman: " Human Rights Department? It does? Is that under the original Bill? Or under the Amendment?"

LeFlore: "Yes, it is."

Countryman: "Under the original Bill."

LeFlore: "Right."

Countryman: "So now, we have two reportings."

LeFlore: "Exactly."

Countryman: "And that's going to have to be done by the people on the campuses. Right?"

LeFlore: "Yes."

Countryman: "Will this...will this be in those instances that are reported to say the university police or the administration?"

LeFlore: "Whatever the university feel that is necessary and what..."

Countryman: "It's at the university's discretion. Is that right?"

LeFlore: "Right."

Countryman: "So, if the university picks up the student newspaper one morning and somebody makes an allegation that something happened on West Campus last night, if it was never reported to the university police or the university administration, they're under no affirmative duty to refer it on. Is that correct?"

LeFlore: "No, there would have to be an official report to the university itself."

Countryman: "Okay. Thank you very much."

Speaker Keane: "Representative Black."

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Black: "Thank you very much, Mr. Speaker. A question of the Sponsor."

Keane: "Indicates he will."

Black: "Thank you. Representative, I'm a little confused on just what Amendment #1 does, if I'm looking at the right Amendment #1. It clearly says in your Amendment, line eight, require public institutions of higher education to include in the general education requirements for obtaining a degree, course work on improving race and ethnic relations to address racism on their campuses through an existing course. Alright, now, given the language in Amendment 1, if I heard you correctly, and it is hard to hear, that removes the objection and the substantial fiscal cost that the Board of Higher Education had originally to your Bill."

LeFlore: "Exactly. You're right."

Black: "Alright. I...that I wanted to make that very clear. Thank you very much."

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

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. House Bill 2689, Representative Giorgi. Is Representative Giorgi...Representative Giorgi? Mr. Clerk, read the Bill. 23...2689."

Clerk Leone: "House Bill 2689, a Bill for an Act to amend the Intergovernmental Cooperation Act. 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 Black."

Speaker Keane: "Representative Black."

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Black: "Thank you very much, Mr. Speaker. The Sponsor was kind enough to let me file this Amendment. And I think, upon review, he has some objections to it and I'm not about to endanger his Bill. I appreciate the courtesy. Withdraw Amendment #1."

Speaker Keane: "Withdraw Amendment #1. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Representative Giorgi, for what purpose do you rise?"

Giorgi: "I think he tabled his Amendment."

Speaker Keane: "He did. He withdrew the Amendment."

Giorgi: "Well, any other Floor Amendments?"

Speaker Keane: "The Bill has been moved to Third Reading."

Giorgi: "Oh, thank you."

Speaker Keane: "We will now proceed to the Appropriation Bills on page 13 of the Regular Calendar. We'll use the Regular Calendar for the Appropriation Bills. On House Bill...on page 13 of the Regular Calendar appears House Bill 545. Representative Matijevich. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 545, a Bill for an Act making appropriations to the Supreme Court. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Committee Amendment #3 lost in Committee. Next Amendment is Floor Amendment #4, being offered by Representatives Mays and Ryder."

Speaker Keane: "Representative Mays, on Amendment #4."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 adds \$400,000 to the Supreme Court's budget for grants to Illinois Juvenile Group Homes. What we're trying to do here is to address some of the

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problems that have come up as a result of segregating juveniles in both county...or in county and municipality jails. So this would help address that and would get it going. I would move its adoption."

Speaker Keane: "Any discussion on Amendment #4? 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 has been adopted. Mr. Clerk, any further Amendments?"

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

Speaker Keane: "Representative Leverenz, on Floor Amendment #5."

Leverenz: "Thank you, Mr. Speaker. Amendment #5 would add 360,000 to the juvenile and adult probation officers' salary subsidies. I would move for the adoption of the Amendment."

Speaker Keane: "Any discussion on Amendment #5? Representative Mays."

Mays: "Yes, parliamentary inquiry. Is the Amendment technically correct? In Committee we adopted Amendment #1 which totally rewrote the Bill. I would believe that subsequent Amendments should refer to the page and line numbers of Amendment #1."

Speaker Keane: "Mr. Leverenz requests to take this Amendment 5 out of the record and table Amendment #2."

Leverenz: "We will take 5 out of the record."

Speaker Keane: "And move..."

Leverenz: "Mr. Speaker, I would now move to table Amendment #2."

Speaker Keane: "Alright, is there any discussion on that Motion? There being none, all those in favor of the Gentleman's Motion vote 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is tabled. We now return to Amendment #5, Representative Leverenz."

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Leverenz: "Yes, now that we tabled that Amendment we can move with Amendment #5. It would add \$360,000 to the juvenile and adult probation officers' salary subsidies for reimbursement. I would move for the adoption of Amendment #5."

Speaker Keane: "Any discussion on Amendment #5? There being none, the question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it; Amendment #5 is adopted. Before we get to the next Amendment, we have an important announcement. The Democratic side will be receiving chicken. It will be brought to your desks. Republicans who wish to become turncoats, we have chicken in the back for you in the Speaker's Office. But we're told that the Republican Leadership will be bringing sustenance out to you shortly. Oh, I'm sorry, you'll pick...it's Chinese and it's in the...it's in the Minority Leader's Office, so bon appetite. Alright, any further Floor Amendments?"

Clerk Leone: "Floor Amendment #6, being offered by Representatives Parcels and Mays."

Speaker Keane: "Representative Parcels."

Parcels: "Please withdraw Amendment #6."

Speaker Keane: "Withdraw Amendment #6. Any further Amendments?"

Clerk Leone: "Floor Amendment #7, being offered by Representative Parcels and Mays."

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This would reduce by \$360,000 the GRF from the adult and juvenile probation salary subsidies and reallocate \$60,000 into a study of minority representation on Illinois juries and \$300,000 GRF for grants to counties to improve DUI programs. I move for the adoption of Amendment #7."

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Speaker Keane: "On that, Representative Leverenz."

Leverenz: "Yes, to the Amendment. This would take out that which we put in in Amendment #5; and therefore, it would be a bad thing to do, and I would ask the Members on this side of the aisle to join me to defeat the Amendment."

Speaker Keane: "Any further discussion? The question is, 'Shall Amendment #7 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Representative Parcells, to...Representative Mays, to explain your vote."

Mays: "Thank you very much, Mr. Speaker. I think I should point out that the \$360,000 that was added in Amendment #5 is a probation subsidy to the County of Cook. No other counties in the state are able to receive this type of subsidy, and I just think that a green vote is a much more appropriate vote, especially when you view what we're trying to do by shifting the funds to statewide programs that will benefit not just Cook County but all...the whole state. So I would move adoptions of...or that's why I'm voting green and I think everybody should."

Speaker Keane: "Representative Parcells, I apologize for not allowing you to close."

Parcells: "Thank you, that's...I was just going to say I wasn't permitted to close and so I would like to explain my vote. I think that you downstaters should be in favor of this \$300,000 for grants to your counties to improve your DUI programs. That's very important. Furthermore, this \$60,000 GRF money for a study of minority representation on Illinois juries is something that should be important to all of us. We've been reading, we've seen it on Sixty Minutes that there's an unequal balance, and I think that it's a very important study. The Supreme Court themselves have looked into this to some degree, and I think this

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would give them the money they need to study this issue, and I'd ask for your 'aye' vote."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take this...Representative Matijevich."

Matijevich: "Of course, I'm against this Amendment but I don't think it's not to bad to take only one second of our time to wish Bill and Julie Ward a happy third wedding anniversary. They're sitting on, of all things, the Republican side up there in the gallery. Bill and Julie Ward. Julie Sullivan Ward."

Speaker Keane: "Congratulations. Have all voted who wish? On this, have all voted who wish? On this Amendment there are 40 voting 'aye', 68 voting 'no', 2 voting 'present' and the Amendment fails. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third...Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 545, a Bill for an Act making appropriations to the Supreme Court. Third Reading of the Bill."

Speaker Keane: "Representative Matijevich...Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen. This is the appropriation for the ordinary and contingency expenses of the courts in Illinois. We'd appreciate your support."

Speaker Keane: "Any further discussion? 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...Representative Leverenz, to explain your vote."

Leverenz: "Thank you, Mr. Speaker. It has a 156,855,935. Thank you."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Have all voted...Mr. Clerk, take the record. There

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are 109 voting 'aye', 3 voting 'no', none voting present and House Bill 545, having received the required Constitutional Majority, is hereby declared passed. House Bill 551, Representative Leverenz. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 551, a Bill for an Act making appropriations to the State Board of Elections. Been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Amendment #2 lost in Committee. Floor Amendment #3 is being offered by Representatives Parcells, Black and Mays."

Speaker Keane: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Amendment would add a mere \$15,000 to the State Board of Elections for the purpose of auditing state funds disbursed to local election jurisdictions for judges of election and other elected officials. This is very necessary. If you remember last year, the year before, we voted to give an extra \$10 to each judge. That was a good move, but they...I have put in a supplemental already for \$658,660 for this past year, and this will be going up in 1991, because there will be three elections, this will be a higher figure. We must audit this because all of you in this room have been to the polling places and you know that three or five judges, three of the Majority Party and two of the Minority Party, are not all showing up. But unfortunately, somehow the book work gets mixed up and they're putting in for five judges in every one of these precincts and the state is going to be forced to pay this

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money, and we should properly audit this and we can only do that if we give them \$15,000 to do this necessary audit. And I ask for your 'aye' vote for Floor Amendment #3 to House Bill 551."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. This... we talked about it in Committee. The Clerks sign off on the dollars. We have asked that the State Board of Elections look for money within their organization to afford this audit. And I would ask for our side and everyone else to defeat the Amendment #3."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. I think people should really look at this Amendment very, very closely. State Board of Elections has been paying \$10 fees to precincts that have the judges in them on election day since we have initiated that program quite a while ago. Not one time since that program was started have we audited any of those vouchers. Now we're spending about a million two without the supplemental appropriation on this payment right here, and next year we'll probably be spending two and a half million for this type of thing. They're submitting that they get five judges on every precinct on every election day. That can't be true. We ought to be going in and taking a look and doing spot audits. This meager amount, \$15,000, will allow them to get the program going. And yes, they can still reallocate some dollars within their thing to make it a broader program. But it will save a lot more money than this 15,000 will ever cost the taxpayers of the State of Illinois."

Speaker Keane: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. I rise in support of this Amendment. And the Chairman of the

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Committee is correct, we did discuss it at some length in the Appropriations Committee, but I would ask that the people from downstate on either side of the aisle, as Representative Mays has said, to take a long look at this. Yeah, it's a \$15,000 cost, but as I recall, and I may be wrong, memory is failing me, but as I recall, this \$15,000 investment and the audit could perhaps return in excess of a \$100,000 to the State General Revenue Fund. And this money now is just being deposited hither and yon in county general funds, and that's not the purpose for which we appropriate the dollars. I really don't understand why anybody would be opposed to an audit provision and to make sure that the money you appropriate here which has become...that's been debated off and on all Session long, that the money you appropriate here is being used for the very purpose you appropriate it. This is a very reasonable Amendment, a \$15,000 cost that could return 150-200 thousand dollars. And I'd ask your support of Amendment #3."

Speaker Keane: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. I just can't believe anybody could vote against this. My experience has taught me that this is the thing we ought to do for prudent physical...fiscal management in this state. And it's the proper Amendment and it'll save the taxpayers dollars. Now if you want to...if you want to continue in its antiquated system, a way in which it shouldn't have been done in the first place, you can vote against this Amendment. But if you want to vote for the taxpayers of the State of Illinois, you vote for this Amendment."

Speaker Keane: "The question is, 'Shall Amendment #3 be adopted?' Those in favor vote 'aye', those opposed 'no'. The 'ayes' have it...or the voting is open. Representative Mautino,

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to explain your vote."

Mautino: "Thank you, Mr. Speaker. First of all, the Bill was heard in Committee. And I think what you're going to do with a green vote is you're saying to every county clerk in this county, we don't trust what you sent down to us. That's the bottom line. Now those clerks, county clerks, are running those elections. Those individuals have signed that they have been judges in those polling places and it's fraud if it's incorrect. Those judges have done their job. I don't know why that audit can't be done with the existing employees at the Board of Elections. I can remember when that was a three person office down on the second floor. Maybe I've been here too long, but now we have a staff and a building, and I find it unacceptable that they can't audit. But most importantly, I don't see why we don't trust the county clerks who are the election officials at the local level. I recommend a 'no' vote."

Speaker Keane: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. To explain my vote, we're talking over \$2,000,000 here and it isn't a matter of not trusting the county clerks at all. It's that it's very hard for them to keep these records sometimes. Judges sign up, say they're going to be in the polling place, and you all know, you've all been there, some days they just can't sign up. This is a very good Amendment. It's only \$15,000 to get an audit done that we should have done. And it will save money for the state in the long run and without telling the county clerks that we don't trust them, it's just a matter of human error. And I think we should have the proper vote, is an 'aye' vote."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment there are 51 voting 'aye', 60 voting 'no', none voting

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'present'. The Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 551, a Bill for an Act making appropriations to the State Board of Elections. Third Reading of the Bill."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you. This would provide for the budget of the State Board of Elections. It contains 5,066,460. I'd ask for your 'aye' vote to pass the Bill."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall House Bill 551 pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 112 voting 'aye', none voting 'no', none voting 'present' and...Representative Lang votes 'aye'. 113 voting 'aye', none voting 'no', none voting 'present' and House Bill 551, having received the required Constitutional Majority, is hereby declared passed. House Bill 582, Representative Leverenz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 582, a Bill for an Act to provide for the ordinary and contingent expense of the General Assembly. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Preston."

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

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House. Amendment #2 adds the money for the administrative assistants encompassed in House Bill 526. The appropriation is for approximately \$2,000,000 for the first half of the...from January 1, 1990, through June 30th of 1990. And I'd ask for your 'aye' vote."

Speaker Keane: "Representative Leverenz."

Leverenz: "Since a substantive hasn't passed, I guess we can defeat this with a voice vote."

Speaker Keane: "Any further discussion? The question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'nos' have it and the Amendment fails. Any further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Okay, let's give Representative Preston a Roll Call. The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Representative Mays, to explain your vote."

Mays: "Yes. Just to explain my vote. This Amendment, as Representative said, is an Amendment to implement the Bill that passed increasing office allowance for district aides. And I just want everybody to know what they're voting on in this thing."

Speaker Keane: "Representative Preston, what purpose?"

Preston: "Yes, Mr. Speaker, just to explain my vote since there wasn't a great deal of debate on it. This does exactly what the Gentleman said. This will provide the funding to give House and Senate Members' legislative assistants to enable them to do a better job in behalf of the people of Illinois. And so without this funding, the substantive Bill isn't going to mean zip, and I certainly encourage those who are voting red to rethink the efficiency in their office and to think of how much better service they can give their constituents if they had, while they are here

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for long hours, had somebody at home who's looking after their constituents."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take the record. There are 30...20...there are 25 voting 'aye', 84 voting 'no', 5 voting 'present' and the Amendment loses. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 582, a Bill for an Act to provide for the ordinary and contingent expense of the General Assembly. Third Reading of the Bill."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. The Bill contains 20,835,239. I would ask for your 'aye' vote to pass this Bill."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 103 voting 'aye', 10 voting 'no', 1 voting 'present' and House Bill 582, having received the required Constitutional Majority, is hereby declared passed. House Bill 593. Representative Didrickson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 593, a Bill for an Act to make an appropriation to the State Board of Education. Second Reading...this Bill's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

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Speaker Keane: "Representative Didrickson, Amendment #2."

Didrickson: "Withdraw, please."

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

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

Speaker Keane: "Representative Didrickson, on Floor Amendment 3."

Didrickson: "Withdraw, please."

Speaker Keane: "Withdraw Amendment #3. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 593, a Bill for an Act making appropriations to the State Board of Education. Third Reading of the Bill."

Speaker Keane: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. House Bill 593 deals with the Teachers' Retirement System, and it appropriates a total of \$300,606,900, which is more than 300,000,000 less than it was introduced at 100 percent. Had I gone and pursued the Amendments that I had filed on this Bill because I felt so strongly about it, it would have had a teachers' retirement payout level to the systems of about 62 percent instead of the 44 percent that this number represents right now. I think it's important also to make a statement that if we can pass a temporary income tax increase, that we also have to...we should not be ignoring and remaining silent on an issue that is going to only grow and cause us more consternation on this floor in the years to come. If you'll look at the history of the rate of return on the investments that we've had starting in 84 where we lost 1.5 percent in terms of our investment; in '85 it went up to 24 percent; '86, 27 percent; it's had a sketchy history. I looked at the year 1988 and it was 9/10 of a percent and that was due to the fluctuation in the

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stock market during October. What I'm suggesting to all of us here is that we can't continue to have a 44 percent payout on the Teachers' Retirement System. I have withdrawn my Amendment because it meant \$122,975,500 that it was thought was not prudent fiscally. But I didn't want to do that without making a statement so I move House Bill 593 out of 44 percent ray out, but I do it reluctantly."

Speaker Keane: "Representative Dunn."

Dunn: "I rise in opposition to this Bill for the reasons the Sponsor has just stated. It's shameful and it's a disgrace and it's a humiliation to the teachers to fund their retirement at 44 percent of payout. We have traditionally told the teaching profession in this state that they're...they know from day one, they're never going to make a lot of money. We use to tell them that they would at least enjoy a secure retirement, and as the Sponsor just indicated in the year of the crash, the Teacher Retirement Fund earned almost nothing. And if we continue to draw down the nest egg, Teacher Retirement System in the State of Illinois will go the way of Social Security at the federal level and be funded strictly on the pay as you go basis. So what we have done up to this point is shameful and we should defeat this Bill and realign our priorities. I know we're not going to, but that's what we really ought to do."

Speaker Keane: "Any further discussion? Representative Didrickson, to close."

Didrickson: "I just ask reluctantly again for an 'aye' vote."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 107 voting 'aye', 4

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voting 'no', 2 voting 'present' and House Bill 593, having received the required Constitutional Majority, is hereby declared passed. House Bill 595, Representative Leverenz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 595, a Bill for an Act to make an appropriation to the Department of Commerce and Community Affairs for civic center grants. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, Floor Amendment #1 allocates \$11,500,000 from the Illinois Civic Center Bond Fund to DCCA for construction grants for the Rosemont-O'Hare Exhibition Center."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you. With all respect to the Sponsor of the Amendment, I would simply ask that he would withdraw 1 and 2. It is our intent to adopt #3. It would make it a vehicle for \$1."

Speaker Keane: "Alright, Representative McAuliffe withdraws Amendment #1. Any further Amendments?"

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

McAuliffe: "Withdraw #2 also."

Speaker Keane: "Withdraw Amendment #2."

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

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. This would appropriate \$1 for this Bill instead of what was contained there. With the adoption of the Amendment, we have provided a vehicle. I

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ask for the adoption of Amendment #3."

Speaker Keane: "Any discussion? All those in favor vote 'aye', all opposed vote 'no'. The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 595, a Bill for an Act making an appropriation to the Department of Commerce and Community Affairs for civic center grants. Third Reading of the Bill."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. This is \$1 in here. The Bill is now a vehicle. I would ask for your 'aye' vote to get this to the Senate."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed 'no'. The... voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish. Mr. Clerk, take the record. On this Bill there are 105 voting 'aye', 5 voting 'no', 3 voting 'present' and House Bill 595, having received the required Constitutional Majority, is hereby declared passed. House Bill 659, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 659, a Bill for an Act to provide for the ordinary and contingent expense of the Office of State Appellate Defender. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Breslin."

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Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #2 provides an additional \$16,400 in personal services and related line items to provide a 5 percent merit increase for non-union employees. It also provides an additional \$188,500 in personal services and related line items to reflect collective...the collective bargaining agreement that is outstanding. I move for adoption of Amendment #2."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All 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. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 659, a Bill for an Act to provide for the ordinary and contingent expense of the Office of State Appellate Defender. Third Reading of the Bill."

Speaker Keane: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. This is the ordinary and contingent expenses for the Office of the State Appellate Defender. It is a total appropriation of \$5,671,300. I move the passage of House Bill 659."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all...those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no', none voting 'present' and House Bill 659, having received the required Constitutional Majority, is hereby declared passed. House Bill 829, Representative Mays. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 829, a Bill for an Act to provide for

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the ordinary and contingent expense of the Bureau of the Budget and the Executive Office of the Governor. Second Reading...this Bill has been read a second time previously. Amendments #1 and 2 were adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 would restore three analyst positions in the Bureau of the Budget's Office. Now what we're trying to do here is to make them whole when we address the capital budget books that we by law have mandated them to do since last year. I think they feel that they can do a much better job of informing the General Assembly and the general public of what the capital plans for the State of Illinois is if they have an adequate staffing to do so. And for this reason, I move to restore the three amend...the three positions that have been cut by a previous Committee Amendment #2."

Speaker Keane: "Representative Leverenz."

Leverenz: "Perhaps you can inform me, I was led to believe you were going to withdraw this and go with Amendment 4. Is that game plan over or...?"

Mays: "I think we decided we were going to withdraw Amendment #4 and go with Amendment #3."

Leverenz: "So you don't want this a vehicle. So you don't want any vehicles. We agree. We would oppose this Amendment. And...it's just a bad idea to reverse that which you agreed to in Committee, so we'd ask you to join us to kill Amendment #3."

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Speaker Keane: "Representative Bowman."

Bowman: "Yes, I agree with Representative Leverenz. We should oppose this Amendment and support the following Amendment, because it's really a very good Amendment. And the Bill should pass in that form. But this Amendment should be defeated."

Speaker Keane: "Representative Mays."

Mays: "Well, to close..."

Speaker Keane: "To close, yeah."

Mays: "Thank you very much. You know, I don't know what's happened in the last year or so as regard to the capital budget on your side of the aisle. I thought you wanted more input, you wanted more information as to what the capital needs of the State of Illinois in your specific district were. So we pass the Bill that required a separate capital appendix when the Bureau of the Budget and the Governor releases his budget book. What we're trying to do here is give the Bureau of the Budget the staff they need to do an adequate job, not a great job, but an adequate job in putting that book together, so that you can do your job better when you know what the Amendments are and know what the capital needs of your district are. That's why we have this Amendment proposed and that's why I'd like to have a favorable Roll Call."

Speaker Keane: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Mautino, to explain your vote."

Mautino: "Thank you, Mr. Speaker. Once again we have a situation before us that the Sponsor laid out correctly. What he forgot to tell you is that those three slots have been vacant for nine months. Now, if they were not to be used in that nine month period, what is so important about

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reestablishing them at this time? No one from the Bureau of the Budget became (sic - came) before our Appropriation I Committee with a rational explanation for it. I think that, Jeff, we could possibly work something out if the need be with a Conference Committee, but right now I recommend the maintaining of the red votes larger than the green votes on this Amendment."

Speaker Keane: "Have all voted who wish? Mr. Clerk, take the record. On this Amendment there are 48 voting 'aye', 66 voting 'no', none voting 'present' and the Amendment fails. Any further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representatives Stephens and Mays."

Speaker Keane: "Representative Mays."

Mays: "I'd like to withdraw that Amendment, please."

Speaker Keane: "Withdraw Amendment #4. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 829, a Bill for an Act to provide for the ordinary and contingent expenses of the Bureau of the Budget."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the budget for the Bureau of the Budget. It appropriates 83,843,000 of which 2,458,000 is General Revenue Funds. I would move its passage."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Cullerton votes 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 114 voting 'aye', none...1 voting 'no', none voting 'present' and

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this...and House Bill 829, having received the required Constitutional Majority, is hereby declared passed. House Bill 830, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 830, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Labor. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Representative Mays, do you have a Motion on Amendment #2? Representative Mays. Representative Leverenz."

Leverenz: "Now hear this, now hear this. We are going to table Amendment #2, replace it with 4 and vote 'no' on everything else. Thank you."

Speaker Keane: "Representative Mays moves to table Amendment #2. All those in favor vote 'aye', opposed, 'no'. The 'ayes' have it. Amendment #2 is tabled. Mr. Clerk, any further...any Floor Amendments?"

Clerk Leone: "Amendment #3 lost in Committee. Floor Amendment #4 is being offered by Representative Leverenz."

Speaker Keane: "Representative Leverenz, on Amendment #4."

Leverenz: "This is the one we want. We don't want anymore. This replaces #2, reduces general office and contractual by 32,000 and EDP by 56,000, reduces the public safety division contractual by two point one thousand. The Amendment reduces the amended amount by four thousand three. I move for the adoption of the technically correct Amendment #4."

Speaker Keane: "Representative Matijevich. Representative Matijevich."

Matijevich: "Brief interruption again. I understand Representative Cullerton has just returned

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from...Washington D.C. and received the national award on the.. is it the traffic safety coalition? I think everybody ought to come and see his beautiful award. He's a national hero now for his buckle up legislation."

Speaker Keane: "Any discussion on Amendment #4? There being none, the question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it. Amendment #4 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #5, being offered by Representatives Mays and Harris."

Speaker Keane: "Representative Mays."

Mays: "...Withdraw."

Speaker Keane: "Withdraw Amendment #5. Any further Amendments? Amendment #6..."

Clerk Leone: "Floor Amendment #6, offered by Representative Stephens and Mays."

Speaker Keane: "Withdraw Amendment #6. Any further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Stephens and Mays."

Speaker Keane: "Representative Mays, on Amendment #7."

Mays: "Withdraw."

Speaker Keane: "Withdraw Amendment #7. Any further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Mays and Harris."

Speaker Keane: "Withdraw Amendment #8. Any further Amendments?"

Clerk Leone: "Floor Amendment #9, offered by Mays and Harris."

Speaker Keane: "Withdraw Amendment #9. Any further Amendments?"

Clerk Leone: "Floor Amendment #10, offered by Mays and Harris."

Speaker Keane: "Withdraw Amendment #10. Any further Amendments?"

Clerk Leone: "Floor Amendment #11, offered by Mays and Harris."

Speaker Keane: "Withdraw Amendment #11. Any further Amendments?"

Clerk Leone: "Floor Amendment #12, offered by Mays and Harris."

Speaker Keane: "Representative Mays, on Floor Amendment #12."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. What we attempt to do with Floor Amendment #12

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is add \$119,600 in general funds back to the agency's budget. Now if you'll recall when we were passing several Bills requiring increased enforcement of the prevailing Wage Act, I said, 'By golly, we need to do something in that agency so it can get out and enforce it.' We've got a six to twelve month backlog on minimum wage and overtime claims right now in the Department. We have to take care of that. We've got a problem with EDP, the private employment agencies. What we're seeking to do is restore the contractual lines for the compliance officers we're seeking to...we're seeking to...we're seeking to restore the EDP lines so we can get these backlog claims on the record so we can move them right on through the process. This is a good Amendment. It's going to benefit employers and employees throughout your district."

Speaker Keane: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. We don't always think about what it is that we are doing as we are going through the legislative process, but I would like to just remind us what we have pending right now. We've got two prevailing wage Bills, House Bill 491 and House Bill 568. We've got the Minimum Wage Bill, House Bill 494. We've got House Bill 1078 and what you're talking about with these Bills alone are exactly what Representative Mays is trying to restore with the \$119,000 Amendment. One of those details that he would be restoring, along with the contractual services for the EDP line, which allows them to clear up this backloq which he mentioned is six to twelve months, is the fact that allows him or the Department of Labor to hire a compliance officer. If you were to take House Bill 1078 alone, it would require two compliance officers with that one single action that we may be taking on this Floor. This is a good Amendment and it's a needed

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Amendment. It's not a frivolous Amendment. It will allow the Department of Labor to do exactly the job that all of you on the other side of the aisle want them to do. I vote an 'aye'...I recommend an 'aye' vote on this."

Speaker Keane: "Representative Leverenz."

Leverenz: "I want to compliment the two prior speakers. Those were excellent speeches, technically flawed because of the technical flaw in the Amendment. It is drafted to a portion of the Bill that does not exist."

Speaker Keane: "Representative Mays."

Mays: "I don't know if that was an inquiry or what. May I inquire?"

Speaker Keane: "I think he has made a Motion to the Bill. The Amendment is out of order, because of a technical flaw."

Mays: "Well, what is the nature of the technical flaw?"

Speaker Keane: "Representative Leverenz."

Leverenz: "It's on line 7...on line 7 of the Amendment, on page 2, line 15, by deleting 1,433,200 and should be 1,434,900 and on that I would ask that the Parliamentarian..."

Mays: "Mr. Speaker, we were deleting that number anyway. That number we were eliminating regardless so that's a moot point."

Leverenz: "Compliment you on that speech, too. I would ask for a ruling of the Parliamentarian."

Speaker Keane: "Representative Curran, while we're waiting the ruling of the Parliamentarian. Representative Curran."

Curran: "Mr. Speaker, I rise on a point of personal privilege, Chicago... Chicago Bulls are ahead of the Detroit Pistons 32 to 30."

Speaker Keane: "Representative Mays, I am informed that his point is well taken and the Amendment is out of order. Any further Amendments?"

Clerk Leone: "Floor Amendment #13, offered by Mays and Harris."

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Speaker Keane: "Representative Mays."

Mays: "On that point though, we were amending the Bill as amended by Amendment #1."

Speaker Keane: "Hold on and I'll have the Parliamentarian give you a direct ruling."

Mays: "We will send our guys right on down if you want..."

Speaker Keane: "Alright, you're now going to get a direct ruling. Parliamentarian, on behalf of the Speaker."

Parliamentarian Pollak: "On behalf of the Speaker, the Amendment is out of order, because Amendment #1 inserts \$1,434,900 and the Amendment refers to \$1,433,200."

Speaker Keane: "You're off by about \$400 so...Any further Amendments?"

Clerk Leone: "Floor Amendment #13 is being offered by Representative Mays and Harris."

Speaker Keane: "Representative Mays."

Mays: "We'll withdraw 13."

Speaker Keane: "Withdraw 13. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 830, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Labor. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Barring the deficiencies that were pointed out in the discussions on Amendment #12 and the technical problems that we had with that, barring those things, this is the Department of Labor's budget. We would move for its passage, knowing that it's deficient at this time, but knowing that we can work on this as it goes through the process."

Speaker Keane: "The Gentleman has moved the passage of House Bill

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830. All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 110 voting 'aye', none voting 'no', none voting 'present' and House Bill 830, having received the required Constitutional Majority, is hereby declared passed. House Bill 831, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 831, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of Commissioner of Savings and Loans. 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 Mays and Ryder."

Speaker Keane: "Take Amendment #2 out of the record. Any further Amendments? Withdraw...Withdraw Amendment #2."

Clerk Leone: "Floor Amendment #3 is offered by Representative Mays and Leverenz."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much. Amendment #3 is an agreed Amendment to store restore the \$100,000 to the office for purchase of a software package. I would move for its adoption."

Speaker Keane: "The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 831, a Bill for an Act making

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appropriations for the ordinary and contingent expenses of the Office of Commissioner Savings and Loan Associations. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the budget for the Commissioner of the Savings and Loan. We spent \$3,631,900. They are not general funds, they are from the Savings and Loan Residential Mortgage License Fund. I move for its passage."

Speaker Keane: "The question is, 'Shall House Bill 831 pass?' All those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 112 voting 'aye', none voting 'no', none voting 'present' and House Bill 831, having received the required Constitutional Majority, is hereby declared passed. House Bill 832. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 832, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Educational Labor Relations Board. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 832, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Educational Labor Relations Board. Third Reading of the Bill."

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Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Ladies and Gentlemen. The Educational Labor Relations Board appropriation for this budget after Committee action is \$1,230,300 General Revenue Funds. I'd move for its passage."

Speaker Keane: "The Gentleman has moved the passage of House Bill 832. All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 112 voting 'aye', none voting 'no', none voting 'present' and House Bill 832, having received the required Constitutional Majority, is hereby declared passed. House Bill 834, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 834, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Employment Security. Second Reading of the Bill. Amendments #1 and 2..."

Speaker Keane: "The Bill is out of the record. Mr. Clerk, take the Bill out of the record. House Bill 836, Representative Mays. Mr. Clerk, read the Bill. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 836, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Lottery. 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: "Amendment #2 lost in Committee. Floor Amendment #3 is being offered by Representative Mays and Ryder."

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

Mays: "Thank you very much, Mr. Speaker. Floor Amendment #3 is a

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restoration Amendment. It restores personal services lines to the tune of 284,000 and many others, but it also has about 1,901,000 contractual services, the bulk of which will be used to promote the lottery in the State of Illinois and on its border. Now, I know that dollars are tight. I think everybody here understands however that we have a lot of competition that is arising from a lot of other states around us. And a lot of America's coming on line really heavy in Iowa and Missouri. We've got to be promoting at a time when we're at our peak, otherwise we're not going to be one of the best lotteries in this state...in the country. There are new positions admittedly, because we have to go out and service the new agents that we have put on line because we're selling more tickets and we've got better games. It's pure and simple. The better we do for lottery, the better lottery does for us. And I would simply move adoption of Amendment #3."

Speaker Keane: "Representative Leverenz."

Leverenz: "How dare you, Representative Mays. To the Amendment. This would replace the majority of what we cut by agreement in Committee. Shame on you. I would ask we defeat Amendment #3. They'll probably withdraw 4 and we agree to 5."

Speaker Keane: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Amendment there are 49 voting 'aye', 65 voting 'no', none voting 'present' and the Amendment fails. Any further Amendments?"

Clerk Leone: "Floor Amendment #4, being offered by Representative Mays and Ryder."

Speaker Keane: "Representative Mays."

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Mays: "Four out of the record."

Speaker Keane: "Withdraw Amendment #4. Any further Amendments?"

Clerk Leone: "Floor Amendment #5, being offered by Representative Mays and Black."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Floor Amendment #5 replaces the investigatory services. It adds Section 3 which would provide that the State Police would no longer be paid from personal services but from a separate section an amount of \$194,200. It also deletes \$206,900 from the personal services that would be used to pay the State Police."

Speaker Keane: "The question is, 'Shall Amendment #5 be adopted?' Those in favor say 'aye', those opposed 'no'. The 'ayes' have it and Amendment #5's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 836, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of the Lottery. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen. Lottery appropriation this year on this vote will be \$370,404,400. I would move for its passage."

Speaker Keane: "The Gentleman has moved 'do pass' on House Bill 836. All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 109 voting 'aye', 1 voting 'no', 2 voting 'present' and House Bill 836, having received the required Constitutional Majority, is hereby declared passed. House Bill 837, Representative Mays. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 837, a Bill for an Act making appropriations to the Illinois Farm Development Authority. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representative Mays and Ryder."

Speaker Keane: "Representative Mays. Withdraw Amendment #1. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 837, a Bill for an Act making appropriations to the Illinois Farm Development Authority. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much. The appropriations for the Farm Development Authority is \$21,417,600. I would move its passage."

Speaker Keane: "The Gentleman has moved the passage of House Bill 837. Those in favor vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 114 voting 'aye', none voting 'no', none voting 'present' and House Bill 837, having received the required Constitutional Majority, is hereby declared passed. House Bill 838. Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 838, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Military Affairs. Second Reading of the Bill. Amendment #1 and 2 were adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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Clerk Leone: "Floor Amendment #3 is being offered by Representative Mays and Wait."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Floor Amendment #3 reallocates 110,000 from the Broadway Armory in Chicago to the Department of Military Affairs line items for rehab and minor construction in armories and camp. Now, that would be a statewide reallocation. What the 110,000 currently going for the Broadway Armory is it's a...it's simply a janitorial subsidy to the Park District in the City of Chicago. We felt those dollars could be better spent throughout the whole state on much needed repairs and so on. I would move its adoption."

Speaker Keane: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. The Amendment is not even a good idea before its time. And I would hope we could defeat the Amendment. We've got enough reappropriated to 451 and the 48,000 for the permanent improvements. And I think the budget the way we have it is excellent. I would ask that we defeat Amendment 3."

Speaker Keane: "Representative Bowman."

Bowman: "I, too, stand in opposition to this Amendment. Maybe if you're a Republican it's a good idea because then you can cut your deals privately with the Department, but the danger of this Amendment is whenever we go into the budget and take something out from one particular area and give the money to the Department to use it at its discretion, then everyone here is vulnerable. If you vote for this Amendment, the next Amendment comes along, could just as easily take money out of a project or a facility in your district and just pump the money into overhead for the Department. So I urge...I also stand and urge the defeat of this Amendment."

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Speaker Keane: "The question is, 'Shall Amendment #3 be adopted?'

All in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Representative Frederick, to explain your vote. I see your button is on, I think some one...Have all voted who wish? Mr. Clerk, take the record. On this question there are 49 voting 'aye', 66 voting 'no', none voting 'present' and Amendment #3 fails. Any further Amendment?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 838, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Military Affairs. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The Department's budget for this year as it passed Committee is 10,031,000 of which \$9,579,800 is general funds. I would move for its passage."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this...there are 115 voting 'aye', none voting 'no', 1 voting 'present' and House Bill 838, having received the required Constitutional Majority, is hereby declared passed. House Bill 840, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 840, a Bill for an Act making appropriations for the ordinary contingent expenses of the Department of Conservation. Second Reading of the Bill. Amendments #1, 2, 3, 4 and 7 were adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

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Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #8 is being offered by Representative Weaver."

Speaker Keane: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment would add approximately \$335,000 for Fox Ridge State Park and \$500,000 for Kickapoo State Park to help save two of these parks who are in very great need of capital improvement and stop the flow of tourism to better parks in Indiana. I ask for your approval."

Speaker Keane: "Representative Leverenz. Representative Leverenz."

Leverenz: "I'm sorry, we would rather have you, we would suggest that you would withdraw the Amendment. It's covered in a different fashion and on top of that this is General Revenue Funds which are just intolerable to add onto this budget. So for that reason, I would either ask you to withdraw it or we'll have to defeat it with red votes."

Speaker Keane: "The question is, 'Shall Amendment #8 be adopted?' All those in favor say 'aye', all those opposed say 'no'. The 'nos' have it and Amendment #8 fails. Any further Amendments?"

Clerk Leone: "Floor Amendment #9, offered by Representative Mays and Stephens."

Speaker Keane: "Withdraw Amendment #9. Any further Amendments?"

Clerk Leone: "Floor Amendment #10, offered by Mays and Stephens."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Floor Amendment #10, basically, would have the effect of deleting what was added in Committee on Committee Amendment #7. We added 2,000,000 in Capital Development Funds for the Chicago's Ada Park. What this Amendment does, it would redistribute and reallocate those dollars for oscillative grants to local

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governments throughout the whole State of Illinois. I would move for its adoption."

Speaker Keane: "Representative Leverenz."

Leverenz: "This is just a bad Amendment, trying to reverse what we did for something for one of our Members in Committee in Capital Funds and we think we had it shaped properly in Committee, so I would ask the Membership to defeat Amendment #10."

Speaker Keane: "The question is, 'Shall Amendment #10 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 48 voting 'aye', 66 voting 'no', none voting 'present' and the Amendment fails. Any further Amendments?"

Clerk Leone: "Floor Amendment #11, offered by Representative Richmond."

Speaker Keane: "Representative Richmond, Floor Amendment #11."

Richmond: "Mr. Speaker, I withdraw Amendment #11."

Speaker Keane: "Withdraw Amendment #11. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 840, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Conservation. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Department of Conservation's budget after committee action for this fiscal year will be \$123,572,000. I would move for its passage."

Speaker Keane: "Representative Matijeich."

Matijeich: "Yeah, Mr. Speaker, Ladies and Gentlemen of the

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House. I didn't want this budget to go by without saying a word in behalf of the Director. As some of you may know, I have served as Chairman of the Appropriation Committee, so I've seen all kinds of directors. Some are arrogant, some think it's beneath them to talk to Appropriation Committees, some don't cooperate with Legislators, and I find that in all of the time that I've served here that Director Frech is a real professional. He's straight forward. If he can help you, he'll tell you. If he can't help you, he'll tell you why not and he just seems to have the right attitude that a director should have. I wish they were all like him, and I didn't want to pass up this opportunity to tell him that I've seen a lot of directors. I've seen a lot of them come and go, but I think he is right up with all of them up at the top...that is respectful of the Legislature and is a real professional and I appreciate that in any director."

Speaker Keane: "Representative Mulcahey."

Mulcahey: "First of all, just to echo what Representative Matijevich said. But point number two, I'm going to vote for this appropriation, but I want it known that I stated here on the House floor today that we've got some problems at Rock Cut State Park, personnel wise. We've got some problems with the site director. We've got problems that evidence to show that materials, state materials, were used for private use at the private home, that materials were taken out of that park and I have waited to this moment to...suggest that maybe something can be resolved from this point on. But there are a number of things that have occurred up there, and I have talked to some people in the Department of Conservation. Some things have occurred that are not right, they're not proper and we have to...look into. We have a certain amount of arrogance involved in

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some of the leaders at Rock Cut State Park. We have some arrogance involved in the attitudes. We have some arrogance involved in what they are expected, what they expect themselves to do in relation...what they expect their workers to do. I think it's wrong, and I think that we should probably do something about it. I'm going to vote for the appropriation, but I just wanted that to be reflected in the record."

Speaker Keane: "Representative Hallock."

Hallock: "Well, Mr. Speaker, Members of the House. I must stand up and say I'm shocked, really shocked by the previous Speaker comments about Rock Cut State Park. Maybe he's concerned about some of the effects facts that his son has had some situations up there that have occurred. But what we have at Rock Cut State Park, one of the finest state parks in Illinois, and obviously I believe one of the best directors and superintendents in the City (sic - State) of Illinois as well. So I'm not sure what the previous Speaker's comments were addressed to, but I want to go on record as saying Rock Cut State Park is well run. Mark Frech does a tremendous job on behalf of that park and all state parks and being particular, the Superintendent of Rock Cut State Park is a fine fellow, does a very good job."

Speaker Keane: "Representative Giglio."

Giglio: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Giglio: "Representative Mays, I'm looking at a commentary here from one of the Chicago newspapers and it said...says that the Department of Conservation is inadequately staffed for inspecting some of the fish in Lake Michigan. Did the...Director Frech say that the increase, the staff, that he's going to monitor the trouble of the fish in Lake

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Michigan, do you know? Did that come out in your hearing?"

Mays: "We didn't tie any head count increases to any specific goal like that that I'm aware of, Frank, but I'm sure that good discussions with the Director might lead to something fruitful in the future."

Giglio: "So you think maybe later on if he needs it, we may have a supplemental appropriation for the Department of Conservation?"

Mays: "I don't think he'll need a supplemental, I just think he needs some good talking to from you, Representative, and...I think that those discussions, Director Frech has always been open to discussions from Legislators on both sides of the aisle. I'm sure he'd be receptive to listening to your needs."

Giglio: "Well, take a note from me, I understand tomorrow we're going to hear a Bill about the fish in Lake Michigan, so I would hope you would listen very attentively and if something happens we'll be able to tell Director, maybe we can help him put more people out there."

Mays: "Thank you."

Speaker Keane: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 112 voting 'aye', 2 voting 'no', none voting 'present' and House Bill 840, having received the required Constitutional Majority, is hereby declared passed. House Bill 843, Representative Mays. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 843, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of State Police. Second Reading of the Bill. Amendments #1, 2 and 3 were 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 #4 is being offered by Representative Wait and Mays. Any further Amendments?"

Speaker Keane: "Representative Mays."

7 Clerk Leone: "Floor Amendment #5 is being offered by Representative Mays and Wait."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Floor Amendment #5 would add back \$2,208,300 to the state troopers' contractual line items to restore moneys that were removed from the Governor's anti-drug initiative. These specific moneys restore the DNA Program which they want to get off the ground and the expansion of AFAS. I would move for its adoption."

Speaker Keane: "The Gentleman has moved the adoption of Amendment #5. All those in favor say 'aye', all opposed 'no'. The 'ayes' have it. Amendment #5 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Representative Stephens and Mays."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, because I know him so well, but maybe some of you don't know him so well, he's up on the sixth floor, I want my Democrats to meet Randy, the Republican photographer, hiding... He's hiding up here. There he is. So that you all know on the night Session, he's not here photographing the Republicans. You know..."

Speaker Keane: "Representative Ryder, for what purpose do you rise?"

Ryder: "Thank you, for a similar point to raise. Randy's lonesome at the moment, because he went up there to keep your photographer company. So don't...don't think that two

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can't play the game, you know. He was lonely...Your photographer was lonely, so we sent Randy up there to keep him company."

Speaker Keane: "Well, both photographers...let the record... Gentlemen, let the record show...Let the record show that I'm available for portraits at any given time. Representative Ewing."

Ewing: "I think he had to go up there to show your photographer how to click the switch."

Speaker Keane: "Representative Mays...on House...on Amendment #6."

Mays: "Amendment #6?"

Speaker Keane: "Yes."

Mays: "Yes, what we're seeking to do on Amendment #6 is reallocate dollars within the state troopers division to grants for gang crime control. I'd move its adoption."

Speaker Keane: "The Gentleman has moved the adoption of Amendment #6. All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #6 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 843, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of State Police. Third Reading of the Bill."

Speaker Keane: "Representative Mays."

Mays: "Thank you very much, Mr. Speaker. This is the budget for the Department of State Police. It appropriates roughly \$211,974,600, of which 142.2 is roughly GRF. I would move for its passage."

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

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voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 114 voting 'aye', none voting 'no', none voting 'present' and House Bill 843, having received the required Constitutional Majority, is hereby declared passed. House Bill 844, Representative Mays. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 844, a Bill for an Act making appropriations for the Abandoned Mine Land Reclamation Council. Second Reading of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Wyvetter Youngue."

Youngue, W.: "Thank you, Mr. Speaker. Amendment #1 would add a \$150,000 to the mine reclamation budget for a demonstration in Belleville, a mine reclamation for mine subsidence. There are mined out areas in Collinsville, Belleville, Fairview City and other places in the St. Clair County area. And this would begin a small demonstration as to how to treat mine subsidence problems in urban areas. And I move for the adoption of the Amendment."

Speaker Keane: "The question is, 'Shall this Amendment be adopted?' All in favor say 'aye', all opposed say 'no'. The 'ayes' have it. Amendment #1 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Youngue, on Floor Amendment #2."

Youngue, W.: "Withdraw the Amendment, please."

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

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Repr...Mr. Clerk, read the

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Bill."

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

Speaker Keane: "Speaker Madigan in the Chair."

Clerk O'Brien: "House Bill 844, a Bill for an Act making an appropriation for the Abandoned Mine Land Reclamation Council. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Appropriation for the Abandoned Mines Land Reclamation Council, even with Amendment #1, which shifted is \$20,720,000 federal funds. I move for its passage."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Madigan: "The Sponsor yields."

Mautino: "Jeff, I kind of missed something in this Amendment, I mean this Bill, that I really don't recall, but I'd like to have you let me know. Are we spending any more money on the 'effigy tumuli' in Ottawa, you know, those five little sculptures up there that you can't see unless you're in a helicopter...and you can't get to because there's no way to get there."

Mays: "I am not sure, Representative, I believe we already spent the dollars on that one. And I don't think we're spending them again."

Mautino: "You're not going to spend any more, right?"

Mays: "I don't believe so."

Mautino: "Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are lll 'ayes', no one voting 'no'. This Bill, having received the Constitutional Majority, is hereby declared passed."

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House Bill 845. Mr. Clerk, has this been read a second time?"

Clerk O'Brien: "House Bill 845. This Bill's been read a second time. Amendments #1, 2, 4, 5 and 6 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Goforth and Mays."

Speaker Madigan: "Mr. Goforth."

Goforth: "Thank you, Mr. Speaker. I believe this is an agreed Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Goforth."

Speaker Madigan: "Mr. Goforth."

Goforth: "Thank you, Mr. Speaker. I also believe this is an agreed Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Mays."

Speaker Madigan: "Mr. Mays."

Mays: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Mays."

Speaker Madigan: "Mr. Mays."

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Mays: "I'd like to withdraw Floor Amendments #10 and 11."

Speaker Madigan: "Withdraw Amendments #10 and 11. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Hartke."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "I think he withdrew Amendment 11, if I'm...you might just ask. I think that was a Hartke Amendment. I don't know how he can..."

Speaker Madigan: "Mr. Clerk, who is the Sponsor of Amendment #11?"

Leverenz: "I think he acceded his bounds."

Clerk O'Brien: "Amendment #11 is Representative Hartke."

Speaker Madigan: "Mr. Hartke, did you agree to withdraw Amendment #11? Mr. Hartke."

Hartke: "Yes."

Speaker Madigan: "Amendment #11 is withdrawn. We're now on Amendment #12. Who is the Amendment's Sponsor?"

Clerk O'Brien: "Representative Hartke."

Speaker Madigan: "Mr. Hartke, on Amendment #12."

Hartke: "Amendment #12 appropriates a quarter million dollars from the APF to create a pilot program under the Sustainable Agriculture Act."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment 13, offered by Representative Mays and Hartke."

Speaker Madigan: "Mr. Mays."

Mays: "Withdraw Amendment #13."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment 14, offered by Mays and Hartke."

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Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. This is an agreed Amendment for the soil productivity studies. I would move its adoption."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment 15, offered by Leverenz and Mays."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "This would provide 269,300 in additional federal funds. I move for the adoption of the Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 845. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Agriculture. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. This is the operations budget for the Department of Agriculture. I move its passage."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 111 'ayes' no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 846. Mr. Clerk, has this been read a second time?"

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

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No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. Floor Amendment #1 seeks to treat the Department of Central Management Services in the same manner that we have treated every other agency as it regards vacancies and positions that have been vacant for 3 or more months. It also reduces the operations lines for two buildings that will be coming on line at a later date and I would simply move its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Leverenz."

Leverenz: "It's just a redo of a bad Amendment and we want to defeat it."

Speaker Madigan: "Mr. Leverenz speaks against the Amendment. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 50 'ayes', 64 'nos', the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 846. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Central Management Services. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. This Bill is the appropriations for Central Management Services. It appropriates 807,076,000 dollars, of which 238,115,000 dollars is General Revenue Funds. I would move its

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passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? This is a Third Reading vote. Have all voted who wish? Clerk shall take the record. On this question there are 112 voting 'aye', one person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 847. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time previously. Amendments 1, 2 and 3 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "Amendment #4 lost in committee. Floor Amendment #5, offered by Representative Lang and Sutker."

Speaker Madigan: "Mr. Lang."

Lang: "Withdraw, please."

Speaker Madigan: "Withdraw Amendment #5. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Mulcahey."

Speaker Madigan: "Mr. Mulcahey. Mr. Mulcahey on Amendment #6. Mr. Leverenz moves to table Amendment #6. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion is adopted, the Amendment is tabled. Amendment #...Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Stern."

Speaker Madigan: "Representative Stern. Amendment #7 to House Bill 847. The appropriation for the Environmental Protection Agency. Representative Stern."

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Stern: "Mr. Speaker and Members of the House, this Amendment would appropriate 275,000 dollars to the Illinois Environmental Protection Agency for costs to assist the Village of Highwood, the City of Highwood, with a new water plant. The city of Highwood is a very spunky, free-standing little City that needs all the help it can get. I hope that you will approve this Amendment."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "We will oppose the Amendment because it is General Revenue. Thank you."

Speaker Madigan: "Those in favor of the Amendment will say 'aye', those opposed will say 'no'. The 'nos' have it, the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Wolf."

Speaker Madigan: "Mr. Wolf."

Wolf: "Mr. Speaker, withdraw #8."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Balanoff."

Speaker Madigan: "Mr. Balanoff. Wearing a bow tie."

Balanoff: "Thank you very much, Mr. Speaker. Amendment #9 appropriates 195,000 dollars for the continuing of an Illinois Environmental Protection Agency office in southeast Chicago that the agency chose not to include in their budget. The area as a whole, is one of the most polluted, is probably the most polluted in the state of Illinois with constant and continuing environmental problems and people in our area feel that a local office makes response to violations of environmental laws quicker. So I would urge adoption of Amendment #9."

Speaker Madigan: "Mr. Mays."

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

Speaker Madigan: "The Gentleman yields."

Mays: "Do you think the effectiveness of this office is pretty good in your community?"

Balanoff: "I...I certainly...It's only been in operation now for about three...actually, for probably about a couple of months. It was only funded initially for six months. It didn't open until sometime in late February. I don't think the full effect of the benefit or not benefit of this office...I don't think we can assess that at this current time, so that's why I'd like to have the funding for another year."

Mays: "Well, to the Amendment. I know that we had some discussions on this very office last year. It was thought by the then Representative Panayotovich to be a good idea and he was moving it along and I'm glad that you also support the office that he got going and I rise in support of the Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Mays and Olson."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative Wolf."

Speaker Madigan: "Mr. Wolf."

Wolf: "Mr. Speaker, withdraw #11."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 847. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Environmental Protection Agency. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Final passage. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 849. Mr. Clerk, read the...Has the Bill been read a secondtime?"

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

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. Mays."

Mays: "Withdraw Amendment #2."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Mays and Leverenz."

Speaker Madigan: "Mr. Mays."

Mays: "Withdraw that Amendment, too."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 849. A Bill for an Act making

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appropriations for the ordinary and contingent expenses of the Commissioner of Banks and Trust Companies. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 'ayes', one person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 850 shall not be called at this time. House Bill 859. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time previously. Amendments number one and two were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "Amendments three and four lost in Committee, Floor Amendment #5, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder. Mr. Ryder on Amendment #5. The script provides that you should withdraw this Amendment, Sir."

Ryder: "That's correct."

Speaker Madigan: "Do you speak?"

Ryder: "Yes. That is what I'd like to do. Thank you."

Speaker Madigan: "Withdraw the Amendment."

Ryder: "I'm a little overwhelmed with staff at the moment, but I'm sure that it'll correct itself soon."

Speaker Madigan: "I can see that. Right. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Ryder."

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Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This Amendment, Amendment #6, would add 1,993,000 from the Child Support Enforcement Trust Fund, not from GRF, from the Child Support Enforcement Trust Fund, and would increase by 58 the head count to reduce the child support backlog and to comply with a consent order. I would urge the adoption of the Amendment."

Speaker Madigan: "The Gentleman moves the adoption of the Amendment. On that question, the Chair recognizes Mr. Bowman."

Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. For the last half hour we've been engaged in intense discussions on this Amendment. We are displeased with the performance of this division. Recent statistics suggest that our cost effectiveness ratio is 32nd among the nation. We collect barely more than we...than it costs us to run this program. However, the Gentleman is correct about the consent order. I am also disturbed, though, that the department did not give us any indication until the day of the hearing that this was in the offing and we had no way of preparing for this request prior to the hearing and...but we are going to relent and let this go on with our support."

Speaker Madigan: "Mr. Bowman, did...What was your position?"

Bowman: "I said we're going to accept the Amendment."

Speaker Madigan: "The Gentleman indicates he's prepared to accept the Amendment. Mr. Dunn, your light is flashing."

Dunn: "I know that. Thank you Mr. Speaker, Ladies and Gentlemen of the House. I would like the Gentleman to explain the nature of the consent order to which he referred."

Speaker Madigan: "Who are you addressing your question?"

Dunn: "To the Gentleman sponsoring the Amendment."

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Speaker Madigan: "The Bill...the Amendment sponsor, Mr. Ryder?"

Ryder: "It's my understanding that the consent order relates to AFDC folks who have gone off of AFDC and, as you know, the department has some obligation for collections that were made prior to the time that they went off. The consent order of itself should not be read to take care of all of the folks that are being added. It's only a part of that, Representative."

Dunn: "The consent order requires the department to do what? To refrain from doing what? I still don't understand."

Ryder: "To distribute the payments that were collected and have not been distributed yet. To distribute those payments within a specific time period. This is money that is owed to individuals, that because of a problem..."

Dunn: "Okay. How much money is involved and what is the time frame?"

Ryder: "We're attempting to implement...It's my understanding the department is attempting to implement it now and it's about 12 million dollars."

Dunn: "Twelve million dollars has been collected. It should not have...and how...what does the court say, how much time do you have to pay this money back?"

Ryder: "It's not as simple as simply a deadline. There is a backlog. They have to work 200 cases a month in order to work this out. In order to meet with the progression of that...of that consent Order."

Dunn: "The consent decree requires you to take care of 200 cases a month, is that correct?"

Ryder: "Yes. Take care of 200 cases in the backlog and maintain all the current cases in that category."

Dunn: "Thank you."

Speaker Madigan: "Mr. Ryder moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say

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'no'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Anthony Young, Leverenz and Flowers."

Speaker Madigan: "Mr. Young."

Young: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Anthony Young."

Speaker Madigan: "Mr. Young."

Young: "Withdraw Amendment #8."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Bowman, Flowers, Leverenz and Young."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #9 significantly rewrites the public aid budget. It sets aside 12 million dollars of GRF which, when combined with the way the Bill was written as it came out of Committee, will provide for a 7. 1/2 percent grant increase for AFDC recipients general assistance clients, and so forth. These people have not gotten a grant increase for at least 4 years, going on 5 years. It is high time we acknowledged that with this kind of approach. We also provide 12.7 million GRF for full year increase reimbursements to childrens hospitals throughout the state and to remove them from the eye care contract process. Five million for additional funding programs for the homeless, five million additional funding for domestic violence prevention and shelter programs, 420,000 for increase in burial rates, 300,000 for administrative

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expenses for training providers of extended child care. Total GRF increase...gross increase of 35.4 million. However, there were reductions made in Committee and so the net increase is about 14 million GRF. I move for adoption of Amendment #9."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. If I had the wit of the Appropriation I spokesman, I would call folks to battle stations. I don't have that wit, so I'll attempt to address this 35 million dollar addition to the public aid budget by simply drawing your attention to the fact that it calls for an additional rate increase to recipients. The Sponsor of this Amendment is somewhat in error, because the budget, as amended before Amendment 9, contains a rate increase, a rate increase that was adopted by his Amendment in Committee. Whether that Amendment stands is not for us to question at this point. It is a 35 million dollar addition to the public aid budget, the majority of which comes from GRF. I would indicate that, as sympathetic as I am to a number of the items that are included, for example, domestic violence shelters and others, what this does call for is a significant increase in the public aid budget. One for which you all should be aware, when we have a Roll Call on this vote, Mr. Speaker."

Speaker Madigan: "Mr. Bowman moves for the adoption of the Amendment. Mr. Ryder stands in opposition to the adoption of the Amendment. Those in favor of the adoption of the Amendment signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 62 'ayes', 44 'nos', the Amendment is adopted. Are there any further Amendments?"

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Clerk O'Brien: "Floor Amendment #10, offered by Representative Bowman."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Contained in House Bill 1152 is a proposal pertaining to community health centers and we are attempting to reserve two million dollars here pending the passage of that legislation. It is high time that we address the needs of these facilities all over the state, because in many places they are the only source of health care that citizens can get and they've been under extreme pressure now that federal funds have been withdrawn, so I move for adoption of Amendment #10."

Speaker Madigan: "Mr. Ryder."

Ryder: "Mr. Speaker, Ladies and Gentlemen of the House, certainly a worthy recipient. However, it is adding two million dollars and we stand in opposition."

Speaker Madigan: "Those in favor of the Amendment signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 63 'ayes', 44 'nos', the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 859. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Aid, Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question there are 96

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'ayes', 13 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 860. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time. Amendments #1 and 2 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This replaces 450,000 dollars that was reduced in Committee and it puts money toward targeted groups. Those targeted groups are youth, minority, women and pregnant women. I would move for the adoption of the Amendment."

Speaker Madigan: "Those in favor signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 860. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Alcoholism and Substance Abuse. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 3 people voting 'no'. This Bill having received a Constitutional Majority is

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hereby declared passed. House Bill 861. Mr. Clerk, has this Bill been read a second time?

Clerk O'Brien: "This Bill has been read a second time previously. Amendments #1 and 2 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This restores 14,800 dollars of funds that were cut in Committee. It is now acknowledged that there was a misunderstanding concerning the part time and full time employees and I would urge the adoption of this Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ryder."

Ryder: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Amendment #5 increases the amount that was amended in the Committee. Hiring staff work to comply with OBRA increases from 750,000 to 1.2 million. By the way, this money came...or was deducted from the Department of Public Aid's budget. It's a reallocation. I move its adoption."

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Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder."

Ryder: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder."

Ryder: "This restores two thou...20,500 dollars into the contractual line. Again, it reflects a mistake that occurred in Committee concerning rental and other contractual obligations. I would move the adoption of the Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 861. A Bill for an Act making appropriations for the ordinary and contingent expense of the Guardianship and Advocacy Commission. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', 2 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House

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Bill 863. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "Amendment #2 lost in Committee, 3 and 4 were withdrawn. Floor Amendment #5, offered by Representative Mays."

Speaker Madigan: "Mr. Mays. Withdraw the Amendment. Are there any any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Mays."

Speaker Madigan: "Mr. Ryder. Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Mays and Ryder."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much. Floor Amendment #7 would add 62,000 in GRF... 57,000 in GRF for equipment at Quincy and Manteno, respectively, at the Veterans Home there. I would move for its adoption."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "I stand in opposition to this. These are part of the...cuts that are so good we want to adopt the Amendment."

Speaker Madigan: "Right. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 863. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Veterans Affairs. Third Reading of the

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Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'aye', one person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 869 shall not be called. House Bill 942. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motion filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "Amendment #2 was withdrawn in Committee."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. Mays on Amendment #3. Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Ladies and Gentlemen, the noise level is rising. Especially on this side of the Chamber."

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

Speaker Madigan: "Mr. Leverenz. Amendment #4."

Leverenz: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Leverenz."

Speaker Madigan: "Withdraw the Amendment. Are there any further

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Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Leverenz."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Thank you. Amendment 6 would increase the General Revenue portion of the Bill by 736,600 and reduces the county portion by 688, an agreement we made. I move for the adoption of Amendment #6."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 942. A Bill for an Act making appropriations for the office of State Attorneys Appellate Prosecutor. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 994. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill has been read a second time previously. Amendments #1, 2, 3, 4, 5 and 6 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Mays."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much. Floor Amendment #7 is an agreed

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Amendment for restoration to the budget. I move its adoption."

Speaker Madigan: "Those in favor say 'aye, those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Satterthwaite."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, the Amendment appropriates approximately 1.15 million dollars for grants under the Library Systems Act to school districts. I move for its adoption."

Speaker Madigan: "The Lady moves for the adoption of the Amendments. Mr. Leverenz, do you wish to speak on this question?"

Leverenz: "At this time I would have to oppose the Amendment inasmuch as it's General Revenue and I'd do it by voice vote."

Speaker Madigan: "Those in favor of the Amendment signify by saying 'aye', those opposed by saying 'no'. The 'nos' have it, the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Leverenz."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. This would appropriate 942,000 in road fund to the Secretary of State to develop the commercial drivers center. I move for the adoption of the Amendment."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 994. A Bill for an Act to provide for the ordinary and contingent expense of the office of the Secretary of State. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. We shall now do appropriation Bills, Third Reading. Page 35 of the Calendar, there appears House Bill 238. Mr. Capparelli. Mr. Leverenz. Mr. Leverenz, on page 35 of the Calendar, there appears House Bill 238, an appropriation to McCormick Place. Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. It would appropriate 31,368,000 dollars to the Metropolitan Fair and Exposition Authority. I ask your 'aye' vote to pass the Bill."

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 238. A Bill for an Act making appropriations for the Metropolitan Fair and Exhibition (sic, Exposition) Authority. Third Reading of the Bill."

Speaker Madigan: "Mr. Dunn."

Dunn: "Are there funds in this Bill for anything except...in addition to McCormick Place?"

Leverenz: "Nope."

Dunn: "Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 84 'ayes', 24 'nos'. This Bill

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having received a Constitutional Majority is hereby declared passed. House Bill 239. Mr. Leverenz. Mr. Leverenz, 239. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 239. A Bill for an Act making appropriations for the Metropolitan Fair and Exhibition (sic, Exposition) Authority Reconstruction Fund, Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "This would appropriate 4,800,000 for the corporate purposes of the Metropolitan Fair and Exposition Authority. I ask for your 'aye' vote to pass the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 76 'ayes', 32 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. On page 37 of the Calendar there appears House Bill 583. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 583. A Bill for an Act making appropriations in relation to Members of the General Assembly. Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "House Bill 583 would appropriate 6,785,000 dollars. I move for the passage of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 108 voting 'aye', 3 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 584. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 584. A Bill for an Act making

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appropriations to various legislative support agencies,
Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "This appropriates 10,207,815 dollars. I would ask
your 'aye' vote to pass it."

Speaker Madigan: "Those in favor of the passage of the Bill
signify by voting 'aye', those opposed by voting 'no'.
Have all voted who wish? Have all voted who wish? Have
all voted who wish? The Clerk shall take the record. On
this question there are 112 voting 'aye', no one voting
'no'. this Bill having received a Constitutional Majority
is hereby declared passed. On page 38 of the Calendar
there appears House Bill 833. Mr. Clerk, place this Bill
on the Order of Second Reading for the purpose of an
Amendment. Mr. Clerk, are there any Amendments filed?"

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

Speaker Madigan: "Mr. Mays on the Amendment."

Mays: "Thank you very much. This is an Amendment which would
fund the rural institute in the Western Illinois
University. I move its adoption."

Speaker Madigan: "Those in favor say 'aye', those opposed say
'no'. The 'ayes' have it, the Amendment is adopted. Are
thee any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, has this Bill been
read a second time?"

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

Speaker Madigan: "Mr. Clerk, read the Bill for a third time."

Clerk O'Brien: "House Bill 833. A Bill for an Act to provide for
the ordinary and contingent expenses of the office of
Lieutenant Governor. Third Reading of the Bill."

Speaker Madigan: "Those in favor of passage of the Bill signify

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by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 'ayes', 2 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 835. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 835. A Bill for an Act making appropriations to various state agencies and certain retirement systems, Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. This is the operations Bill for the retirement systems. It's 27,618,000 dollars. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 people voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 839. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 839. A Bill for an Act making appropriations for the ordinary and contingent expenses for the Department of Nuclear Safety. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much. This is the operations budget. It's 41,199,000 dollars for the Department of Nuclear Safety. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On

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this question there are 113 voting 'aye' no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 841. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 841. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Criminal Justice Information Authority. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much. After Committee action, the Criminal Justice Information Authority's budget for this year is 17,724,800 dollars. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 voting 'aye' no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 842. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 842. A Bill for an Act making appropriations for the ordinary and contingent expenses for the Prisoner Review Board. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much. The appropriations for the Prisoner Review Board this year after Committee action is 874,800 dollars. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there are 112 voting 'aye', 2 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 848. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 848. A Bill for an Act making appropriations to the Environmental Protection Trust Fund Commission. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much. After Committee action, this appropriation Bill totals 865,000 for the Environmental Trust Fund Commission. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 851. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 851. A Bill for an Act making appropriations for the ordinary and contingent expense of the Prairie State 2000 Authority. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. The appropriation for the Prairie State 2000 Authority, after Committee action is 2,546,800 dollars. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 112 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 862. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 862. A Bill for an Act making appropriations to the Illinois Asbestos Abatement Authority. Third Reading of the Bill."

Speaker Madigan: "Mr. Ryder."

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Ryder: "This Bill appropriates 2,593,500 dollars after Committee action. I ask for approval."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 105 voting 'aye', 5 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 864. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 864. A Bill for an Act making appropriations to the Medical Center Commission, Third Reading of the Bill."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. After Committee action, this Bill appropriates 939,400 dollars to the Medical Center Commission and I ask for its adoption."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 voting 'aye'...Mr. Clerk, change that to read that 115 voted 'aye', no one voted 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 865. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 865. A Bill for an Act making appropriations for the ordinary and contingent expenses of the Governor's Purchased Care Review Board, Third Reading of the Bill."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. After Committee action this Bill appropriates 243,900 dollars to the Governor's Purchased Care Review Board. I move for adoption of this Bill."

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Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On the Special Order of Business, Medical Practice, Second Reading, there appears House Bill 1662. Mr. Ryder. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1662. A Bill for an Act concerning the administration...administrative acts regulating health care professions Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Amendment #3 corrects a technical error in the existing statute. I move for its adoption."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. Amendment #4 restores the provision as was currently in effect in our law and it...we're just restoring, rather than to go along as the Bill was proposed. I move to adopt."

Speaker Madigan: "Those in favor of the Amendment say 'aye',

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those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Black."

Speaker Madigan: "Mr. Black. Withdraws the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Keane."

Speaker Madigan: "Mr. Keane. There is an Amendment #6 by Mr. Keane. Mr. Ryder, what is your pleasure?"

Ryder: "Mr. Speaker, it was my understanding that he was going to withdraw it originally, but at this point I would ask to table it."

Speaker Madigan: "Mr. Ryder moves to table the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This...The entire Bill deals with a certain regulation of professions. This particular one establishes a fine for violations of the Nursing Home Administrators Act. I move for adoption of this Amendment."

Speaker Madigan: "Mr. Ryder, did you move for adoption of the Amendment?"

Ryder: "I did."

Speaker Madigan: "Okay. Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Ryder."

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Speaker Madigan: "Mr. Ryder."

Ryder: "Withdraw, please."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder."

Ryder: "This Amendment is in result of extensive negotiation with several of the professions, including pharmacy and others. It's my understanding that it's an Agreed Amendment and I would move for its adoption."

Speaker Madigan: "Mr. Ryder. Did you move for the adoption of the Amendment?"

Ryder: "Yes. Yes, I did."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor signify by saying 'aye', those opposed by saying 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Ryder."

Speaker Madigan: "Mr. Ryder."

Ryder: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. House Bill 1721. Mr. Ryder, the Clerk informs me that there is a request for a fiscal note on House Bill 1662. Therefore, the Bill would be placed on the Order of Second Reading."

Ryder: "Thank you."

Speaker Madigan: "House Bill 1721, Mr. Leitch. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1721. A Bill for an Act to amend the

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Radiation Protection Act, Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "For what purpose does Mr. Ryder seek recognition?"

Ryder: "Mr. Speaker, it's on the previous Bill. I was advised that a fiscal note had been filed. If that's not the case, I'll...Let the Clerk look at it and I'll come back after the consideration of 1721."

Speaker Madigan: "Okay. We're now on House Bill 1721. The Bill's been read a second time. Were there any Amendments adopted in Committee?"

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

Speaker Madigan: "Were there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Third Reading. Mr. Clerk, back to House Bill 1662. Has the fiscal note been filed? The Clerk indicates that the note has not yet been filed, so the Bill shall remain on the Order of Second Reading. House Bill 2684. Mr. Balanoff. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2684..."

Speaker Madigan: "The Gentleman wishes to take this Bill out of the record. On the Special Order of Medical Practice, Third Reading, there appears House Bill 574. Representative Pullen. Arise. Read the Bill."

Clerk O'Brien: "House Bill 574, a Bill for an Act to amend Sections of the Illinois Abortion Law. Third Reading of the Bill."

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 574, would require a physician who is performing an abortion to determine if the unborn child is...20 weeks old or older, whether that child is viable; that is, capable of living outside the womb. And if the

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child is viable, would prohibit the physician from performing the abortion outside a hospital that has life support equipment available. This Bill is important in protecting the right to life, not only of the unborn child, but also the health of the woman involved. It deals with late term abortions which are serious medical operations which should not take place outside a hospital which is properly equipped and I urge its passage."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Bowman."

Bowman: "A question of the Sponsor. Representative Pullen, can you tell us how this differs from existing law?"

Pullen: "This provision is not now in existing law."

Bowman: "Wait, this is permission? Is this permission only or is it mandatory?"

Pullen: "Pardon me?"

Bowman: "You say this permission is not in the existing law."

Pullen: "I said provision."

Bowman: "Provision. I beg your pardon. Is there any...is there any similar language? There is nothing in existing law about viability or anything of that nature?"

Pullen: "Yes, there is language in existing law about viability but there is not a prohibition on performing an abortion after the baby is viable in any facility other than a hospital, and that's what this Bill does."

Bowman: "Well, doesn't your legislation, though, establish a presumption of viability of 20 weeks? Isn't that a medical question?"

Pullen: "No, it does not. No, it does not."

Bowman: "Well then, why is 20 weeks even mentioned? Why don't you just simply refer to viability and leave the exact time line unspecified?"

Pullen: "It is a direction to the physician that at 20 weeks or

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older, if in his medical judgment, the baby is 20 weeks or older, he is to use his medical judgment to determine whether the baby is viable."

Bowman: "Well, to the Bill, Mr. Speaker. This Bill strikes me as being on the face of it, ridiculous. Because, what we say is, under 20 weeks...the doctor ...does not have to use his medical judgment at all? I mean, what is the doctor for, except to provide medical judgment in such cases? But under 20 weeks, medical judgment is not an issue, over 20 weeks it becomes an issue under this Lady's legislation. It seems to me if viability is a question, ...is the question, then that is a medical issue and that is something that the doctor should, in his or her judgment, address. But the doctors throughout Illinois do not need the Legislature establishing some arbitrary point where they say on one side of the line the doctor is free to use his or her own judgment and on the other side of the line they're not. I think if viability is the issue here, the doctor should, in all cases, use his or her own judgment and does not need the Legislature establishing a totally arbitrary dividing line."

Speaker Madigan: "Representative Currie."

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

Speaker Madigan: "The Sponsor yields."

Currie: "Representative, how did you choose 20 weeks?"

Pullen: "It is a Floor, if you will."

Currie: "What would be wrong with 18 weeks...15 weeks."

Pullen: "If you'd like to amend it, I don't really care to take it back to Second Reading, but I think 20 weeks will do."

Currie: "To the Bill, Mr. Speaker. It's my understanding that 20 weeks is not a demarcation that defines a viable fetus from one that is not. In fact, viability before 25 or 26 weeks

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is extremely unlikely. This Bill is flawed, in that it chooses a moment for determining viability that bears no relation to medical reality. It puts the doctor, who is in the best position to judge the issue of viability, at particular risk. In fact, risk of criminal sanction, Class 3 felony sanctions, and possible prison sentences if the doctor does not, in his or her own good judgment determine that viability is an issue. This is not a Bill that will well protect the health of women whose pregnancies have advanced to the point of 20 weeks. In fact, the most likely reason, for a post 20 week abortion, is medical risk, medical problems, faced by the pregnant woman. Delay at that point, requiring hospitalization, requiring the doctor to mull over the question, is this fetus viable or is it not, can only put at risk, at greater risk the health of the mother indeed. This Bill is patently unconstitutional under Roe versus Wade. It is an invasion of the rights of privacy of the woman and her physician. The only sensible vote, the only constitutional vote is a 'no' vote."

Speaker Madigan: "Representative Davis."

Davis: "Thank you, Mr. Speaker. I'd like to have a question with the Sponsor of the Bill."

Speaker Madigan: "Sponsor yields."

Davis: "Representative, who will be responsible for the medical care of this viable fetus? I mean, when I come to you with a Bill, stating that a lot of viable fetuses are in need of great medical care, are you going to vote with me for the appropriations to care for these viable fetuses?"

Pullen: "Ma'am, I don't consider your question to be serious."

Davis: "But it is very serious. These viable fetuses will have to have medical care."

Pullen: "The choice is for life or death."

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Davis: "Representative, when we claim that we are for life, and yet we're opposed to helping those who already have life, I doubt the sincerity of your presenting of this Bill."

Speaker Madigan: "The Lady moves for the passage of House Bill 574. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 72 'ayes', 31 'nos'. This Bill having received a Constitutional Majority, is hereby declared passed. Back on House Bill 1662. This Bill was held on the Order of Second Reading because the Clerk informed the Chair that a fiscal note had not been filed. Mr. Clerk, do you now have that fiscal note on file?"

Clerk O'Brien: "The fiscal note is filed on House Bill 1662."

Speaker Madigan: "And the Bill shall be placed on the Order of Third Reading. House Bill 1769, Mr. White. 1769, Mr. White. Mr. Levin." Read the Bill."

Clerk O'Brien: "House Bill 1769. A Bill for an Act to amend an Act concerning certain rights of medical patients. Third Reading of the Bill."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. About two years ago we passed the Medical Patients Bill of Rights and one of the provisions in that Bill of Rights was that insurance companies should keep information about HIV testing confidential. At the time that it was passed it did not provide any agency to supervise that particular provision in the statute. As amended by Amendment #2, all House Bill 1769 does is provide that the Department of Insurance shall oversee that particular provision of the Medical Practice Bill of Rights. If there are any questions, I'll be happy to answer them. Otherwise, I'd just ask for a favorable Roll Call."

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Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 1839, Mr. Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1839. A Bill for an Act to amend the AIDS Confidentiality Act, Third Reading of the Bill."

Speaker Madigan: "Mr. Levin."

Levin: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Occasionally you get people who disagree radically on a particular issue agreeing and this is one of those issues in which Representative Pullen and myself agree. What House Bill 1839 does is to provide that state employees may donate their unused sick leave, in effect, to another state employee who is terminally ill. It is modeled on a program that's been very, very successful in California and if there are any questions, I'll be happy to answer them. I just ask for a favorable Roll Call."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. The Chair recognizes Mr. Harris."

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

Speaker Madigan: "The Sponsor yields."

Harris: "The title indicates something to do with AIDS, is that...?"

Levin: "That was removed."

Harris: "Thank you."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there

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are 107 'ayes', 6 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 2038. Mr. McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2038. A Bill for an Act to amend the Illinois Health Finance Reform Act, Third Reading of the Bill."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you Mr. Speaker, Members of the Assembly. Amendment #1 to House Bill 2038 became the Bill. Incorporates an Amendment to the Illinois State Auditing Act. Permits the Auditor General to conduct an audit of hospitals that receive 10 percent or more of its gross revenues from the Medical Assistance Program of the Department of Public Aid as authorized by the Legislative Audit Commission. It strikes from existing law the requirement for such audits under the Illinois Health Finance Reform Act. This satisfied the Department of Public Aid. It is a Legislative Audit Commission Bill and I'd ask for your 'aye' vote. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? This is a Third Reading Roll Call. Have all voted who wish? The Clerk shall take the record. On this question there are 113 people voting 'aye', one person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 2362. Mr. Cullerton. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2362. A Bill for an Act to amend an Act concerning certain rights of medical patients. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."

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

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House. This Bill amends the Medical Patients Rights Law. It adds the right of patients to privacy and confidentiality in health care. It provides for certain exceptions, including those where authorized or required by law. That was an Amendment that Representative Pullen suggested to me. It's been approved by the Hospital Association and I know of no opposition and I'd appreciate an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. The Sponsor of... record Mr. Santiago as 'aye' on the last Bill. The Sponsor of House Bill 2552 indicates that he does not wish to move ahead at this time. Back on the Special Order of Appropriation Bills, there appears on page 44 of the Calendar, Senate Bill 385. Mr. Clerk, has this Bill been read a third time? Has this Bill been read a third time? If not, read the Bill, Mr. Clerk. "

Clerk O'Brien: "Senate Bill 385. A Bill for an Act making various appropriations to various agencies. Third Reading of the Bill."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. Senate Bill 385, as amended, is the supplemental appropriation for the lottery prize moneys. As mentioned in debate yesterday, if we don't do this they won't have the money to pay out the prizes. They're out of money almost, already. They will be out by Friday. I move its passage."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'."

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Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 112 people voting 'aye', one person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Continuing on the Special Order of appropriation matters, there appears House Bill 17 by Mr. Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 17. A Bill for an Act to amend an Act in relation to State Budgets and appropriation Bills. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Madigan: "Third Reading. House Bill 2279. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2279. A Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

Clerk O'Brien: "No floor Amendments."

Speaker Madigan: "Third Reading. House Bill 2584."

Clerk O'Brien: "House Bill 2584. A Bill for an Act to amend an Act to repeal State Officers, Employees Money Disposition Act. Second Reading of the Bill. No Committee Amendments."

Speaker Madigan: "Are there any floor Amendments?"

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

Speaker Madigan: "For what purpose does Mr. McCracken seek

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recognition?"

McCracken: "I know I'm supposed to know this answer, but where in the hell are we? Where are we on the Calendar? We've lost all semblance of order."

Speaker Madigan: "Good."

McCracken: "I know it's been 12 and a half hours and I know that's the plan."

Speaker Madigan: "Very good. Right. You ought to take a little rest. Sit down and put your head against the chair."

McCracken: "But where are we? I've been looking, where are we?"

Speaker Madigan: "We're on page 3 of the Calendar..."

McCracken: "Cullerton says he doesn't know either."

Speaker Madigan: "Good. On the Special Order of the budget and this is now a Pullen Bill. It's a Bowman Bill and there's a Pullen Amendment. Mr. Clerk, this would be Amendment #...what?"

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

Speaker Madigan: "Representative Pullen on Amendment #1."

Pullen: "Mr. Speaker, in the floor file the Amendment #1 says Bowman on it."

Speaker Madigan: "Mr. Clerk..."

Pullen: "So, are there two Amendments #1 again?"

Clerk O'Brien: "I have an Amendment #1 with the LRB number ending in 01 listed as Pullen. Amendment #2, by Representative Bowman."

Pullen: "Mr. Speaker, I have now been shown the Amendment #1 that has my name on it and it was an Amendment that was inadvertently introduced by someone without my authorization and I move...that does happen, doesn't it...and therefor I ask leave to withdraw Amendment #1."

Speaker Madigan: "The Amendment shall be withdrawn. Are there any further Amendments?"

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

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Bowman."

Speaker Madigan: "Mr. Bowman on Amendment #2."

Bowman: "Yes. Thank you, Mr. Speaker. Actually, I was going to withdraw Amendment #1 since Representative Pullen thought it was mine anyway. Amendment #2 to House Bill 2584 takes care of some of the issues which were raised in Committee. Questions. It...First of all, it makes the language permissive, and then it says, 'refunds shall be made pursuant to this Section only on behalf of State Agencies for which the General Assembly has not enacted a current fiscal year appropriation for refunds only in an amount not to exceed ten thousand dollars for each agency in each fiscal year'. I move its adoption."

Speaker Madigan: "Mr. Mays. On Amendment #2."

Mays: "Thank you very much, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Madigan: "Yes. The Gentleman will yield, and Ladies and Gentlemen, please give your attention to Mr. Mays. Mr. Mays."

Mays: "Representative, what does this Amendment do to the refund Bill that we passed last fall?"

Bowman: "Representative Mays, it does absolutely nothing to that. This deals with...This does not deal with tax refunds. This deals with other kinds of refunds that are due to either employees or grant recipients or something of that nature, but not tax refunds."

Mays: "So...What about circuit breaker refunds?"

Bowman: "No, those are treated separately, because see, there's an appropriation...This Amendment makes it quite specific. If there is an appropriation continuing or otherwise, then this doesn't apply."

Mays: "Thank you."

Speaker Madigan: "Mr. McCracken."

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McCracken: "Thank you. Does this have to do with the Comptroller's office?"

Bowman: "Yes, Sir."

McCracken: "And for what office are you seeking election in the 1990 election?"

Bowman: "Governor."

McCracken: "Is this your election Bill, Representative Bowman? Did you plot with the Speaker to get this called late at night when our defenses were down? If we vote for this are we going to see your name plastered all over the Tribune and Sun-Times."

Bowman: "I sincerely hope so."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, has this Bill been read a second time already?"

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

Speaker Madigan: "Read the Bill a third time."

Clerk O'Brien: "House Bill 2584. A Bill for an Act to repeal Sections of the State Officers and Employees Money Disposition Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Bowman."

Bowman: "Thank you. This Bill was introduced at the request of the incumbent Comptroller. It is a housekeeping Bill. It deals mainly with the issue of refunds where people, while they're legally entitled to the refund, come to the Comptroller and ask for a refund, but there has been no appropriation made for that purpose and that there is just no way that he has of getting the money to them. And so

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the Comptroller is caught between the proverbial rock and a hard place, where the person's entitled to the money, under law, but that the...there's no appropriation made. So this particular legislation is designed to break that impasse and it was amended on Second Reading to take care of the issues of concern that were raised in Committee and now again on the floor so that with Amendment #2 there should be no problems raised with respect to income tax refunds or circuit breakers or that sort of thing. So I move adoption....excuse me, I move for passage of House Bill 2584."

Speaker Madigan: "Representative Wojcik."

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

Speaker Madigan: "The Sponsor yields."

Wojcik: "Representative, would this also take care of the slowness in refunding the hospitalization?"

Bowman: "The Bill, as now amended, does not even apply in cases where there is an appropriated account. The problem arises only when a refund is due and owing and there is no appropriation for that purpose. And so the Comptroller is caught, as I say, between a rock and a hard place. If there is an appropriation, this Bill will not apply."

Wojcik: "Thank you."

Speaker Madigan: "Mr. McCracken."

McCracken: "All of the conditional clauses are stated in the negatives. I'm having trouble understanding the Bill. What is the current practice? Is the Comptroller authorized to make the payment, even if there is not money currently appropriated? Under current law?"

Bowman: "That's the problem. He's required to make the payment. And even if there is no appropriation. And that certainly could produce an awkward situation. My understanding of this issue is that a law was changed a short time ago and

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created this problem and it was probably a mistake. And I think we just have to go back and correct the mistake."

McCracken: "Well, how is it handled now? He has to make the payment. So he makes the payment and waits for an appropriation to...?"

Bowman: "No. He can't make the payment if there's no appropriation. This simply makes it clear that he's not in violation of the law if he can't make a refund."

McCracken: "And it applies only to State employees in an amount less than 10,000 dollars?"

Bowman: "Well, certainly that's the 10,000 dollars...I believe it perhaps applies to grantees as well."

McCracken: "Pardon me?"

Bowman: "I believe it applies to grantees as well, but only in amounts under 10,000 dollars. Yes, you're correct."

McCracken: "Then what's the example of a grantee?"

Bowman: "Public Aid recipient, perhaps."

McCracken: "Well, give me a typical example that a Democratic Comptroller would ...would refuse to make the payment on. He wouldn't refuse the Public Aid grant."

Bowman: "Well..."

McCracken: "Would he refuse some, some...well I don't know."

Bowman: "Well let me...let me tell you. Since Democratic Comptroller's are inherently more responsible than Republican ones, they would always refuse to make, they would always refuse to make...a payment if there's no appropriation to that purpose. That would be a definite no no, Representative McCracken. And I'm sure you would not..."

McCracken: "I know there's a plot in this, I just can't figure out what it is so we'll vote for this Bill and see what happens in the morning."

Bowman: "Have you ever heard of a merely Bill. This is a merely

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Bill."

Speaker Madigan: "Mr. Barger. Mr. Bowman give your attention to Mr. Barger."

Barger: "Thank you."

Bowman: "With pleasure."

Barger: "Would you yield for a question?"

Speaker Madigan: "Yes he will."

Barger: "Thank you. If there is money received by the Comptroller, then how does that money disappear so it's not available to make a refund? I hope your staff understands this Mike."

Bowman: "Okay, I'm sorry there was a sideshow here. Would the Gentleman please repeat the question?"

Barger: "The question was, if someone gives you money there by incurring the need for a refund how do you disperse of that money if you're not entitled to keep it?"

Bowman: "Well sometimes people windup overpaying on insurance premiums or something of that nature. And they're...due to a miscalculation and then they're entitled to a refund."

Barger: "I know that but, what you do with the money that they were not obligated to pay, so that you are required to have an appropriation for a refund, rather than giving them back the excess amount that they have given to your Democratic Comptroller?"

Bowman: "Well the question Representative, is where...at what line item does that money come out of. The Comptroller has to debit a certain account, and if there is no account to be debited that has a positive balance in it, then he's helpless. He can't make a payment if there is no account and if, or if there is an account with no money in it."

Barger: "That...that seems rather..."

Bowman: "So all this requires is that there be a...be money in an account before a payment is made, even it's a refund."

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Barger: "If...if a payment has been made, and the money has been put in more money than is necessary, then there is money in there to make the refund without requiring us to appropriate money from another source."

Bowman: "Not necessarily Representative, and in fact the money could go... the money's paid out of one account but, it could go into another account. The...if...if you make a payment to the state it could go into one account, but the money that would be refunded to you would not necessarily come out of that same account."

Barger: "But then that money would be misappropriated wouldn't it? If I gave you ten dollars to cover a six dollar debt, you'd have four dollars left over to give back to me, rather than having to have the legislature appropriate that four bucks."

Bowman: "You...you are halfway correct."

Barger: "Thank you."

Bowman: "There is money somewhere in...in the treasury "

Speaker Madigan: "Gentlemen could we bring this to a close please? And could we recognize Mr. Mays."

Bowman: "Fine with me."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. We're still trying to figure this out with all the great minds we have from both sides of the aisle. I would ask that the Gentleman pull this Bill out of the record tonight. So we can look at this Amendment and discuss it and figure out exactly what implications it has. There's been...some people have said that this applies ...this would have something to do with Public Aid and some of the refunds."

Speaker Madigan: "Mr. Mays your point is well taken. The Bill shall be taken out of the record. On page 3 of the Calendar, on the Special Order of Revenue. Third Reading."

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There appears House Bill 309. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 309."

Speaker Madigan: "Mr. Clerk."

Clerk O'Brien: "A Bill for an Act to amend an Act in relation to income tax check off. Third Reading of the Bill."

Speaker Madigan: "Who's the Bill's Sponsor?"

Clerk O'Brien: "Representative Johnson."

Speaker Madigan: "Mr. Johnson 309, Mr. Johnson."

Johnson: "Thank you, thank you, Mr. Speaker. This Bill, as it originally left Committee and as I sponsored it, provides that with respect to those various checkoffs on the state income tax form, that people who owe money at the end of the year can give money to those various funds as well as people who get refunds. It seemed to me that that was a group that would be likelier to contribute to these various worthy causes, and it was simply an oversight in the existing form and law. And so that the Bill as it originally passed the House Committee did that. There an Amendment added on which provides for an additional repository of...of those funds, and changes the name of the Juvenile Drug Abuse Fund to the Youth Drug Abuse Prevention Fund. And provides that taxpayers may contribute one dollar or more to the fund on their income tax, by either reducing their income tax or increasing the income tax due."

Speaker Madigan: "Gentleman moves for the passage of the Bill. The Chair recognizes Representative Currie."

Currie: "Thank you Mr. Speaker, and Members of the House. I rise in brief opposition to the Bill, and my opposition is only one of principle. I don't think that the state government ought to operate as a private charity agency. I think people who want to make contributions to worthwhile enterprises should do so and can do so. They can write out

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a check any time, and they can write a check to any charitable agency that suits their purposes. The limits on this Bill are the limits of those programs for which we already have checkoffs for refunds. I think this expands a program that should not be expanded. And I would urge a 'no' vote."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. McNamara is out of his seat. Could someone punch Mr. McNamara 'aye'. Mr. Balanoff 'aye'. The Clerk shall take the record. Mr. Clerk open the Roll Call in Munizzi 'aye'. Anyone else? Anyone else? Mr. Clerk close the record. On this question there are 103 people voting 'aye', 9 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. On the same Special Order there appears House Bill 333. Mr. Clerk read the Bill."

Clerk O'Brien: "House Bill 333, a Bill for an Act to amend an Act in relation to state occupation use tax application. Third Reading of the Bill."

Speaker Madigan: "Who's the Bill's Sponsor?"

Clerk O'Brien: "Representative Mays."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much Mr. Speaker, Ladies and Gentlemen of the House. House Bill 333 amends the State Sales Tax Acts, to redefine the definition of maintaining a place of business in this state, in order to require certain out-of-state businesses to collect Illinois sales taxes."

Speaker Madigan: "Mr. Mays there's a Floor Amendment #3, which you have sponsored on file. Do you wish to adopt it?"

Mays: "I've been told that...that takes care of a technical

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error, that we took care of in Amendment #2, and we no longer need that, so..."

Speaker Madigan: "Okay, so Mr. Clerk the Bill is on Third Reading."

Mays: "That's correct."

Speaker Madigan: "Mr. Clerk have you read the Bill the third time?"

Clerk O'Brien: "The Bill has been read a third time."

Speaker Madigan: "Is there any opposition to the Bill? Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Record Mr. Dunn as 'aye'. The Clerk shall take the record. On this question there are 112 people voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. I would like to thank all the Members for your outstanding attendance and work today. We had a very productive day. We'll be back in again at 9:00 a.m. in the morning. Tomorrow we will adjourn relatively early for the gridiron dinner. Then on Thursday we will return for another very long day. We do need these hours in order to call all of the Bills which are on the Calendar. Representative Hasara do you seek recognition?"

Hasara: "Thank you, Mr. Speaker. On behalf of the Coalition of Citizens with Disabilities they ask me to invite all of you to the Ramada. We missed their reception this evening because of Session. But they are having a social event and invited all of us to stop by. If you have any energy left you may want to do that."

Speaker Madigan: "Representative Younger."

Younger: "Yes, Mr. Speaker, thank you. I filed the Fiscal Note in reference to House Bill 1961. Could that be moved to Third Reading? 1961."

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Speaker Madigan: "Quiets. Mr. Clerk what is the status of that Bill?"

Clerk O'Brien: "The Bill was held on Second Reading of a Fiscal Note. The Fiscal Note is filed."

Speaker Madigan: "Fine. The Bill shall be placed on the order of Third Reading. Mr. Clerk you have any...an Agreed Resolution?"

Clerk O'Brien: "Senate Joint Resolution #64, offered by Speaker Madigan."

Speaker Madigan: "And Mr. Matijevich moves for the adoption of the Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Resolution is adopted. Mr. Clerk anything further? For the purpose of reading Senate Bills? Okay. Mr. McPike moves that the House stand adjourned until 9:00 a.m. tomorrow morning, providing certain perfunctory time for purpose of reading Senate Bills for a first time and also messages from the Senate. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The House does stand adjourned until 9:00 a.m. tomorrow morning."

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