

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

112th Legislative Day

May 8, 1990

Speaker McPike: "The House will come to Order. The chaplain for today is Reverend Farries Morrison of the Prayer Wheel Church of God in Christ. Reverend Morrison is the guest of Representative Curran. Guests in the balcony may wish to rise and join us for the morning prayer."

Reverend Morrison: "Almighty God, even the Lord has spoken, 'I have called the earth from the rising of the sun to the going down thereof.' It's to this God that we bow our heads in humble submission. Thanking you Lord, that you woke us up this morning clothed in our right mind. Thank you for this great body of men and women that we're standing before. And we implore You to bless them with wisdom, honor and with judgment. We realize that in Your Holy Writ You said, 'trust in the Lord and lean not to our own understanding, but in all of thy ways acknowledge Him, and He shall direct thy path'. We ask that You grant us, Oh God, this pleasure. These blessings we ask in Thy Name. Thank God. Amen."

Speaker McPike: "Be led in the Pledge of Allegiance by Representative 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 McPike: "Roll Call for Attendance. Representative Piel."

Piel: "Yes, Mr. Speaker. Would the records show that Representative Bill Black, Representative John Hallock and Representative Bernie Pedersen are all excused today?"

Speaker McPike: "Representative Giglio."

Giglio: "Mr. Speaker, let the records show that Representative Farley is excused because of illness."

Speaker McPike: "I believe that Representative Farley has bypass

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surgery tomorrow. Is that...to your knowledge is that correct? That's my understanding that...that Bruce Farley's having bypass surgery tomorrow in Chicago. Take the record, Mr. Clerk. One hundred fourteen Members answering the Roll Call. A quorum is present. Representative Curran."

Curran: "Thank you, Mr. Speaker. I rise on a point of personal privilege to announce that today is the last day after five years of service from Reverend Frank Beard, one of the Doormen here, who's now down by the well. And as you pass by him today...Frank Beard, would you show everybody who you are Frank...as you pass by him let Frank know you've enjoyed him for the last five years. Thanks Frank, for doing a great job."

Speaker McPike: "Alright, on the Special Order. We intend to go to Second Readings, so the first order of business is: Education - Second Reading. The first Bill on education is House Bill 613, Representative McGann, out of the record. House Bill 1222, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1222, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "There are no Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Curran."

Curran: "Move to withdraw Amendment #3."

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

Clerk Leone: "Floor Amendment #4 being offered by Representatives Cowlshaw - Countryman - Hoffman."

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Speaker McPike: "Representative Cowlshaw, Amendment #4."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #4 to this Bill amends various Income Tax Acts, the School Code, the Pension Code, the Vehicle Codes, the state Finance and the state Lottery Laws. It provides, in fact it requires, that sixty-three percent of net income tax receipts be transferred from General Revenue Fund to the Common School Fund, and to the newly created Higher Education Enhancement Fund in, respectively, two-thirds and one-third proportions. What this Bill does is to absolutely assure that we put, in our appropriations measures, education first. We have a title for this Amendment. We call it the Priority One Plan. Most of you are familiar with it because it was originally introduced last year, was given ample opportunity to be discussed among all of us. We all understand what it does. We all understand what it means, not only to our elementary and secondary schools, but to higher education. For once it means that we put our money where we have been putting our empty speeches all these years. And Mr. Speaker...Mr. Speaker, I ask for a Roll Call vote on this Amendment. Thank you, very much."

Speaker McPike: "Yes...Fine. Representative Curran on the Amendment."

Curran: "Thank you, Mr. Speaker. This...what the Lady has said is...is in a couple senses is true. This was discussed last year as she said fully. It was discussed fully and then it was rejected, even through it had my vote. And...I think it should be discussed again, as it is being here, and it should be rejected again. This is not a friendly Amendment. This is an election year posturing Amendment. This is not something we ought to be doing. This Bill is not a...a vehicle Bill for any other purpose other than

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just establishing the way parents and teachers deal with medications for children. This is a hostile Amendment. It is unfriendly. And I ask for those people who would like to just deal with the simple matter of medications in schools and forming an advisory committee to allow this Bill to go on unfettered by this hostile Amendment. I ask for a 'no' vote."

Speaker McPike: "Representative McCracken."

McCracken: "It's only a hostile Amendment in the sense that the Sponsor doesn't want it on this Bill. Believe me. If we had our choice, we would put this...an Amendment on a Bill and sponsor it ourselves. We have no objection to doing it that way, but we can't get those kinds of Bills called. The Democrat majority has left us with the only option, and that is to amend other Bills. Now, why don't we address the issue of...or the merits of this Amendment? Why do we have to fall back on a claim of hostile Amendment? Which really has no meaning. In fact the Amendment was first introduced as a Bill last year, not an election year. It was not given a fair consideration at that time and we want it considered this time. This is where the greatest bulk of state money is spent, education. Why not dedicate some of that money for education? Why not dedicate some of those sources for education? That's what this Bill does. It will insure in the future that the state will pass an education appropriation on which local school districts can plan, on which they can rely. And that's what's important about this Amendment. Consider it on the merits. Let's vote it out."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, has the Amendment been printed and distributed?"

Speaker McPike: "Yes. Yes, it has. Representative Cullerton, do

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you have a copy of this? Any further discussion? Being none, Representative Cowlshaw to close."

Cowlshaw: "Thank you, Mr. Speaker. I would disagree with the Sponsor of the Bill in that it has never been my intention to be unfriendly. I would remind the Speaker that I did ask for a Roll Call Vote on this Amendment. We all know what it does and we either care about the schools or we don't. Thank you, Mr. Speaker."

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

Curran: "I know Representative Cowlshaw did not mean this to be a hostile Amendment, and because of that I have rethought my position. And since I voted for this last year, I move to accept your Amendment."

Speaker McPike: "Alright. Representative Cowlshaw, do you want a Roll Call on this? Representative Curran accepts the Amendment. It's obvious that the Amendment will be adopted unanimously. Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. And thank you, very much, Representative Curran. That's very gracious of Representative Curran and of the Chair. I would still like a Roll Call Vote."

Speaker McPike: "Alright. The Lady is not trying to be dilatory, I'm sure. She just wants a legitimate Roll Call. So, all in favor of the Amendment vote 'aye', and all opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? Representative Curran to explain his vote."

Curran: "No. I don't wish to explain my vote. I wish to address the Chair in a minute."

Speaker Curran: "Alright. Have all voted who wish? The Clerk will take the record. On this Amendment there are 107 'ayes', and no 'nays'. The Amendment's adopted."

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Representative Curran."

Curran: "Mr. Speaker, I'd like to hold this Bill on Second Reading."

Speaker McPike: "Thank you. The Bill remains on Second Reading. House Bill 2859, Representative Shaw. Representative Shaw? Out of the record. House Bill 3246, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3246, a Bill for an Act to amend an Act creating the Board of Higher Education. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative LeFlore."

LeFlore: "Mr. Speaker, I'd like to table Amendment #1."

Speaker McPike: "Amendment #1 is withdrawn. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 30...Representative LeFlore."

LeFlore: "We have Amendment #2 on that Bill."

Speaker McPike: "Alright. Mr. Clerk, is there further Amendment? Alright. Representative LeFlore, the Amendment is not filed. The Bill will be returned to Second Reading. Mr. LeFlore, the Clerk is looking for the Amendment. Just a minute."

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

Speaker McPike: "Alright. The Bill's on Second Reading, Representative LeFlore, Amendment #2."

LeFlore: "Thank you, Mr. Speaker. Amendment #2 deletes everything after the enacting clause. The original Bill requires that the Board of Higher Education ensured that each public institution of higher education establish a

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program of race relation. This Amendment removes and refer...refer to the Board of Higher Education instead of requiring that the board governs each public institution and higher education be responsible for insuring that a program of race and relation is established at each campus. This includes junior colleges and it also includes gender, females, as requested in committee."

Speaker McPike: "Any discussion on the Amendment? Representative Hoffman."

Hoffman: "Thank you. Will the Sponsor yield to a question?"

Speaker McPike: "Yes. He will."

Hoffman: "In my analysis it indicates that...there's a requirement that public universities and community colleges review their penalties for crimes directed against a person or property on account of race, ethnicity, or religion...which are committed on their campus and recommend increased penalties as appropriate. Now, does this refer to a statutes that are on the books, which currently...deal with the issue of...of person or property? Or is this in regard to rules and regulations that are in place at the university or colleges?"

LeFlore: "Okay. I hope I understand you correctly, Representative. I really couldn't hear you very well. You said that...does this refer to property...personal properties? I don't quite understand your question."

Hoffman: "The question is, are you referring to...of rules and regulations of the institution, the college or the university? Or are you referring to crimes as we define them in the statutes?"

LeFlore: "Well...I understand what you are saying. I don't know. I would have to check to find out."

Hoffman: "It's on the Amendment. It's on page 5, line 7."

LeFlore: "Well, my understanding that this covers all the Board

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of Regents...Universities, Representative Hoffman."

Hoffman: "Well...Representative, let me just suggest to you that you have someone take a look at that and see if it, in fact, does what you want it to do. I don't know who put this together, but I would..."

LeFlore: "Well, we discussed this measure in committee...and discussing it in committee, I tried to...to direct my attention to all the changes that was requested and I remember this was one of the changes."

Hoffman: "Mr. Speaker, I...I have concluded my question."

Speaker McPike: "Representative McCracken."

McCracken: "It's like the last twenty-five years of our national saga has never happened. At one time it was segregation, which is an evil. But integration is not enough. Now it is the thought police. I...I refer to the Preamble, 'This differential treatment means subtle, often unintentional policies, practices and behaviors, that serve to affirm and reinforce stereotypes. Blah, blah, blah.' No longer is it good enough that Americans will be judged by their behavior. Now they must think the right things. Even if what they do is unintentional, even if they were raised in a home that says what you consider to be these unin...unintentional bad acts are nothing more than appreciating differences among and between our people. No. Now the thought police are involved. Even though it's unintentional, even though it's subtle, even though it's based upon common wisdom, that no longer will suffice. The thought police are telling us not only how to act, but how to think. That's what's wrong with this Amendment. That's what's wrong with this Bill. You know the Supreme Court on which many of you on that side of the aisle have relied for the past twenty/thirty years in favor of improved race relations has spoken out. Unintentional acts are not

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wrongful acts. You have to show a relationship between intent and affect, cause and effect. It is not true that these unintentional references, that one makes in his daily life, is something that's actionable under our Constitution. It's absolutely wrong. And even before the Supreme Court saw the light, we told America that it was absolutely wrong. I stand in proud opposition to this Amendment. I say 'no' to the thought police. I say 'no' to making a cause of action for these unintentionable thoughts, or unintentionable thoughts or acts. I say 'no'. I say 'freedom'. I say 'integration'. I say the same institutions and resources available for any person regardless of race, color or creed, but I say 'no' to the thought police. That's what this Amendment stands for and that's why we should reject it."

Speaker McPike: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I've been reading the Amendment and going through the file, I'm trying to figure out exactly what Amendment or what Bill Representative McCracken was refer...referring to. Cause it's certainly not the Bill or the Amendment that's before the General Body right now. This Bill merely seeks to develop programs to improve race and ethnic relations. And, yes, it does say that we will look at the consequences of actions, not their intentions because what we have to deal with in this House is the reality of what the affect of people's actions. This is not a thought process Bill. Again, the last speaker obviously read a caption without reading the entire Amendment. This Amendment puts before...puts the Community College Act in the same situation as the underlying Bill. I would support the Amendment. Read the Bill. All it wants to do is improve race and ethnic relations at our universities.

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Anyone, who's kept up with the news today, knows that we have problems in our institutions in this state, and a program and a study like this is certainly necessary."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I find it rather peculiar, especially during an election year, for a Member of the opposite side of the aisle, to state that integration alone is simply enough. Integration in which certain students are treated differently is not lead itself...or leading itself toward education. Those who sit on the Higher Education Committee in the Senate as well as in the House know about problems that have come before their committees in relationships to those students, who are African-American, who are treated differently. It is important as educational leaders, and it is important as Legislators in this Body, that every effort be made to see that all Americans are treated equally. No one is discussing police...police of one's intentions. What we are saying or what LeFlore...Representative LeFlore is saying is that, this legislation requires that allegations of racial, ethnic or religious intimidation be looked upon, be investigated, that it not be ignored. I think this is the type of legislation that will have to bring harmony to our...our higher institutions of education. I think it is terribly insulting to the other party to have a Gentleman stand up and berate a piece of legislation that brings equity and parity to every student on a State of Illinois college campus. And I would question the integrity and the morals of anyone who did not see what this Bill's real intent is, and, obviously, what the results will be. But then again you may have a desire for a different America than we have on this side of the aisle."

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Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker. Members of the House, I'm surprised at the opposition to the Amendment. All the opposition does is to provide that the basic content of the Bill would apply to the community college board as well as to the Board of Higher Education. As to the underlying Bill, I think it's worth the Members knowing that the Bill adopts most of the provisions of Governor Thompson's Amendatory Veto of House Bill 2687 of last Session. The Bill is really about encouraging higher education institutions to adopt programs and policies which will discourage racial hatred, ethnic stereotyping incivil language and incivil behavior. So the Amendment should certainly be adopted. When we come to discuss the underlying Bill, I hope that everybody will have read it and decide that it makes good sense for us all."

Speaker McPike: "Representative LeFlore to close."

LeFlore: "Thank you, Mr. Speaker. A lot has been said about this particular Bill. I find this Bill to be necessary. Just last week we had an incident in Champaign...and...a Bill like this will help heal some of those ills what we have in our learning...higher education learning centers. So therefore, I ask that everyone in this House give a favorable vote to this particular measure. Thank you."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 68 'ayes', and 25 'nos' and the Amendment's adopted. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Shaw, we're going to return to your Bill now. We just took it out of the record. It's a previous Bill. House Bill 2859, read the

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Bill, Mr. Clerk. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2859, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representatives Didrickson and Parke."

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

Didrickson: "Yes. Thank you, Mr. Speaker. Members of the House, Amendment #1 would simply include the...study of women's history into the School Code. It has become quite apparent that with the study of the Holocaust, the study of black history, the study of...the history of the Poles, the study of the history of the Irish that sit in our School Codes, certainly there is a segment and a group of society that has suffered a great deal and certainly whose history ought to be studied. And I would just simply add Amendment #1 to that."

Speaker McPike: "Representative Shaw on the Amendment."

Shaw: "Not on this Bill. Yes. Mr. Speaker. Ladies and Gentlemen of the House, I think this is a fine Amendment, but I just don't think this is the proper Bill that it should go on. And I stand in opposition to the Amendment."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I agree with the prior speaker that this Amendment is...may well be the subject of a Bill sometime, but it certainly does not impact well on the underlying Bill here, which speaks about the education of students in black studies. And I would join those who are in opposition to the Amendment, and ask people to, please, vote 'no', on this Amendment, because it really does cut out the importance of the Bill."

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Speaker McPike: "Representative Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm shocked that people who would rise in opposition on an Amendment to...to study the...the advances...and the contributions that women have given to this country and this world. This certainly applies. This is...absolutely applied. Wanting to be able to have black history studied is certainly something that has merit. But it wasn't that long ago, Representative Preston, that we put on Amendment...Bill to study the Holocaust, which we passed out of here. Can we expect anything less than to have this Amendment passed. It certainly applies. It's germane, and the contribution women have made to this country certainly should be studied, also. And I believe that this Amendment has a germaneness to it, and I would ask that the Members vote to put this Amendment on this Bill."

Speaker McPike: "Representative Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I, too, rise in opposition of this Amendment. I certainly feel that the contributions of women are certainly significant. However, I think they deserve a Bill by themselves, and I really question the move of any woman, who would attempt to diminish the...the contributions of women, by saying, 'well, just slap them on as an Amendment to someone else's legislation. I certainly do approve of all knowing and recognizing the contributions of women, but I think the legislation that...Representative Shaw has proposed is a piece of legislation that deals with the contribution of one of the largest ethnic groups in the country that we live in. I'm sure that Representative Didrickson's Amendment would float very well as a Bill all on its own. I say, 'let's vote 'no' on Amendment #1.'"

Speaker McPike: "Representative Cowlshaw."

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Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, occasionally there is a Member of the Congress of the United States who makes a statement that is so memorable that almost no American ever forgets it. At one time we had a truly, honorable Member of the United States Congress, whose name was Shirley Chisholm. And one of the things that Congressman Chisholm said, and that has been repeated many, many times because of its profound meaning. Many of you know Shirley Chisholm, this is not my comment, it is her's, and it makes it perfectly clear why this Amendment is germane, and certainly appropriate to this Bill. Congressman Shirley Chisholm said, 'I have been discriminated against more frequently because I am a woman, than because I am black.' Thank you."

Speaker McPike: "Representative Didrickson to close. I'm sorry, Representative Dunn had his light on. Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I rise in opposition to the Amendment. Earlier it was indicated that...the subject of the Amendment might make a good free-standing Bill. And there are a couple of Legislators on the other side of the aisle, who have risen in support of the Amendment, and if they felt so strongly, why don't they file a Bill. We have not addressed black history correctly, in this State or in the United States of America, and this is a good Bill, and it shouldn't be diluted with this Amendment, which is entirely different subject matter. The Amendment may be worthy of study. The important thing in the United States of America at this point in time is to encourage the accurate teaching of history, so that the teaching of history accurately reflects what happened. It does not reflect what happened. It's getting better, but it does not reflect what happened to blacks in our country and in

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this state accurately. So this is a good Bill. I support the Bill, and I urge defeat of the Amendment."

Speaker McPike: "Representative Piel."

Piel: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I can't believe the hypocrites on the other side of the aisle. We bring up a Bill that they want black history. Two of the people that say it's a bad Bill and it should stand on its own, were pushing for the black history. We had no problem with that. Studying the Holocaust, one of the opponents on the other side was the big pusher for the study of the Holocaust and then a woman stands up over there and says it should stand on its own. I wish that woman would walk through the doors behind the Speaker's platform and talk to Mr. Madigan in reference to the tax Bill that he pushed through about eight/ten months ago. If you'll remember, that was pushed on to a conference committee that had something to do with...you know a complete...completely unrelated subject. So don't give us this malarkey. I mean if you don't want the Bill. If you don't want a mandatory study of women's issues, say so. But don't be hypocrites and say, 'well, I like it on this case, but I don't like it on that case'. And then you sit here and have the audacity to say, 'I don't like an Amendment' just because it's a Republican sponsored initiative. Vote 'yes'."

Speaker McPike: "Representative Didrickson to close."

Didrickson: "Thank you, Mr. Speaker. Members of the Chamber, first off Mr. Speaker, I would like to say that I would like a Roll Call Vote on this Amendment. I didn't offer this Amendment to politicize either side of this chamber. I offered this Amendment with a great deal of sincerity because I think if you are going to pull out any one segment of society, whose history ought to be included in

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the history book, whose history is not written into the history book, it has to be women. I went to Representative Shaw and asked for his permission. I went through the ropes and exactly the Protocol that you're supposed to do, and I was told that it was going to defeat his Bill. I hear on the House Floor that what we are doing by adding women's history to our School Code...that we are going to be diluting...diluting this Bill. I'm frankly surprised. I really am. I can't think in this year where it has been seventy years since women worked so hard through the Suffrage Movement to gain the right to vote. And in this August 24th, it is going to be seventy years. We were the last group to get that right to vote. Much has been offered by women in terms of their political heritage in terms of their cultural heritage, and I would ask you not to politicize this vote. I would ask you to think about the women constituents in your districts and vote 'aye' on this Amendment to the inclusion of not only the study of black history, important. I voted for it in committee. The study of the Holocaust, important, I voted for it in committee and on the House Floor last year, but the study of the history of the Polish people, the German people and the Irish people. Certainly, women's history is as important, and I ask for an 'aye' vote."

Speaker McPike: 'Question is, 'shall Amendment #1 be adopted'? All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment there are 88 'ayes' and 12 'nos'. The Amendment is adopted. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Representative Shaw, do you want this Bill on Third Reading? Third Reading. House Bill 3336, Representative Homer. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 3336, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

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

Hoffman: "A request of the Sponsor of this Bill, Representative Homer, if he would be willing to hold this until tomorrow. I've an Amendment being prepared which won't harm his Bill, but I'd like to have a chance to...oppose it...or propose it."

Speaker McPike: "Representative Homer takes the Bill out of the record. House Bill 3421, Representative Matijevich. Representative Matijevich. Out of the record. House Bill 3572, Representative Steczo. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3572, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3989, Representative Hicks. Out of the record. House Bill 4053, Representative Flowers. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4053, a Bill for an Act concerning cellular radio telecommunication devices. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #1 replaces a cellular radio telecommunication

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with any type of communication and I would move for the adoption of Amendment #1 to House Bill 4053."

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

Cowlshaw: "Pardon me, Mr. Speaker, but we don't seem to have this Amendment. Could you tell me if it's been printed and distributed?"

Speaker McPike: "Yes, it has. We're hold here until you find the Amendment, Representative. Representative Hultgren, do you have a copy of this Amendment? Would you share it with...with Representative Cowlshaw? Alright. While we are waiting for that, Minority Leader Daniels."

Daniels: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, we're joined today by a distinguished Gentleman from the State of Washington. Representative Jim Horn is from Mercer Island, Washington, and is visiting today as a guest of Representative Duane Noland. Would you, please, join in welcome...welcoming Representative Horn."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Yes. Thank you for your patience, Mr. Speaker. I can't imagine why we haven...didn't have this in this file."

Speaker McPike: "Representative Hultgren had it."

Cowlshaw: "There was a discussion in the committee about an Amendment for this Bill, and I know that Representative Flowers has...she agreed to do that and has really done her best to make sure that what was requested has been complied with. However, Mr. Speaker, I have a very serious problem with this Amendment. I understand the purpose of the Bill to begin with, but the Amendment takes out the words 'a cellular radio telecommunication device' which was going to be prohibited to be used in schools and replaces that phrase with the word 'any communication device'. Now, Mr. Speaker, a larynx is a communication device, a telephone is

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a communication device, those people who use sign language for them a hand is a telecommunication device. This Amendment does about nine million things more than I am confident Representative Flowers intended for it to do. If Representative Flowers would be willing to take it out of the record, perhaps until tomorrow. Maybe we could find some language to use in an Amendment that didn't prohibit teachers from using the telephone in the school."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, to the Lady on the other side of the aisle. I did as I was asked to do in committee, as far as the cellular communication. Someone said that we were limiting that to one particular thing. They asked that I would make it general, and I did so. Now...no...the device is not any type of communication, it's any type of communication device. That is a thing. If someone used hand language that is, of course, not against the law, that's the way that they communicate, but we're talking about devices in dealing with drugs, in dealing with selling of drugs."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Representative Flowers, listen I'm sure...I'm sure we can work this out. And I understand what your purpose is, but you have to look at what the language actually says. This Bill, if this Amendment were adopted, would read under...on page 2, section 34-18.14 would read, 'communication prohibition: The board shall prohibit the use of...use or possession of any communication device by any pupil while such pupil is in any school building or on any school property during regular school hours, or at any other time. Representative, I think that we might be able to solve this whole problem, if you got this Amendment redone and simply

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used the adjective 'electronic' in front of the word communication. But perhaps there is someone in the Legislative Reference Bureau, who could be of help to you so that we could arrive at a term that does what you want to do, but not more than you want to do the way this Amendment reads now, you are prohibiting the use by students of any communication device, and I am confident that is not what you want to do."

Flowers: "Mr. Speaker and Ladies and Gentlemen of the House, I tried to work with the other side of the aisle with this Amendment. If anyone is using any type of device to sell drugs, it's a crime."

Cowlshaw: "It doesn't say that. It doesn't have anything to do with the use to which they are putting this device. It has only to do with the fact that it is prohibited if it's a communication device. Period."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, I would like to withdraw this Amendment, because I tried to deal with the situation..."

Speaker McPike: "Amendment #1 is withdrawn. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. And returning to the Bill that was taken out of the record, House Bill 3336, Representative Homer. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3336, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 4135, Representative Munizzi. Representative Munizzi."

Clerk Leone: "House Bill 4135, a Bill for an Act to amend the School Code. Second Reading of the Bill."

Speaker McPike: "Representative Munizzi."

Munizzi: "Excuse me. Thank you. Mr. Speaker, I ask that this be

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taken out of the record at this time. There's an Amendment being prepared right now, and as soon as it's available, we could come back that would be wonderful. And thank you for pronouncing my name correctly."

Speaker McPike: "There's also a state mandate's request filed. You have to file a...a note on that."

Munizzi: "I believe the Amendment will allow the fiscal note to be withdrawn. Thank you."

Speaker McPike: "Representative Matijevich has returned. House Bill 3421, out of the record. Representative McGann on House Bill 613. Representative McGann. Is the Gentleman here? Out of the record. Alright. Special Order Human Services. Second Readings. Appears House Bill 797, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 797, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker McPike: "Third Reading. House Bill 1656, Wyvetter Young. Out of the record. House Bill 1817, Representative Trotter. Representative Trotter? Out of the record. House Bill 3058, Representative Cullerton. Mr. Cullerton? Read the Bill, Mr. Clerk. Out of the record. House Bill 3110, Representative White. Out of the record. 3164, Mr. Trotter, out of the record. Next three Bills are by Representative White, out of the record. House Bill 3565, Representative Currie, out of the record. House Bill 3567, Representative Williams. Representative Williams? Out of the record. House Bill 3587, Representative Didrickson. Out of the record. House Bill 3600, Representative White, out of the record. And 3675, Mr. Trotter, out of the record. Second Reading - Special

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Order - Insurance. House Bill 982, Representative Ryder.
Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 982, a Bill for an Act to amend the
Illinois Insurance Code. Second Reading of the Bill.
Amendment #1...Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3683, Representative
Leverenz. Representative Leverenz? Mr. Leverenz here?
Out of the record. House Bill 3856, Representative Ryder.
Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3856, a Bill for an Act to amend the
Illinois Insurance Code. Second Reading of the Bill.
Amendment #1...Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. During the negotiations on this
Bill, the Department of Insurance originally had asked for
one hundred and eighty day effective date after the time
the Bill becomes law, in order for it to go into effect.
As a result of the negotiations with the Department,
they've now agreed that an immediate effective date would
be appropriate. Amendment #2 accomplishes that and I would
move that it be adopted. Thank you, Mr. Speaker."

Speaker McPike: "Mr. Ryder, you notice who's name is on the board
today?"

Ryder: "Speaker, I sincerely appreciate the compliment, but I

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would also bring to the attention of the Speaker that this Bill is Cosponsored by the entire Insurance Committee. And I think it's a shame that all of those good folks are not on the board, but I appreciate the courtesy of my name. It looks kind of good up there. Thanks."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes. Would the Sponsor yield?"

Speaker McPike: "Yes."

Cullerton: "Well, Representative, I noticed that the Bill number you...you've chosen for this Bill is 3856."

Ryder: "Is that your waist measurement?"

Cullerton: "My...the next Bill numerically is 3857, that I'm the Sponsor of which also amends the Insurance Code. So I'm wondering whether or not that the same person who gave me my Bill, perhaps gave you...this Bill and it was filed at the same time..."

Ryder: "Representative, there are some things that I will not admit even on the House floor."

Cullerton: "Well, you indicated...but you referred to negotiations...and so I would like to know, who has been negotiating? The Department of Insurance? The Insurance Committee? But to say that the Insurance Committee is a Cosponsor...you know raises more questions than answers, because..."

Ryder: "Representative, you've had the opportunity to appear before the Insurance Committee. And you know, as fine a committee as that is, with the talent that's there, any time that all of the people of that committee agree to a Bill, that it has to be a fine Bill. And I...I look for your support."

Cullerton: "Do...do you have to actually sell insurance to be a member of that committee?"

Ryder: "Oh, no. No. I don't think that's the case. In fact, I

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believe, I'm on that committee. I don't think that I do that."

Cullerton: "Well, anyway, back to...back to your Amendment. You're speeding up the effective date of the Bill..."

Ryder: "Correct."

Cullerton: "And you've indicated that there were negotiations over...over the effective date of the Bill. Who...Who's..."

Ryder: "Are you...Are you familiar with the concept of negotiations? That's where people talk...sometimes happens between majorities and minorities, but not often."

Cullerton: "Yeah, yeah...but who are the people? I know this is only Second Reading. It's kind of a complicated Bill..."

Ryder: "It is indeed."

Cullerton: "Who wants the Bill? The Department of Insurance? Or Insurance, as you would say, from where you're from."

Ryder: "Consumers want the Bill. They want to be able to have as a package to purchase the acceleration...the acceleration that's within this Bill...as an additional part of the entire consumer products that are there."

Cullerton: "Is this an IPAC Bill?"

Ryder: "There are several insurance companies that would like to meet that consumer demand. And I think they took it upon themselves to try to meet consumer demand by proposing this."

Cullerton: "I see. So, the insurance companies put the..."

Ryder: "Responding to consumer need. Yes."

Cullerton: "They put the Bill and then they are negotiating with the Department to see when it can be enacted?"

Ryder: "I also talked to the Department, Representative. They're nice folks. I'm sure they would be glad to talk to you as well."

Cullerton: "Right. Okay. Thank you. I have no objection to the

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Amendment."

Ryder: "Thank you, Representative."

Speaker McPike: "Question is 'shall Amendment #2 be adopted?'

All in favor say 'aye', opposed 'no'. The 'ayes' have it.

The Amendment's adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 3857, Representative

Cullerton. Read the Bill, Mr. Clerk. Out of the record.

Special Order - Transportation - Second Reading. Appears

House Bill 2867, Representative Saltsman. Mr. Saltsman?

Out of the record. House Bill 20...House Bill 2887, Mr.

Peterson...from Lake County. Mr. Peterson. Read the Bill.

Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill..."

Speaker McPike: "Oh, I'm sorry. No. No, that is the Chair's

error. That's on Third Reading. That'll be out of the

record until we get to Third Readings. On Economic

Development appears House Bill 1560, Representative

Wyvetter Younge. Out of the record. And the next Bill out

of the record. House Bill 2876, Representative LeFlore.

Bob LeFlore? Mr. LeFlore. Out of the record. And House

Bill 3604, Representative DeJaegher. Out of the record.

The Order of State Government Administration. House Bill

890, Representative Bugielski. Representative Bugielski?

Out of the record. House Bill 3028. Read the Bill, Mr.

Clerk. Representative Young in the Chair."

Clerk Leone: "House Bill 3028, a Bill for an Act to eliminate the

Agricultural Premium Act. Second Reading of the Bill.

Amendment #1 was adopted in committee."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Motions filed in respect to Amendment #1. Floor

Amendment #2...being offered by Representative Ropp."

Speaker Young: "Representative Ropp on Floor Amendment #2."

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Ropp: "Thank you, Mr. Speaker. Members of the House, there has been an attempt because of the fact that we have insufficient funds now to fully cover the Ag. Premium Fund requests that we have...traditionally spent throughout the years. And in good faith Representative McPike is attempting to deal with this situation. As I've looked at the records, if we take out two of the statutory, let's say, groups or agencies that currently are funded out of the Ag. Premium Fund. That would actually bring in line the amount of revenue that is provided to the Ag. Premium Fund, still allowing the other agencies that have been funded by law, and it would pretty well balance out the amount of money coming into the Ag. Premium Fund. This Bill takes out all of the funding for the operation and maintenance for the Illinois State Fair and the Du Quoin fair and places it into the General Revenue Fund. And, therefore, the Ag. Premium Fund would pretty balance out for the rest of the areas of program and support that we have traditionally supported. I've talked to Representative McPike on this, and I think, he supports this Amendment."

Speaker Young: "Representative Weaver."

Weaver: "Thank you, very much Mr. Speaker. Will the Sponsor yield? Representative, this Amendment does it...would it in effect increase the amount of money going to county fairs from the Ag. Premium Fund?"

Speaker Young: "Representative McPike."

McPike: "This would only allow...this does not put any more money in to the...it just says that out of the Ag. Premium Fund we will not any longer fund monies to the Illinois State Fair and Du Quoin fairs."

Weaver: "Would that in effect though free up money for the...for the downstate county fairs?"

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McPike: "Well, it should, but it doesn't guarantee that it's going to free it up. It just says that we're going to spend, for these two areas, money from the General Fund, rather than the Ag. Premium Fund. So, in effect it should provide...yes...more money for the...for the county fairs, but it doesn't guarantee it, under this provision."

Weaver: "Why do we want to move funding for the state fairs and the Du Quoin fair to the GRF, rather than from the Ag. Premium Fund?"

McPike: "Well, I just tried to mention we're...we're overfunding projects out of the Ag. Premium Fund to the tune of about what we spend for Du Quoin and the Illinois State fair. So if we fund these two out of the General Revenue Fund, we will pretty much make available monies for all of the rest of the programs like county fairs, like 4-H, like FFA, like extension and McCormick Place, for example. And we would not in effect cause any stress on the Ag. Premium Fund."

Weaver: "So, if there's no guarantee that this additional money, that the Ag. Premium Fund would have to...have to share among the...the then existing projects would...would...that could all conceivably go to McCormick Place. Is that not true? Rather than downstate county fairs?"

McPike: "No. Not under this. Not under this provision, because we have to allocate those in the appropriation process anyway."

Weaver: "The Ag. Premium Fund is allocated by appropriation?"

McPike: "Yes."

Weaver: "I thought that was a dedicated fund."

McPike: "Well, we still have to appropriate those dedicated funds. We're just saying these two areas will not be used to dedicate funds from the Ag. Premium Fund, because we are overspending the Ag. Premium Fund, almost to the equivalent of what we're spending for these two programs."

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The State Fair and Du Quoin."

Weaver: "Okay, thank you."

Speaker Young: "Representative McPike."

McPike: "I accept the Amendment."

Speaker Young: "Representative Ropp to close."

Ropp: "I just welcome your support. Thank you."

Speaker Young: "The question is, 'Shall Floor Amendment #2 be adopted'? All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. House Bill 3136, Representative McPike."

Clerk Leone: "House Bill 3136, a Bill for an Act concerning Southwestern Illinois Apartment Authority. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Any Floor Amendments?"

Clerk Leone: "There are no Floor Amendments."

Speaker Young: "There is a request for a fiscal note. The Bill will remain on Second Reading. Representative McPike."

McPike: "She has the fiscal note. Would you just hand it to the Clerk, please?"

Speaker Young: "Fiscal note is filed. Third Reading. House Bill 3197, Representative Matijevich. Representative Matijevich? Out of the record. House Bill 3316, Representative Matijevich. Representative McPike in the Chair."

Speaker McPike: "Representative Matijevich do you want to call 3197? Out of the record. House Bill 3316, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3316, a Bill for an Act in relationship

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to copies of Bills and committee materials. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 3613. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3613, a Bill for an Act to amend the Home Ownership Made Easy Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Representative McCracken."

McCracken: "Fiscal note requested? I'm unable to refer to my Calendar because we're on these Orders of Call."

Speaker McPike: "Yes...Yes, you're correct. There is no fiscal note filed. It will be held on Second Reading. House Bill 3623, Representative Currie. Alright. This needs a fiscal note also, Representative. Out of the record. House Bill 3777, Representative Currie. Out of the record? House Bill 3962, Representative Giorgi. Giorgi? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3962, a Bill for an Act to amend the Riverboat Gambling Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 4050, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4050, a Bill for an Act to amend the Revenue..."

Speaker McPike: "Out of the record. House Bill 4148, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 4148, a Bill for an Act to amend the Senior Citizens and Disabled Persons Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

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Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative...is this Amendment distributed? Lee, is this Amendment distributed? Representative Kubik."

Kubik: "Withdraw the Amendment."

Speaker McPike: "The Gentleman withdraws the Amendment. Any further Amendments? Mr. Clerk, any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Let's put the Bill up on the board."

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. House Bill 4196, Representative Cullerton. Out of the record. Alright, State and Local Government - Second Reading. Appears House Bill 3120, Representative Woolard. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3120, a Bill for an Act to amend the Illinois Enterprise Zone Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Harris on Amendment #1. Mr. Harris? Representative McCracken."

McCracken: "We went through this last week. And believe it or not between that time and this. I have seen Representative Harris. But I can't tell you where he is right now. I think he withdrew this last week, didn't he? No?"

Speaker McPike: "Representative Harris? Alright. Representative Woolard."

Woolard: "I would give Representative Harris the opportunity to present his Amendment if he chooses. I made a statement

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last week that I was a Gentleman, and I still am a Gentleman. Run it."

Speaker McPike: "What is your desire, sir?"

Woolard: "Let's move to table Motion #1."

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

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

Speaker McPike: "Representative Woolard."

Woolard: "I think we better take it out of the record for just a second. This one has not been distributed yet."

Speaker McPike: "You're correct. It's not distributed. The Bill is out of the record. Representative Harris has returned. Special Order - State Budget. Appears House Bill 1442, Representative Giglio. Frank Giglio? You want your Bill called, Sir? Put it on the board, Mr. Clerk. 1442. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1442, a Bill for an Act to amend the Capital Development Board Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions...Representative McCracken, for what reason do you rise?"

McCracken: "Well, only a point of order, if I need it. We have observed that this started out as a Substantive Bill and is now an Appropriations Bill. And I wonder why it didn't go through the Appropriations Committee? Well, on the assumption I won't get an agreement, I'll move to table the Amendment...the Committee Amendment, because it started out as a Substantive Bill and was amended into a...an Appropriations Bill in violation of our germaneness and

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single subject requirements."

Speaker McPike: "What was your Motion, Representative McCracken?"

McCracken: "Even I can't come up with a scenario where that's a germane or single subject Amendment. Now, I know what the Parliamentarian is going to say. They both relate to the Capital Development Board, am I right?"

Speaker McPike: "Right. Right."

McCracken: "However, it is only Appropriations Bills which have no germaneness requirement for Amendment purposes. It started out as a Substantive Bill, which does have the germaneness requirement, and even beyond that it violates the Constitutional single subject requirement. And besides that I don't think he even needs the Bill."

Speaker McPike: "Representative Giglio."

Giglio: "Mr. Speaker in regards to the Gentleman that just spoke. We do need the Bill, Representative McCracken, because there is so much conflict going on with regard to the building codes throughout the state from all the agencies. And this is one way we were going to try to get the Capital Development Board to be the sole agency to see when these architects and these contractors come in and they go to one agency. Now there is so many they can't keep track. Not to stop the proceeding of the House, if you would tell me that you would try and put that \$200,000 (two hundred thousand dollars) in the appropriations bills somewhere in CDB, we will do it. We will take it out and we will just run with the Bill. But it's really...it's really something that is overdue. We started this, if you recall, about four or five years ago when former Representative Jack Davis was in this House and then went on to Congress. We started then. And that's what it's all about."

Speaker McPike: "Representative Giglio, would you repeat for the Chair? Do you want to table this Amendment?"

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Giglio: "Table the Amendment."

Speaker McPike: "Alright. The Gentleman moves to...to table Amendment #1. On that Representative McCracken."

McCracken: "I just wanted to know. I may be the one that stands up and talks, but I have no authority. So, I can't make a commitment that we'll agree to the appropriation at some other point. But if you want, I mean we have a week left of appropriation matters. Just recommit this to Appropriations and do it in committee."

Giglio: "That's what we are going to do."

McCracken: "Okay."

Speaker McPike: "Now, the Appropriations Committee does not meet this week or next week, so, this would have to be offered to Amendments on the House floor, Representative Giglio."

Giglio: "Alright. We'll put it on Amendment this week."

Speaker McPike: "Alright. Motion is to table Amendment #1. All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #1 is tabled. Representative McCracken, none of your points were well taken. The Chair would agree that it is not a good practice, and we're very glad that he tabled the Amendment. We could find nothing in the rules that prohibited him from doing it. Any further Amendments on this?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Alright. Starting back with the First Order of Special Business, then on Education. Let's start on...do Third Readings. House Bill 391, Representative Steczo. Out of the record. House Bill 948, Representative Cowlshaw. Representative Cowlshaw? Representative Cowlshaw? Out of the record. Representative Young in the Chair."

Speaker Young: "House Bill 1220, Representative Curran. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 1220, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, what this Bill does is set up a pilot program to do in math and science what we have already done in reading, and that is to establish some kind of special assistance for those students who have fallen a little bit behind. What that means is that when you tour your grade schools, K through 6, right now you find some special room where they've got one teacher teaching four, five or six kids who've fallen a little bit behind in reading. We would now start a pilot program to do that in math and science as well. Representative Cowlshaw in her wisdom asked me to contact Leon Letterman at the University of Chicago, because there was another program which she was concerned, she didn't want to...want those programs to step on each other. Actually, Dr. Letterman sent me back a letter saying that he found that this program was complimentary to, supplementary and good working in conjunction with that other program, and that he supports this. So, I don't think that there is any opposition. And I ask for you 'aye' vote."

Speaker Young: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Members of the House, I heartily endorse this initiative here. I think probably one of the best things we did during the education reform years...was to do the reading improvement program. Clearly the need in the future, in the next decade and beyond we are going to need proficiency in terms of math and science. Areas that we are going to need to give our kids every advantage in the very early years. This is a good Bill and certainly it deserves our wholehearted support."

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Speaker Young: "The question is, 'Shall House Bill 1220 pass'? All those in favor vote 'aye'. Those opposed vote 'no'. Voting is now 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 104 voting 'yes', 2 voting 'no', and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 1632, Representative Satterthwaite, out of the record. House Bill 1681, Representative Cowlshaw. Out of the record. House Bill 1762, Representative Ryder. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1762, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Bill as amended repeals the requirement of schools to send to the regional superintendent copies of their collective bargaining agreements. It does not do what is on the board as indicated, but rather it attempts to eliminate that paperwork. I know of no opposition. And I would be happy to answer any questions."

Speaker Young: "The Gentleman moves for the passage of House Bill 1762. On that question is there any discussion? Hearing none the question is, 'Shall House Bill 1762 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 108 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required...Representative Jones...votes 'aye'. On this question there are 109 voting 'yes', none voting 'no', and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed."

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On the Order of Education we will pick up some Bills that are still on Second Reading. House Bill 3989, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3989. On the Order of Second Reading. A Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Take the Bill out of the record, Mr. Clerk. We will now return to Education - Third Reading. Time to go. House Bill 2185, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2185, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Members of the House, House Bill 2185 attempts to add one more item to the reorganization schemes that we have in the Illinois statutes. This one being School District Conversion. This is a mechanism whereby...school districts that are contiguous, be they unit districts or be they high school districts can get together and form larger high school districts with contiguous elementary school districts. This is an attempt to address the situation where places and areas throughout the state may wish to consider some reorganization scheme, but may not wish to go the unit school district route. This provides them an opportunity to create larger high school districts to be able to provide more in terms of learning opportunities for their children and to be able to qualify them to go to college. So, this Amendment has the agreement with the State Board of Education. It was approved by the committee unanimously, and I would appreciate the support of the House in the passage of House Bill 2185."

Speaker Young: "The Gentleman has moved for the passage of House

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Bill 2185. On that question is there any discussion?
Hearing none...the Gentleman from McHenry, Representative
Klemm."

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

Speaker Young: "Indicates he will yield."

Klemm: "Representative, how does the tax rate...would be
determined if there was a consolidation or a new district
created?"

Steczo: "Representative Klemm, it would be determined the same
way that they are now in various reorganization schemes,
and that would be by referendum. The tax rate would be on
the ballot to be approved."

Klemm: "Would they be allowed to take the highest of the two?"

Steczo: "Again, it would be on the ballot to be approved by the
voters. I wouldn't necessarily be the highest of the two
because these are new districts that are being created. I
think they go up to the statutory limit."

Klemm: "So, they could go to the statutory limit, but no higher
than the statutory limit even though it were approved by a
referendum?"

Steczo: "True."

Speaker Young: "Further discussion? The question is, 'Shall
House Bill 2185 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 109 voting 'yes', none voting 'no', none voting
'present'. This Bill having received the required
Constitutional Majority is hereby declared passed. House
Bill 2842, Representative Ropp. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2842, a Bill for an Act to amend the
Regency Universities Act. Third Reading of the Bill."

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Speaker Young: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Members of the House, House Bill 2842 increases the number on the current Board of Regents from nine to eleven and states that one each should be appointed as alumnus from Illinois State University and one from alumnus from Northern Illinois University. I welcome any questions and I welcome your support."

Speaker Young: "The Gentleman has moved for passage of House Bill 2842. On that question the Gentleman from DuPage, Representative Hoffman."

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

Speaker Young: "Indicates he will yield."

Hoffman: "Is this a new practice, or are we in fact doing this at other...universities and members of their boards?"

Ropp: "Well, the tradition for becoming a trustee at the University of Illinois generally is that you have graduated from that institution. For the appointment by the Governor to the Board of Regents, Board of Governors and Southern Illinois University there is no provision that states someone should be appointed who graduated from those respective institutions. Unfortunately, in at least the last fourteen years no appointment to the Board of Regents has ever been a person that graduated from those institutions. It is the feeling by many who serve at these respective institutions that someone ought to be appointed that graduated in order to provide some positive influence as to traditions and ideas relative to those respective schools. And though the Governor may have done that in the past he for some reason chose not to, and this just assures that someone will be a member of the Board of Regents from those respective universities as a graduate."

Hoffman: "The fact that the Governor has not appointed anyone to the Board from either of those universities is that saying

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anything about those universities?"

Ropp: "Well, I guess you...you could look at it several ways. You might say that he didn't want to do it. Otherwise, he would have done it. You could also say that he, unfortunately, overlooked some very valuable people who have experience and could lend much to maintaining tradition and good spirit on the Board of Regents."

Hoffman: "Well, obviously, there are some extremely qualified people who have graduated from one or both of those universities, so I would be the last one to cast dispersions upon the Sponsor of this kind of legislation."

Speaker Young: "The Gentleman from Rock Island, Representative DeJaegher."

DeJaegher: "Gordy, a quick question...you make reference to two fine universities, can you tell me the rationale or the reason why you're not including Western as also a voting member?"

Ropp: "Western is not on the Board of Regents."

DeJaegher: "They're not on the Board of Regents?"

Ropp: "Correct."

DeJaegher: "Thank you."

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

Ropp: "Thank you, Mr. Speaker. I welcome your support on House Bill 2842."

Speaker Young: "Question is 'shall House Bill 2842 pass'? All those in favor vote 'aye'. 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 110 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 2998, Representative Ropp. Read the Bill, Mr.

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Clerk."

Clerk Leone: "House Bill 2998, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Ropp"

Ropp: "Thank you, Mr. Speaker, and Members of the House. House Bill 2998 is a Bill that is extending a current provision, that we have in the law. And each on of your respect districts, we have a program called VIP or Vocational Instructor Practicum, which allows for vocational teachers, vocational administrators, and vocational counselors to go back into the work place during the summer. And earn up to two thousand dollars, to become more involved and acquainted with new kind of inadequate procedures that are going on in the work place. So that they might carry on that knowledge back to the classroom in the fall. In order to assist those people who are currently involved in vocational programs. This is an extension of that program that now allows the math teacher, the science teacher, the social studies teacher to also go back into the work place, that would allow them as a continuing education program to also be brought up to date in the area of work so that they might convey that message back into the classroom in the fall. I'd be happy to answer any questions you might have."

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

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

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

Cowlshaw: "Thank you, Representative Ropp, there was some discussion in committee, about the meaning of the term secondary school teacher. And I had an opportunity to discuss that with you later and you assured me that your intention with this Bill, is that the provision should apply only to teachers in a high school not teachers in a

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middle or junior high school. If you would like to make a statement to that effect, then I don't think it would be necessary for any Amendment or any of that kind of thing to be added, as long we are confident that that is your intent."

Ropp: "Thank you."

Cowlshaw: "Is that your intent?"

Ropp: "That is my intention, that this Bill will deal with teachers who are in high school, and...not in the junior high level."

Cowlshaw: "Thank you."

Speaker Young: "Further discussion, The Gentleman from Dupage, Representative Hoffman."

Hoffman: "Is there a companion appropriation to this Bill?"

Ropp: "Not a Bill, but there will be an Amendment drawn in due time."

Hoffman: "Do you plan to prepare Amendment...for this Session?"

Ropp: "Yes sir."

Hoffman: "Now, if this is a summer program, it would not be possible to put in place for this year. Is that correct."

Ropp: "If there no money, it would not go into effect this year. But the enabling legislation could be passed. And that is what I'm attempting to do at this point."

Hoffman: "Fine, Thank you."

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

Ropp: "I appreciate your support on this important piece of legislation. Thank you."

Speaker Young: "The question is,, 'Shall House Bill 2998 pass?' All those in favor vote 'aye'. Those oppose 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 108 voting yes. None voting no.

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And none voting present. This Bill having received the required Constitutional Majority is hereby declared pass. House Bill 3051, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3051, a Bill for an Act to amend the school code. Third Reading of the Bill."

Speaker Young: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3051, makes technical changes re...in the reference to the Bill...Operations Building and Maintenance Purposes Tax. This Bill also...does something substantive it proposes to authorize payment for rear organization incentives in those cases, where one district wants to go with more than one other, wants to consolidate with more than one other district. Currently consolidation is discouraged by the fact, that if you consolidate with more than one district, the incentive of proposals to encourage districts to consolidate...don't kick in. This legislation will bring uniformity in application before incentive payments and it will authorize payment of incentives in those cases, where the division of a district would better serve the needs of those affected. This has to do with voluntary...reorganization I don't think there is any opposition."

Speaker Young: "The Gentleman moves for the passage of House Bill 3051. On that question is there any discussion. Hearing none. The question is, shall House Bill 3051 pass? All those who 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 106 voting yes. None voting no. None voting present. This Bill having received the required Constitutional Majority is hereby declared

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passed. House Bill 3084, Representative Matijevich. Read
the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3084, a Bill for an Act to amend the
School Code. Third Reading of the Bill."

Speaker Young: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House. House
Bill 3084, I introduced on behalf of the Illinois
Association and Superintendents of the schools. It relates
to the appointment of process where vacancies occur in the
office of the regional superintendent of schools. For many
decades, until the mid-eighties the state law...held that
the vacancies in the educational services region
superintendencies would be filled by a fifth
superintendents who are eligible to hold the office...in
the mid-eighties that was changed where the vacancy
appointment process was by the chairman of the board with
concurrence by...county board...House Bill 9...3084
will...is a compromise between those two...processors. It
will allow, that the clerk's assistance to the regional
superintendent would fill the vacancy if that
assistance...held the office for one year. And holds all
of the...the...eligibility requirements to hold the
office...if not then process would revert to the present
law. The regional superintendent of schools feels that
this would provide for...continuity of the office for a
professionalism...and...it...it would be a better
structure. I would urge the Members of the House to support
House Bill 3084."

Speaker Young: "The Gentleman has moved for the passage of House
Bill 3084. And on that question the Lady from Dupage,
Representative Cowlshaw."

Cowlshaw: "Thank you, Mr...Mr. Speaker. There are two issues
related to this Bill. I would like to address very

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briefly. The first is that a regional superintendent of the schools is elected. Under the current law, if this Bill were to fail an appointment when there is a vacancy is made by people who are elected. Those people are County Board Chairman and Members of County Board. All of whom are there because the people chose to put them there. This Bill takes away the right of people who were elected to make selection for who will succeed an elected person who is unable to fulfill the complete term. So for that reason I think this concept is not valid I think it overlooks the importance, of the whole electoral process. But the second thing about this Bill, that I think is objectionable is that this Bill puts the state in the position of the determining who will succeed an elected official in a local office. Under current law, local people determine who will fill that unexpired term. I have always believed in local decision making and this is a local office. I do not think the state ought to be dictating who it is that will succeed and fulfill a term for someone who was elected. And for those reasons I rise in opposition to this Bill."

Speaker Young: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I too rise in respect for opposition to this legislation. The...as I understand things...the law used to be the way the Sponsors wishes to put it back. But, if the way it was, the way the Sponsor would like it to be...you replace an elected officer a regional superintendent of the schools who is elected with someone who is...appointed an I...not by elected officials. I almost everywhere and perhaps everywhere with this possible single exception, when a vacancy occurs in an elected office, it is elected officials who appoint to the vacancy, the regional superintendent of the schools candidates run for office on

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a partisan basis. And where there is a partisan election and a winner and a vacancy occurs...the prior law provides that vacancy should be filled with a member of the same political party. When that is done, the members of the general public understand clearly that there was a partisan office. And the first appointed to fill the vacancy is an partisan appointment...with this proposal in mind and the way things use to be. When a superintendent of schools create...left...and create for some reason and created a vacancy. The vacancy was filled with an appointment and the general public...because in many areas the office is little obscure to begin with. The general public felt that this was either (A) a non-elected office, or (B) a nonpartisan office, because of the statutory procedures for succession. So with all do respect, the Gentleman's Sponsor is one of our most respected members of this General Assembly...I disagree with the purpose of this legislation and urge its defeat with 'no' vote."

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

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

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

Kubik: "Representative Matijevich, I understand your Bill, it indicates that the...the...refers to the first assistant superintendent and that person would be appointed to the vacancy."

Matijevich: "That's correct."

Kubik: "What...What occurred? For example in Cook County, when we have a number of assistant...superintendents we don't have a first assistant superintendent, but we have a number of assistant superintendents. Who is dictated...apparently the Bill doesn't define first assistant?"

Matijevich: "There are...there's only one assistant who...receives the pay under the statute of a first

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assistant. That would be the person that designated as a first assistant."

Kubik: "So in other words in Cook County...I don't have the law in front of me. In other words in Cook County they have a number of assistant superintendents and but there's one that is designated as the first superintendent."

Matijeich: "Correct, There are eleven assistants but there is only one that receives the salary of a first assistant."

Kubik: "So, what basically what you're saying is the person who has...gets the salary, even though we are not designating him as the first superintendent. Because he or she gets the salary they are the first superintendent."

Matijeich: "By statute, that's right."

Kubik: "...I think Representative...I might make a comment on the Bill. I think one of the...unfortunately one of the weakness of this Bill, is the fact that for better or worse...as the previous Speaker has indicated, a regional superintendent is elected by the people...in this particular way of looking at it. You, you're taking appointed person, who may not necessary be the best person for the job. He may have been the person who's there for a longest or maybe a friend of the regional superintendent so as a result he is appointed. I think one of the weaknesses of this Bill, is that in case of appointed we don't select the best person we just select the person who happens to be the first regional superintendent. And that in many cases may not be the best qualified person, and for that reason I will...would urge the membership to to oppose this particular Bill."

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

Satterthwaite: "Will Sponsor yield for question?"

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

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Satterthwaite: "Representative, We have heard a lot of talk about the regional superintendent being elected. And certainly that is true, but wouldn't the regional superintendent select the person for his first assistant whom he felt was best capable of carrying out his policy."

Matijevich: "Well, I would hope so. That's the feeling I have, I know in my...in my region everybody here knows that I'm a Democrat and we have a Republican regional superintendent of schools. In my opinion, she has appointed the best qualified person for a first assistant and their both Republicans...I think she has done that in the best interest of the office. And that person by the way if she ever did retire would be a damn good regional superintendent of schools too."

Satterthwaite: "Well, and it seems to me that, that...the elected superintendent has chosen the...first assistant superintendent on the basis of their ability to help care out their policies. And so I think we're in error if we were saying that this allows for somebody who is not selected by an elected official. It is in fact, someone selected by the official who is elected to fill the office in the first place. And so it would seem to me that none of the elected officials have a better recognition of what the job responsibilities are and who could best fulfill those job responsibilities than the person who was elected as the superintendent, they have in fact made the selection of the first superintendent. And in order to have some continuity in that office and the program better being cared out during that term of office. It seems to me that we do provide a good mechanism by this Bill. And for many of the policies of the elected official to be continued under the leadership of the person that that elected official chose to be their first assistant superintendent. I think it's

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a good idea it is probably a better selection process than having county board members involved who may have little if any ideal of what the policies are that the superintendent is trying to carry out. And I would recommend a 'aye' vote."

Speaker Young: "Further discussion. Gentleman from Lake, Representative Matijevich to close."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I believe this Bill is an improvement in over what we have done for many decades. And I would agree wholeheartedly with Representative Satterthwaite. Think in your own mind of your own regional superintendent. Have they selected as a first assistant somebody who is a true professional, who does a good job for education. Our first concern ought to be education, that's really what we are trying to protect. The professional educational continuity of the office, that is fore most, now the old law was that if a regional superintendent...retired and maybe there was only...she called, she or he called in first assistant in two months they would qualify to be the...to fill that vacancy. But we have changed that and they've got to have a year in office. That is a protection, so I think if you're really interested in education and I think the regional superintendents are that you will opt for this selection process. I think it's better for education, now I have no problem with county boards or county board chairman. But I think we will all have to admit that their first priority is the partisan process. And that's all right when it comes to picking a sheriff or states attorney etc. But I think this is a better process if were really concerned about education. Not that education sometimes can't be partisan. So Ladies and Gentlemen of the House I think the Illinois Association of Regional Superintendents are right,

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that this is a better procedure and I would ask for your favorable vote."

Speaker Young: "The question is,, 'Shall House Bill 3084 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. Representative Matijevich."

Matijevich: "I think the Association's got some more work to do. Put this on Postponed."

Speaker Young: "Gentleman's moves that's House Bill 3084 be placed on the order of postponed consideration. House Bill 3109, Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3109, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. ...House Bill 3109...is a Bill that has twice previously passed this House. It requires parenting and family relations education in high school grades nine through twelve. One unit of instructions...the purpose of the Bill is to really to educate men and women who are or perhaps already are or will soon become parents. About the special requirements of nutritional care and medical care that is so essential for a woman during pregnancy...information about not taking drugs or alcohol during pregnancy, seeking medical attention and being careful to eat well balanced meals as a means...of cutting the cycle of under birth weight children being born of people who do not receive that nutritional medical care. And secondly, the purpose is to cut the cycle of child abuse. By teaching those who are about to become parents what the normal and natural reactions of a newborn and young child are. And what the appropriate response are,

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for example a baby that's crying, and the appropriate response of the parent is not to slap the child, but to see what conditions may exist to make the child...the baby uncomfortable so is to cause the baby to be fussy and to cry. I would be glad to answer any questions and I urge and strongly encourage your 'aye' vote."

Speaker Young: "The Gentleman moves for the passage of House Bill 3109. And on that question the Lady from Cook, Representative Pullen."

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

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

Pullen: "Does this Bill still mandate a unit of instruction in parenting and family relation."

Preston: "That is correct, Representative. Specifically, not to include anything concerning abortion or contraception...that's not touched nor in anyway part of this legislation."

Pullen: "Well, I didn't suggest it was."

Preston: "And that wasn't by accident."

Pullen: "Is there a definition in the Bill, of what family relation means."

Preston: "Well...yes, much of that...well I don't know if there's a definition in the Bill, much of the language...frankly that has made a nice phrase. Parenting and family relations, because there was dealing with people who...are supportive that there should be some communication to students who are about to become parents what sibling relationships are like...what a child can expect from a new...or what a parent can expect from a child. When a new child that is brought into the home. The younger newborn baby sister or brother, so that's where the parenting, you know the family relation aspect came in, there's no hidden meaning intended in that."

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Pullen: "Is there anything in this Bill, that says that it is a course that has to be taken by young people who contemplate being parents soon."

Preston: "No."

Pullen: "It's a mandate for all students in public schools in Illinois between ninth and twelveth grade. Right "

Preston: "That is correct."

Pullen: "Do we not have, already, requirements in the law that they are to be taught on how not to become parents."

Preston: "I can't answer that. This is not teaching someone on how to become, in any way a parent. It is, the purpose of this and the language is to have some instruction on what parenting means. And things that you should be concerned about when you are taking on that very important responsibility. Such as during pregnancy, that medical care and nutritional concern are of utmost importance that alcohol and drug abuse during pregnancy is absolutely to be avoided...again what you should expect from a newborn, what a newborn's requirements are to care for a newborn baby."

Pullen: "Are we not already teaching students in public schools about the avoidance of alcohol and liquor and drugs."

Preston: "Well, first of all the answer to that is no. Though I hope with recent legislation, that just became effective January 1, or a year ago January 1, that schools will be teaching about drug abuse avoidance. But this Bill really right now in the law, there is legislation authorizing this education. This Bill requires that rather just authorize it, and out of six hundred and eighty eight high schools in Illinois only one hundred and eighty-two of those high schools now offer parenting education course. So this is to get the other high schools up to speed."

Pullen: "Mr. Speaker, I would like to address the Bill please. One of the strengths of public education system in Illinois

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is suppose to be that it is, that the priorities are set in the local area. The Gentleman has just indicated that, this kind of education is already authorized and taking place in some districts in Illinois. And what this Bill does is extend that to a mandate. I think that we ought to view this in that context, we ought also, it seems to me to be concerned about the content of the curriculum that we are mandating. When this Bill has been presented previously, the Gentleman was the Sponsor, and never made any comments about the need to avoid alcohol during pregnancy...but this year it seems to be a teen nutrition Bill. Rather, than the sociological Bill that has been presented before. I rather suspect, that by time it gets to the hands of the public school teachers, it will go back to being a sociological Bill. One of the concerns that I have, Mr. Speaker, Ladies and Gentlemen of the House. Is that in teaching a model of parenting if you will, to teenagers what we will be doing is encouraging family strife. At a time when it is already, when there are already difficult relationships between teenagers and their parents in the average good home. What we will be doing, by requiring the teaching of parenting in the schools, teaching to children that we have been telling not to become parents, now we're going to teach them how to be good parents supposably. What we will be doing if we teach them model parenting is holding up a mirror to their own parents by which they can rebuke their parents for not fitting into the model that the teacher, their authority figure in school gave out as mandated by the state legislature. I am certain knowing the Gentleman, that he is very well intended about this legislation, but as he said earlier, it is already being done in some school districts where they think it is important. He is now

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seeking to extend this to all of our school districts. And it seems to me Ladies and Gentlemen, that local control is very important in this kind of thing and should rule when we vote on this Roll Call and I would urge 'no' vote. With all due respect to the Sponsor."

Speaker Young: "The Gentleman from Dupage. Representative Hoffman."

Hoffman: "Yes, Mr. Speaker. I have a question of the Sponsor. How do you define unit of instruction."

Preston: "...Thank you for asking Representative Hoffman, The unit of instruction is left up to the definition given it by the local school board. So one school board may do a very extensive unit of instruction and another school board depending on what they feel is most appropriate may do a very short period of instruction. That definition is up to the local community."

Hoffman: "So you can have...one day of instruction or six weeks of instruction"

Preston: "That's correct. Depending on what the local school wants."

Hoffman: "Alright, so then in your, as a Sponsor of the Bill...you are saying that's up to the school district and that the State Board of Education...not only does not have an obligation, but should not...define what a unit of instruction is in terms of time or content."

Preston: "Well, my...the intent here is to leave the definition of the unit instruction to the local school board. To determine how much or how little they want to do. But it tells them, they must do something because, somewhere between ninth and twelfth something has to be done in this area."

Hoffman: "Thank you."

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

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Ropp: "Thank you, Mr. Speaker. Members of the House. I would like to stand in support of this legislation. Because, even as our analyst says this will cost a lot of money. Let me state to you as a result of not having some of these courses, I can assure you that building a new prison every year, or having people not being adequately educated, by having young ladies who do not know how to care for their children who by the age of maybe eighteen are having three illegitimate children. This is costing the State of Illinois millions and millions of dollars. Even though some have said this is a mandate, I think it's time that this Body stand up and be counted in attempting to help address some of the social ills that we have in our state. And to me, this is a start, in attempting to encourage young people before they get involved in having children. To at least understand the responsibility, that goes with that tremendous opportunity that God has given them. The fact, that we have few professions that you do not have the need for education. As I'm thinking, this is one area that really needs education. Almost any profession that you go into, you go into a job training course. And I'm not saying that becoming a teenage pregnant young lady is part of job training. The fact that we need the kind of education that encourages family units to be responsible for finances, for educating those people, and for providing love and compassion and concern is something that I think needs to be included in this particular curriculum. It is our hope, I would think as a result of passage of this legislation. That we can begin to bring back into our society, the feeling of need and care for wanting children and to make sure that they are properly cared for and wanted prior to bringing them into the world. So that parenting is extremely important and that this Bill should

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help to begin to change the strategy and the feeling in our state for the better."

Speaker Young: "The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House. I'm not sure I can improve on the eloquence of the Gentleman who just sat down. Because, he really said it all but, to appeal to those who like to consider the bottom line. If there is anything that we can do to prevent the kinds of breakage of families that we see as a result of bad parenting and...frightened parents and frightened adults I think we should do it. We are talking in terms of saving money on such things as...prison, we are talking about saving money on things such as mental illness, if we can prepare our young people for parenthood. Surely, one of the most difficult test their going to face as they get older, we will have not just saved their personnel investment in the future, we will have perhaps saved the State of Illinois a financial investment in all of our futures."

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

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

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

Cowlshaw: "Representative Preston, for the purposes of legislative attempt and if I have not interpreted the exact language of this Bill correctly. I would certainly appreciate being corrected. But the way I read this Bill, if there is an parent who has some very particular personnel persuasion about parenthood whether that is religious or otherwise. That parent does not have the right under this Bill to request and have that request honored, that that child not be enrolled in this course, because the parent prefers to provide that education himself or herself. Does your Bill provide for that sort

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of an option on the part of the parents, as it is now written."

Preston: "Absolutely not."

Cowlshaw: "Thank you. May I address the Bill please. Mr. Speaker, I would like to just mention two issues. The first is, as a mother I can recall that before our first child was born I was already in graduate school and I could read quite well. So I went to the library and I got Dr. Spock baby and child care kind of a bible for all new parents, and about a dozen other books including some by child psychologists and all those kind of good things. And I read those books with great care, because this was going to be our very first born child and I was going to be the finest mother in the world. The problem with all of that education is that no one of my children ever fit into any of those handy little catagories, that they tell about in the books. Having raised three children of my own, I can attest, that the way you learn about being a parent and really learn is from the child. And no two of them are any where near alike. Now, to depart from the tone of levity for a moment Mr. Speaker. This is a mandate, our schools are already burdened with enumerable mandates excellent, wonderful, worthy things that we have said you must include this and this and about one hundred other things in the curriculum. If we keep doing this Mr. Speaker without either demandating other things, or increasing the number of hours in the day the school day or the number of days in the school year. The result is that we crowed out of the curriculum or we reduce the amount of time available in the curriculum to teach things like reading, I would like all people to be excellent parents. I think perhaps they could manage if they knew how to read. If you put reading and mathematics and science and basic education first, as a

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function of our schools. Then no matter how excellent an idea this is it still fits into the category of another mandate, and we ought not to be doing that to our schools."

Speaker Young: "The Gentleman, from McHenry. Representative Klemm."

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

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

Klemm: "Representative Preston, you and I know there are many worthy subjects that we should be teaching our children, and I'm sure the list goes on and on. I was wondering however, if in your Bill you have mandated limitation of some course studies so that we can make room in the curricular school day for this credit hour or this unit."

Preston: "Well, there is no provision for lengthening the school day, so the local school district I'm aware that it's going to take some time depending on how much time a school district wants to devote to the subject. But that's up to the local school district."

Klemm: "So if we ask the board, then should they cut into the math or science and all they other things, if we'd get to this point."

Preston: "Representative, they could include, if you'd look at the Bill, I'll just take the first two it requires which is already in the law as an authorization that this Bill requires child growth and development, child birth and child care something about those. That could be, certainly covered in an already existing health class, biology class, physical education class."

Klemm: "And the board can do that now. But only one hundred are doing it."

Preston: "One hundred and eighty-two, out of six hundred and eighty-eight."

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Klemm: "Alright, thank you very much."

Speaker Young: "Lady from Cook, Representative Davis."

Davis: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I rise in support of this piece of legislation. And I rise in support for the children, I think too often when parents are children, and there has been nothing in their education to lead them to know what some of the serious, serious implication of parenting might be. Some of them or one of them might be immunization. Children should learn that immunization of babies is very important. Nutrition, children should learn that nutrition of young children is very important. Sometimes people have children and they receive a Master's Degree before they made their tremendous mistake in their parenting, and the children have to suffer because of that ignorance. Representative Preston's, Bill does not require that you have a ten month semester course, he merely is stating that parenting should be included in that curriculum, be it in the science sections, be it in the health section, be it in the physical education or family life. Many of us become computer operators, but not for the rest of our lives. But once you become a parent it is for the rest of your life. I think that the development of a child, at particular stages in which he or she might exhibit signs of needing to see a ophthalmologist, and optometrists this simple little things. And because some of you might have had it so easy, they come so simple you think people are born knowing this. They're not, people are not born knowing what parenting consists of, good parenting. The reason we have many abused children today. Is because young people, having children do not recognize that children need so many hours of sleep. And sometimes they wake up a very odd hours, because they could not fulfill themselves for a longer

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period of time. Parenting is extremely important and I think this Body should certainly recognize that. I know that I as a parent and as a grandmother would certainly have welcomed and appreciated knowing how to take care of two little children, rather than going by trial and error. Its not fair to the children when were moving into the twentieth century, let's move and move that curriculum to what is truly needed. Thank you."

Speaker Young: "The Gentleman, from Champaign. Representative Johnson."

Johnson: "Well, I think this is a great idea. I just don't think it goes far enough, I think we ought to think about ten or twelve more good idea and each term comes down here, and but least next year can abolish local school boards altogether. We don't even need school boards to make decisions even though they are independently elected by the people. We could just run...we could just run every from the General Assembly cause we really don't have enough time, we don't have enough to do down here anyway. We're just looking for something to do, so this gives us another idea as to how we could tell school districts all over the state with independently elected boards how to run their business. Not only that, but obviously a hundred or two hundred districts don't have what Representative Preston considers to be an ideal curriculum. It's going to take additional staff, and additional teaching material, so that what we can do is really reach the best of all worlds. We could become a super school board and provide none of the money for it, we could indicate to them that they have got a higher additional staff, or at least create curriculum requirement so that they will really have too. And additional teaching material an other wise, but not provide them the money. So that we get all the credit for all the

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good ideals, and the local school board gets all the blame, because there isn't sufficient amount of money to provide for the basis educational curriculum of the school. All of these are worthy ideals in and of themselves, but we've got to a least at some point make an value judgment as to whether we're going to serve as a super school board or whether we're going to run the business as the State of Illinois and stay out of the business of providing additional mandates, with additional money for local school boards who are elected by people to run there own business, and by and large do a pretty good job of it."

Speaker Young: "Representative Preston, to close."

Preston: "Thank you, Mr. Speaker. And Ladies and Gentlemen of the House. I can add very little to the very eloquent remarks of Representative Davis, Representative Ropp and Representative Stern. I'm not going to try to expand on those remarks at all. But just to remind you that this Bill is not intended to make good parents out of high school students. It's just a educational device to tell high school students what parenting is all about. Not because we are trying to encourage anyone to become a parent in high school. But we recognize, that shortly after high school, high school graduates are about to become parents. Too often, in too many cases they already are prior to graduation, but at least subsequent to graduation, they're about to become parents. And there are some very basics...some basics in every person about to become a parent should know. Certainly, alcohol and drug avoidance during the pregnancy of a woman is part of it, looking to nutritional care and medical care during pregnancy is a part of it. Again, as Representative Davis mentioned knowing what the sleep requirements are of a newborn. Knowing what the care requirements are of a

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newborn baby is something that would cut the cycle of child abuse of under birth weight newborns and really reduce tremendously the cost to the State of Illinois in caring for under birth weight child. An aside from the cost it will, insure that measure of human dignity that comes to a child into a family that has a healthy functioning well adjusted family member. This legislation is certainly in no way a cure all, it's just to cure some, it just prevents some of the lack of basic care that a child may run into because his or her parents didn't know some fundamental basic about child care. That's all this is intended to do I urge and encourage your 'aye' vote this is a very important piece of legislation and the schools today are not doing it, I hope tomorrow they will be."

Speaker Young: "The question is,, 'Shall House Bill 3109 pass?' All those in favor vote 'aye'. Those opposed vote 'no'. Voting is open. This is final passage. Representative Satterthwaite to explain her vote."

Satterthwaite: "Mr. Speaker, and Members of the House. Let's not confuse the issue with what is currently being done in many of our schools. There are already many programs in many school districts at the...the head of the local school board and the school administrators and teachers, to teach parenting including such things as the language that's already part of the law talking about physical, mental, emotional, social, economical, and psychological aspects of interpersonal and family relationship. And so we're already able to talk about family relationships within our current statute. The difference between what happens now and what this Bill provides is in fact that schools would be mandated to have these programs at the high school level, and make it permissive at the junior high school level. In my schools I have been told by a number of

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people that the junior high school level is probably the most important time when they should be learning about these responsibilities of parenting and family relationship. My concern is, by mandating it at the high school level, we may in fact end up taking out the programs at the junior high level so that the personnel can concentrate on this mandate. I don't think we should be micro-managing what happens in our schools."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are sixty-six voting yes, forty-two voting no, three voting present. Representative Edley votes no. Edley, sixty-six voting yes, forty-three voting no, three voting present. This Bill having received the required Constitutional Majority is hereby declared pass. House Bill 3176, Representative Olson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3176, a Bill for an Act relating to public schools. Third Reading of the Bill."

Speaker Young: "Representative Olson."

Olson, M.: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3176, its description in the synopsis does not quite tell you what the story is. House Bill 3176 deals specifically with the Illinois High School Athletic Association Scholastic Association. And has to do with the ability of people, who by whatever reason come to the age of nineteen and may or may not continue in sports. This Bill, comes to me from the superintendents of schools at the Dixon High School which I represent. We have a young man there, who, when he was born was adopted at the age of one month. Was told by the physicians that he was retarded later found out that he was developmentally disabled. Since that time, he has progressed through each grade in school. Albeit with difficulty, but never missing any

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time, never being set back. This young man is going to become nineteen just a few weeks prior to the arbitrary standards set by the IHSA as to when he may continue in sports. He's not an outstanding athletic, he's a nice young man who I have known since his birth. What we object to is the arbitrary posture of this athletic association, without really giving a full hearing to people who have problems with this nature. While at this same time exercising other standards in other areas of the state. I think urban and downstate standards should be set on the same plane, and for that reason we urge passages of the Bill which provides for an automatic repeal in July of 1991, should it become successful. I'll be happy to accept any questions and we'll go from there."

Speaker Young: "The Gentleman, has moved for the passage of House Bill 3176. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "I have a question. But just can you tell me, I support the Bill. But can you tell me substantively again in detail what the Bill does in terms of eligibility."

Olson, M.: "Yes, I can."

Johnson: "Does...does...Let me just pose this question. And see if it doesn't address this whether you're willing to address it in the Senate. Cause I face the same situation actually with my son. The rules use to provide that if you turned nineteen, after the academic year began. Then you're eligible for the whole year. They changed that to provide that...that it's governed by the athletic sport season, which is really unfair because you have a situation where somebody made a decision sometime ago to...to hold a red shirt so of speak, but hold the child back for a year. Thinking they would be eligible by their senior year, because they didn't turn nineteen until after

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the year started. Then they changed the rules in the middle of the game and you can have somebody not be eligible for the most important sport, even though that decision has originally been made. Would this Bill address that subject."

Olson, M.: "The Bill merely says that unless we they accept what we are suggesting here. It does not specifically address the school year, as opposed to their birth date. We might address that in a subsequent Amendment. What we're saying is because of the arbitrary capricious nature of the IHSA that we suggest that no one be a participant until such time as they address this and a myriad of issues. This Bill of this nature has come along and each of the last few years I think. Representative Levin, Representative Weller we shouldn't have to be going through this every year, with regard to one student's particular eligibility."

Johnson: "So what does the Bill do exactly?"

Olson, M.: "Well, the Bill says they, I'll just read a synopsis. It creates an Act prohibiting the common schools from paying dues. To an interscholastic athletic association unless that association's bylaws or policies extend athletic eligibility to nineteen year old high school students who meet specified eligibility criteria. And this Bill as...Ed has pointed out it's specifically designed in this case to this particular situation."

Johnson: "Would you be willing, cause I know there are other situations like the one I described around and everybody, including the IHSA agrees that, that's unfair...to address that with an Amendment across the way."

Olson, M.: "Yes, I'm very anxious to do that, because we have other people here Representative, who are in the same situation we are...as you have said. Depending on when the youngster was put in school, or for whatever reason they may

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have bailed out, for example rheumatic fever when they are young man. Or something of that nature, a lot of people are caught up in this. And it's not fair."

Johnson: "Just so, I'll put this specific fact situation or hypothetical on the record. So that Mr. Keane can draft the Amendment for us over in the Senate to provide. Cause somebody with a November 1 birthday, becomes nineteen on November 1, the IHSA bylaws used to provide that if you became nineteen after the academic year started. Then you were eligible for the whole year. Which is fair, people made decisions on that basis...held back a child based on that on various other aspects. Then last year, or the year before the IHSA changed the rules, to provide that if you became nineteen prior to the start of a sport or activity during the year, you were ineligible for that sport, even though you turned nineteen after you entered, and even though a decision had been made on the previous bases...I don't think that's fair and I don't think the IHSA thinks it's fair. So if you could include that in the appropriate Amendment I would really appreciate it."

Olson, M.: "Representative, I think there's someone on the House floor may address that issue, who's been hit with it within the last few weeks. They maybe some testimony to that Amendment."

Speaker Young: "Lady, from Dupage. Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I generally have some difficulty when we of the General Assembly attempt to tinker with the rules of the IHSA. But I have nothing but compassion for the situation with this young man in Representative Olson's district. And so, I simply rise to remind my colleagues that there is precedent for what Representative Olson is proposing here. I would remind you that in 1987 the General Assembly passed

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and the Governor signed House Bill 10 sponsored by Representative Breslin and Senator Welch which granted an additional year of eligibility to a student who had missed a whole year of school, because of illness. And then in 1989, we passed, and the Governor signed, House Bill 1548, sponsored by Representative Levin and Senator Berman which granted an additional year of eligibility to a student in the Quad Cities area who had started school late. I support Representative Olson's Bill because of the unique and special circumstances with the young man in his district. And I hope that the IHSA is listening today, and will perhaps have more compassion and be better about understanding those certain circumstances such as those which we have addressed for Representative Breslin, for Representative Levin and now for Representative Olson, thank you Mr. Speaker."

Speaker Young: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I would like to comment on some situations, the IHSA has been involved in lately dealing with my district...the Bill that Representative Levin passed in November allowed a young man in my district to compete in track this spring. In fact, he should be competing right now. We passed that Bill in November...that Bill was passed went to the Governors desk, the Governor got all the information signed the Bill and...we proceeded with the eligibility for the young man. Now if you ever been to an Illinois High School Association event, you will hear the speech about the sportsmanship and about fair play. It's wonderful you know, you get...hair from the back of your neck stands up, and this is great and good and...it's super for the young people to compete in this arena. Well, in

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November we passed the Bill, the young man has been in January getting in condition, in March running hard... started the season in March has been attending all of the...relays and events and running in dual meets, triangular meets and until about ten days ago he was eligible. Then the IHSA all of a sudden, in the last minutes said well we don't think this young man is eligible any more. So they're denied him eligibility and tomorrow there will be a court hearing in Rock Island County, on whether this young man can run or not and compete in state track meet. So that's not fair and it's not sportsman like as far as the Illinois High School Association is concerned and I would stand in support of Myron Olson's Bill to allow this young man to compete. Thank you."

Speaker Young: "The Gentleman from Sangamon, Representative Curran."

Curran: "Thank you, Mr. Speaker. I'm only speaking because the Sponsor of this legislation has asked me too. Just like the members of this chamber to understand, that usually when it comes to the IHSA the Illinois House and the Illinois Senate act like a bunch of weenies. This Bill, does really quite frankly very little to the IHSA, it's something that we ought to do. It would be unforgivable for us not to go ahead with Representative Olson's suggestion. And I ask for an 'aye' vote, and I think we should have one hundred and eighteen 'aye' votes up there thank you."

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

Levin: "Yes, Mr. Speaker. Ladies and Gentlemen of the House. I too would like to join in supporting Representative Olson's Bill...the Bill that we passed last year...House Bill 1548, did contain a provision that was requested by Representative Brunsvold, and I am perplexed that, the

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reaction of the Illinois High School Association...to that provision. There was a clear mandate, which applied to the situation that Representative Brunsvold was interested in dealing with. And to turn around in mid-stream an first and first say that student is eligible because of the legislation that we passed. And then to turn around after that student was already participating and say no we're going to quibble on it and make this individual have to go to court. I think this is wrong, I applaud Representative Olson in terms of this Bill. And ask for an 'aye' vote."

Speaker Young: "Representative Olson to close."

Olson, M.: "Thank you, very much Mr. Speaker. And thank you for the support of my colleagues and the question from Representative Johnson. For those who had a question as to what this...describes, I just had a request from the other side, this Bill specifically...goes to the attention of one student, in my local school district and it is designed that this Bill would be repealed in July of 1991, hopefully during that period of time the Amendment that Representative Johnson suggested could be made part of the Bill. And that we would look forward to have cooperation of the IHSA so that we could have the standard that we could all live with and be proud of. I would recommend an 'aye' vote. Thank you very much."

Speaker Young: "The question is,, 'Shall House Bill 3176 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 111 voting 'yes', none voting 'no', and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3221, offered by Representative Zickus. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 3221, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker. And Members of the House. This proposal would authorize the trustees of schools and class II county school units which, is Cook County, to insure or indemnatize themselves against lost or liability arising from negligence or wrongful act. It's intended to fill a gap in the law. Under current law, other elected officials from your village community colleges boards, your school board are able to be covered. But the offices township school trustees is overlooked when the law was written. The township school trustees receive no compensation and then serve on a entirely volunteer basis. This legislation pertains to suburban Cook County only. There are twenty-four township trustees in Cook County acting as treasures for one hundred and forty-three school districts. I urge your support on this legislation, thank you."

Speaker Young: "The Lady votes for the passage of House Bill 3221, and on that question is there any discussion? Hearing none. The question is,, 'Shall House Bill 3221 pass?' All those in favor vote 'aye'. 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 110 voting 'yes', 1 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3290, Representative Phelps. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3290, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Phelps."

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Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. House Bill 3290, attempts to clarify some ambiguity in the...intent of whether dental coverage is included in the medical coverage of the employees in school districts. And this is ely language to include that, that is the intended coverage. Appreciate your 'aye' vote."

Speaker Young: "The Gentleman moves for passage House Bill 3290. And on that question is there any discussion? Hearing none the question is, 'Shall House Bill 3290 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 111 voting 'yes', 1 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is here by declared passed. House Bill 3299, Representative Rice?"

Rice: "House Bill 3222, House Bill, would you vote me 'yes' on that please."

Speaker Young: "The Gentleman, will record that you wish to be recorded as 'yes', on House Bill 3221. The record will so reflect your desires. House Bill 3299, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3299, a Bill for an Act to."

Speaker Young: "Out of the record. House Bill 3487, Representative Hannig. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3487, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Hannig."

Hannig: "Yes, thank you Mr. Speaker. And Members of the House. We have on our books currently a provision in the law, that says when a teacher is required to serve on jury duty, that that teacher be allowed time off to participate in the jury trial. That he or she be paid her normal and customary

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wages, and then in return, the teacher will provide any reimbursement that he or she receives from the court system to the schools. And a very good system that allows teachers to participate as jurors and in fact now we are asking that we take this idea, one very small step forward. And further provide legislation, this legislation which prohibits the salary law to certified employees. Because the employee complies with a subpoena to testify in court, or to deposition. I think we can all envision the situation where perhaps there's a bad kid in the school or bully whose causing a lot of problems. And in fact, gets to a point where the state's attorney, feels that its important that he take...take action perhaps in a fight, on the playgrounds or in the schools, someone is injured, criminal charges are filed perhaps a teacher was a witness, and the states attorney asks this teacher to come forward to make a statement and then later to appear in court. Unfortunately, some of the schools are giving teachers a difficult time in this situation and in fact I've been asked to introduce this proposal, because, I've because...teachers have been told they have to take personnel days or sick days in order to give a deposition or to testify in court. Quite frankly I don't suspect that this is going to be a large number of days or hardship for the districts. But in those cases where we are asking a teacher to participate an give evidence, I think it's only fair that we not ask them to give up some of their own personnel time. It's really good government and if we expect the court systems and criminal justice systems to operate, we have to have people come forward and tell the story. That's all this Bill would do, would provide at least in the downstate schools that a teacher could not be penalized a certified employee, primarily teacher could not

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be penalized for taking time off to testify in court or give a deposition to an attorney, and I ask for your 'yes' vote."

Speaker Young: "The Gentleman moves for the passage of House Bill 3487, and on that question the Lady from Dupage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I understand partly because there was a precedent for this Bill, and also because of course we all want to be cooperative with the judicial system and I'm certain most of all teachers. Who are there to set a good examples for the young, would certainly want to do that. I would point out however, just one element in this legislation, that I think we need to always be observant about. The nature and the extent of paid or partially paid leaves from the classroom by teachers is normally negotiated according to the need and the ability of the school district to pay. And that negotiation is done at the local bargaining table. Because of the fact that any amount of time that a teacher is to be gone from the classroom with partial pay, full pay or no pay is clearly a term and condition of employment. It seems to me that it is essential that this kind of thing really ought to be regarded as something that belongs in the collective bargaining arena and not in the arena of the General Assembly. We have constantly interjected ourselves into the negotiating process. Which certainly does not keep a balance of fairness or justice in that process. I would point out that there is that flaw in this Bill. Nevertheless the Bill itself is probably acceptable."

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

Cullerton: "Will the Sponsor yield? Representative Hannig, was it your intent with this Bill to...was the theory behind

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the Bill, that if someone is not...negligent and haven't done anything wrong. They just happen to get subpoenaed in a court case, because they happen to be a witness...that they shouldn't have to lose a day's pay. Is that the theory behind it?"

Hannig: "That's correct, Representative."

Cullerton: "Now, however the way its drafted, it seems to me that it's drafted a little broader than that. It includes any time a person has there deposition taken, that means they don't lose a days pay. What if they're a party in an action where they intentionally were negligent themselves, they have their own deposition taken, does this mean they would get paid for that case."

Hannig: "Well, Representative, the problem we're trying to address exist where a teacher primarily would be requested to testify or give a deposition on behalf on some action that he or she was a witness to. I think, if you're saying that we need to tighten it up perhaps...we really haven't thought of that possibility."

Cullerton: "Well, I think it definitely should be tightened up, because you could have a situation here I...I understand what you're originally trying do. Your trying to say look, if your called to jury duty you don't lose a day's pay, if you're subpoenaed in a case, where you just happened to be an innocent bystander you witness something you shouldn't lose a day's pay. But, the way its drafted you could be a party in a lawsuit, you're deposed and this according to this, the school district has to pay you for that day."

Hannig: "Well, Representative I'm not an attorney as you well know. I'm not certain if you'd be subpoenaed if you were a defendant or not. You probably, maybe you could answer that for me, but I understand the point that you're trying to make and I hope you can see that what we're trying to do

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is address a legitimate problem that exists, certainly I would be amenable to work with you and whoever else on the staff that can provide amendments to tight this thing up to insure that there are no abuses of this situation."

Cullerton: "Well, you're not suggesting that it be done in the Senate are you?"

Hannig: "Well, I don't know why not."

Cullerton: "Because the...IEA's for this Bill, once they get over in the Senate they're not going to send it back."

Hannig: "Oh, I don't know we might find even more Amendments, I mean the Senate lot of ideas that..."

Cullerton: "Well, I tell you what this is early in the Session, let's just make this a test. We can, vote for this Bill, knowing that your going to Amendment it in the Senate an...and tighten it up. And maybe that could be the best way to clean it up and not threaten the...the defeat of it right now.

Hannig: "In good faith, I'll be happy to work with you, to try to address this error you pointed out. Unfortunately, its never been addressed. 3487 let's make a note of that, and see if it comes back on concurrence 3487."

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

Hartke: "Will the Sponsor yield?"

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

Hartke: "A Representative Hannig is it your intent that...that this applies only to the school issues and so forth. If it's...an issue that is presented..."

Hannig: "Representative primarily, we're looking for a situation where a teacher has been requested by a subpoena. In other words to has to appear in court, for something that he or she is a witness of, and my guess primarily these problems have occurred in the school or on the playground where the

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teacher is a witness. And that's primarily the area we're trying to address."

Hartke: "Okay, if it...does it states that in the Bill, I mean if it."

Hannig: "Well, Representative I thought that it did, and I read our notes on the...Democratic side earlier in the day, and it looked like it looked okay but Representative Cullerton...has spotted perhaps a loophole on this thing that we need to straighten out in the Senate. And I have already consented to do that, and I'd be happy to work with you and John Cullerton to do that."

Hartke: "Okay, thank you very much."

Speaker Young: "The Gentleman from DeKalb, Representative Countryman."

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

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

Countryman: "Representative, your answer to a number of questions to Representative Cullerton, that I had, and I think his points were well taken. But is there some limitation here so we would know how much this might cost the school district in any year...you know maybe two days a year or something like that that could...person could invoke this privilege."

Hannig: "Representative, perhaps we might have been better served if the Bill had gone through judiciary, we did send it through the Education Committee and we talked about the problem. And I think we want to address the problem but, quite frankly...there are probably a lot of legal questions that need to be addressed as well. But, I can give you my word the idea is to address a very narrow and tight problem, that I think you could agree that does exist. I'm not an expert in law, I'm not even you know...licensed to

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practice law in our state. But, again I would be happy to work with you as well from your side of the aisle, in order to get this tightened up so that they are no abuses. I really legitimately want to address a problem, but I don't want to make it worse than the solution."

Countryman: "Well, is your intent then, to really address court testimony...under subpoena as opposed to voluntary court testimony...discussion with attorneys and those sort of things."

Hannig: "Yes, the...primarily the situation is these people are being subpoenaed, they have to appear. And the school board is saying that's your tough luck you take a personnel day or sick day. And maybe like I said in most cases this actually happened on the playground...or right there in the situation where the teacher was the witness. And really should appear, and I think its good government that they would."

Countryman: "But, but you're not saying necessary that they have to have been a witness. Or some way connected with their duties is due. They could be subpoenaed because they witnessed an auto accident, or party to an auto accident is that correct?"

Hannig: "Oh I suppose they could be...I see what you're saying, it that they could be subpoenaed for anything. But, this is not where they want to take a day off of school and go to court and watch the proceedings. They're subpoenaed to appear so obviously they are important witness."

Countryman: "Well, sometimes they are and sometimes they aren't...you know subpoenas can be issued, generally, by a the attorneys without the courts review or approval. They're generally issued by the clerks. So there could be abuse in that process too. I urge you to take a look at that."

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

Satterthwaite: "Mr. Speakers and Members of the House. What we appear to be doing on...behalf of something that is supposed to be good for education is to impose greater and greater restrictions at our school boards and our local school districts. While it seems like a meritorious cause to say that if a teacher is subpoenaed, they ought to be given time off without lost in pay, in order to be able to appear in court. We are again, putting a upon the local school board an obligation to pay the teacher's salary for something that may have absolutely nothing to do with anything relating to the teacher's responsibilities at school. This subpoena could just as easily come on behalf of something that the teacher was doing over the weekend or over summer vacation, that had nothing to do with anything related to the school district. And yet, we would be providing salary for the teacher to take that time off. It seems to me that when we pass collective bargaining legislation to provide that educators and others who had the opportunity could organize and provide for various types of working conditions, that we expected a number of things such as this to be taken care of in that negotiation process. When we intervene and take care of it by a state statute, obviously it is no longer something that is a subject for negotiation at the local level. I would assume that practically all school districts, if not all school districts provide personnel leave time for teachers. And if teachers need to use that personnel leave time to appear in court, that would be a legitimate use of that personnel leave time it seems to me. But I'm very reluctant to impose upon our local school districts another obligation to pay personnel for something that may have absolutely no

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relationship to their school responsibilities at all, and to just allow that, then to be done by what we do here in the legislature rather than becoming a subject for negotiation under collective bargaining agreements. I don't believe that we should be taking care of every teacher's problem, I don't believe that we should be imposing this responsibility on school boards unless it becomes a part of the negotiating process. I would suggest, that if you want school boards to be able to provide good educational programs, you should stop telling them what they have to do. Both in regard to mandated programs and mandated leave for teachers, I would suggest a 'no' vote on this legislation."

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

Stephens: "Well, thank you Mr. Speaker. I'm not sure what the big deal is here. I...back in our district I don't know if this is true throughout the state. But I think it's teacher appreciation week, when I left Troy this morning the sign on the...out in front of the Amoco gas station said TRIAD appreciates its teachers. And you know I'm as much against mandates as anybody, but this is a simple matter that's not going to cost school districts but just a little bit of money, a little bit of time. It's the right way to say to teachers hey look we think you're very special. It's time we recognize that for you're very special need in this limited instance we're going to give you that day off so you can go and do your civil duty. What's the big deal, give these people a break."

Speaker Young: "Representative Hannig to close."

Hannig: "Yes, thank you Mr. Speaker and Members of the House. For those of you who are concerned about the point, Representative Cullerton raised just let me say we will

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address it in the Senate by our Constitution it has to come back for Concurrence at some point if it's going to go to the Governor. So we'll have a chance to look at that then and give us an opportunity to vote on the changes then. But let me give you my word, we will address that and I'm hopeful that we can come back here with a good Bill later in the year that addresses that problem. But as far as the underline Bill itself, let me remind you that teachers are the people that we hope...would provide a good role model to our children. They're the folks that in many cases have the authority, and I think the responsibility to show our kids what it's like to be an adult and give them that role model. Now how can we under one hand ask the teacher be the role model, then on the other hand put the teacher in a position where he or she is trying his best to say I didn't see anything. Don't subpoena me. I don't want to go to court, I don't have any personnel days. No, I think we should be telling the folks out there in the school districts that if they saw something and they should come forward they should speak the truth and if that means they're subpoenaed and they go to court and have to testify so be it. And we're not going to penalize them for that. It's a very small cost to the school districts...for a good real life lesson and good government, and I think that we should pass this Bill out of here today. And I'd ask for your 'yes' vote."

Speaker Young: "The question is,, 'Shall House Bill 3487 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 74 voting 'yes', 31 voting 'no', 5 voting 'present'. This Bill having received the required Constitutional Majority is here by declared

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passed. House Bill 3302, Representative Levin.
Representative Levin."

Levin: "Thank you Mr. Speaker. Ladies and Gentlemen of the House. On behalf of Representative Deuchler and myself, I present House Bill 3302. One of the major guarantees that parents have that their handicap children will receive the special education, that the special education law guarantees them. Is due process appeals procedures which are presided over by hearing officers...those hearing officers under this legislation...would receive training...and this legislation requires that some of the training that they receive with respect to the special education laws that they are required to administer ought to come...from non-state board of education employees...there is no opposition to this legislation...it in fact passed this House last year in the form of House Bill 1548 and the...cost is minimal, if there are any questions I would be happy to answer them, otherwise I just ask for an 'aye' vote."

Speaker Young: "The Gentleman, moves for the passage of House Bill 3302. And on that question the Lady from Cook, Representative Davis."

Davis: "Representative, Is...do I understand correctly that...you want the hearing officers to be trained by someone other than the state board. Is that correct?"

Levin: "I want, I'd like hearing officers to receive a balance training...because they're administering the special education laws...which means that they should receive training from experts who work for the state board as well as experts who do not work for the state board..."

Davis: "If I looked at...I mean does this legislation say that, the hearing officers are to receive training from private and outside sources rather than training from the State

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Board of Education."

Levin: "No. This still says in addition as part of the training that they receive...is part of the initial training, as well as the refresher course that they receive every year. Part of that training should come from employees of the Board, from the legal staff of the Board, part of that training should come from people who do not work for the Board who are other wise experts in Special Ed laws who can give possible different prospective and correct any."

Davis: "Representative, what would make them experts?"

Levin: "Pardon."

Davis: "What would make them experts?"

Levin: "What makes them experts?...they're people who practice in that area, I think we can leave it to the board to be able to determine who are experts. As matter of fact in terms of some of the initial training since this Bill was introduced last year. The board has begun, in terms of initial training implement this kind of thing. It is not however done, currently in terms of the refresher courses, and we just want to make sure that the hearing officers receive all prospectives in terms of their training. So their able to do the best job for the students."

Davis: "Well, to the Bill. Mr. Speaker and Ladies and Gentlemen of the House. I'm really confused about why the Representative feels that the State Board of Education does not have people who are qualified. And know the law in reference to special education. I failed to see why outside sources have to be used to train people, when we have a State Board of Education whose job it is to know the state laws as well as the federal law. Representative if you can convince me, that this is an improvement over...an existing situation perhaps we could...support this. But as it is at the present time I just see it as another one of

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those Bills in which you have a group of friends who will get a lot of contracts."

Speaker Young: "Further discussion. Representative Levin to close."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House. The fiscal note on this Bill says the cost is five thousand dollars. Big deal. The State Board has no problem with this Bill. The State Board last year, when this was in House Bill 1548 supported the legislation, State Board testified in Elementary and Secondary that they have no problem with this legislation. I'll tell you where it comes from Representative Davis, if you want to know. There is in fact unfortunately one of the members of the legal staff for the State Board who in the past has presented training to hearing officers, and unfortunately has not accurately reflected what the law is. Fortunately, in a couple of the instances, there have been...other attorneys who were present, who were able to correct the inaccuracies of that particular attorney. And it is the feeling of many, that we can avoid that kind of a problem. We can by...fulling training these hearing officers, but making a balanced presentation and as I said the state board in terms of the initial training since we initially passed this Bill last year out of the House unanimously you voted for it last year in 1548 has begun to implement this would simply applies to the refresher training at this point, guaranteeing that the training the hearing officers get is balanced. No big deal, no big cost, no opposition from anybody."

Speaker Young: "The question is,, 'Shall House Bill 3302 pass?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. This is final passage. Have all vote who wish? Have all vote who wish? Mr. Clerk, take the record. On

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this question there are 92 voting 'yes', 9 voting 'no', 6 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3569, Representative Hicks. Out of the Record. House Bill 3651, Representative Homer. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3651, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Homer."

Homer: "Thank you, Mr. Speaker. Ladies and Gentlemen, I believe this Bill...is non controversial and in fact is one of the Bills that's on the agreed list. That...would but force being called now have been on the consent calendar. I'll try to be brief, but it's a very important Bill...a year ago we passed a Bill,...Senate Bill 517 that...we understood...had to do with teacher orders, teacher's orders are in effect primary notes, for wages due, where a school district...has insufficient cash on hand to meet its payroll. And in those cases..the school district will issue teacher orders which are a promissory note...that's taken to a local bank. The bank loans money, to the school district and then when the school district gets more monies in it pays off that promissory note. Last year, Senate Bill 517, said that school districts...should their ask...should number and date teacher orders. Previously, they were not required to be numbered and dated. The explanation given for that need, that change in the law was said it would make teacher orders more marketable, particularly in the secondary market that banks were reluctant now in some areas to purchase teacher orders. Because the teacher orders where in a form of a promissory note, there negotiability was not as liquid as it would be if they were given maturity dates and they were numbered.

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And so in order to assist school district's market, teacher orders...and to encourage more banks to purchase teachers orders, we passed Senate Bill 517 unanimously in both Houses. And the Governor signed that Bill as Public Act 86715, it was only after the Bill was signed into law, that it came to light that in fact an interpretation totally unexpected and unattend was being given to the provisions of that Bill, by bond counsel. Bond counsel had issued an opinion that what we have in fact done, by passing House...Senate Bill 517 was empower school boards to transform short term teacher orders in to long term bonds. And there-by armed school districts with the authority to issue refunding bonds to pay off school orders. Ergo we empowered school districts to levy a tax without referendum. That was not the intent I submit of any member of this General Assembly, all of us voted for Senate Bill 517, none of us did so with the view that we were empowering school districts to levy a tax without referendum. House Bill 3651, is offered to correct that interpretation and to make certain that there is no confusion about what we wanted to do with Senate Bill 517. And House Bill 3651, would repeal the requirement for the numbering and dating of teacher orders, so that in fact we would be returning teacher orders back to the status they had priority to the...unfortunate passage of Senate Bill 517. Again, as I say this is hopefully a noncontroversial proposal. Its supported on both sides. This Bill was...scheduled to be on the Consent Calendar. I would answer questions, but urge your support."

Speaker Young: "The Gentleman, has moved for passage of House Bill 3651. On that question is there any discussion. Hearing none, the question is, 'Shall House Bill 3651 pass?' All those in favor vote aye. Those opposed vote

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no. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. Mr. Clerk, take the record. On this question there are 109 voting 'yes', none voting 'no', and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. House Bill 3745, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3745, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker, Members of the Chamber. House Bill 3745 is subject to a front door referendum, and it would authorize an increase in the maximum authorize annual tax rate for either educational purposes or operations. With an equal corresponding tax rate decrease in the maximum authorize rate for the other tax. Have a school district in my legislative district that would like to reduce its operating rate...it increased the educational rate by the appropriate...or the equal rate amount and it would have to be done by a Front Door Referendum. I ask for your support on House Bill 3745."

Speaker Young: "The Gentleman moves for passage of House Bill 3745. On that question is there any discussion? Hearing none. The question is,, 'Shall House Bill 3745 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 108 voting 'yes', 1 voting 'no' and 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We will remain on the Order of Education, Third Reading, to pick up some of those Bills that were missed the first time. House Bill 948, Representative Cowlshaw. Mr.

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Clerk, read the Bill."

Clerk Leone: "House Bill 948, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Because I was one of the principal Sponsors of the legislation which we adopted last year, in which is now the law in Illinois, which prohibits the use of tobacco products on school properties. But does permit school districts to set aside special areas for adults who are spectators at events held at the school to smoke...I was asked to present this Bill to you, because when we adopted that legislation originally it says sports events, it does not indicate that it's alright to set aside a spectator smoking area for any other kind of event except sports. Consequently, all this Bill does is to establish the right of school districts to establish a spectator area for smoking in any kind of school event. Including a drama, a concert or any of the other extracurricular types of things that are open to parents. And I move for its adoption."

Speaker Young: "The Lady moves for passage of House Bill 948. On that question the Gentleman from Cook, Representative Cullerton."

Cullerton: "Did this start out as a Republican shell Bill?"

Cowlshaw: "Indeed it did Representative Cullerton."

Cullerton: "Why didn't you try to put your priority one Amendment on this Bill instead of on Curran's when he didn't want it on? And McCracken gave a speech..."

Cowlshaw: "That's an excellent idea. I wish I'd have thought of that."

Cullerton: "Well, McCracken gave it a speech about 'hey you won't let us have our Bills and that's why we have to do it here Bill and...shell Bill."

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Cowlshaw: "Yes, Representative Cullerton, if I had attempted to do that in committee, you and I both know what would have happened to the Bill."

Cullerton: "Why didn't you do it on the floor?" Why don't you do it on the floor?"

Cowlshaw: "I just didn't think of it until right this minute. It's a shame."

Cullerton: "Well why don't you take it back to Second right now, leave it on Second, we can go back to Curran's Bill, we can table his Amendment and then we can do it tomorrow."

Cowlshaw: "Well, Representative Cullerton I think that's probably an excellent idea, and I truly do wish that I'd thought of it sooner. However, I have given my word to the people who want us to correct the inaccuracy in the legislation that we passed last year..."

Cullerton: "Curran, Representative Curran will take your Bill, and put it on as an Amendment to his Bill and then you can have a clean Bill, that's your priority one. I can guarantee that."

Cowlshaw: "Thank you so much. What a wonderful suggestion. The only problem is that does not enable me to keep my word. I gave my word on this Bill."

Cullerton: "You don't care about sponsorship, you just want it to pass."

Cowlshaw: "This Bill? Of course I would like it to pass."

Cullerton: "So let's put it on Representative Curran's Bill, we'll pass that and this Bill can be your priority one, you'll have control over it and we'll vote it up or down."

Cowlshaw: "I understand what you're doing, Representative Cullerton."

Cullerton: "I mean right now your priority one which is such a priority such a priority, it's called priority one is subject to whether or not Representative Curran feels like

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calling it or not. Or whether he feels like even taking it out of the record or not."

Cowlshaw: "Well, Representative Cullerton considering all things, I think I would trust something as vitally and fundamentally important as the priority one plan to a Bill with a Democrat Sponsor a lot sooner than I would to anything else. Because it's got a lot better chance of passing."

Cullerton: "So is this the, your priority two Bill."

Cowlshaw: "This is not a major priority with me at all, Representative Cullerton. But I felt some responsibility because of the fact that I was one of the principal Sponsors of the Bill that established these tobacco bans in public schools to begin with. And if in fact we had provided something that was not fair to the people who put on drama presentations, or present concerts, then I was certainly anxious to correct that error."

Cullerton "So are you going to take it back to Second or not?"

Cowlshaw: "No."

Cullerton: "No, okay. Are you going to speak on every Bill in the next Order of Business?"

Cowlshaw: "No."

Cullerton: "Okay. Thank you."

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

McNamara: "Thank you, Mr. Speaker. She'll yield for a question?"

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

McNamara: "It is my understanding on this Bill that this Bill says that a designate...this provides that a designated area, in other words, the school board, if they provide a nonsmoking area, then they must set up a separate area for smoking, is that correct?"

Cowlshaw: "What this Bill says, and I will try to describe this

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as clearly as I can. What this Bill says is that school boards may, that is optional, but at least it gives them that option, may provide an area for smoking by spectators at all school events not just sport events. Period. That's all the Bill does."

McNamara: "Well, I'm looking at a copy of the Bill on page two, from, I believe it is from 22 through 27, I'm not sure if that's the correct portion of it. Point number three says 'a designated area within the school building for use by school personnel. If the school board exempts a designated area for use by school personnel, the local school council shall provide for school personnel an equivalent area where tobacco use prohibition applies."

Cowlshaw: "I'm sorry Representative, what...the Amendment is the Bill. What, are you reading from the Amendment?"

McNamara: "I am reading from the Amendment to House Bill 948..."

Cowlshaw: "Amendment #2."

McNamara: "Chapter 122 paragraph 34-18. 11. Point #3. That's correct."

Cowlshaw: "What page of the Amendment are you on?"

McNamara: "I am on page 2 of the Amendment. Lines 22 through approximately 28,27, 28."

Cowlshaw: "Right okay."

McNamara: "Point #3."

Cowlshaw: "Well, let's start at the beginning of that sentence, may we please? The sentence actually begins on line 16."

McNamara: "On this? Okay. The point 3 indicates a designated area. But go ahead through 16."

Cowlshaw: "Alright. Alright. Let's begin with the start with the whole sentence, okay. The sentence says and you do realize of course that anything in this Amendment that's not underlined or scratched out is the law as it presently exists."

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McNamara: "That's correct."

Cowlishaw: "Okay, this is the current law. Each local school council may designate the following exemptions: (1) Outdoor spectator areas of school property during scheduled school interscholastic or extracurricular athletic activities. And the Amendment simply scratches the word athletic. (2) A designated area within or outside the school building for use by spectators during indoor scheduled school interscholastic or extracurricular athletic activities. All the Bill does is scratch the word athletic. And #3 which seems to be of concern to you, is the existing law and nothing in that has changed."

McNamara: "Okay. Excuse me, the existing law as you had written it last year, is that correct?"

Cowlishaw: "That is correct."

McNamara: "Okay. To the Bill, this morning all I heard were very strong statements that said that we had to have local school control and local school board control. This existing Bill, existing law, which this Amendment addresses was written by the Sponsor last year, and specifically mandates that if you have a nonsmoking area you also or a smoking area, you must also have a nonsmoking area. The point is not whether or not it is agreeable in this case, the point is, is that of consistency. The viewpoint that was brought out this morning by the sponsor of this Amendment was very simply that all mandates were bad and ought not to be perpetrated upon school boards. That inconsistency is demonstrated by this Bill. I think also there were other spokespersons on the other side that indicated that mandates were wrong and ought not be perpetrated on school boards. I just wish to point out in this discussion, that the mandated is brought out is alright if one person proposes the mandate, but it's

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totally wrong if anyone else ever proposes a mandate. I would suggest that we have consistency in our positions of mandates."

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

Cowlshaw: "Thank you, Mr. Speaker. I think it is important to distinguish between curriculum mandates and those things that have nothing whatsoever to do with what is required to be taught in public schools. There is of course, already some provision within the School Code for us to teach young people that smoking is not good for their health. But we have not been setting a very good example in that regard and I think since a very large number of us agreed with that last year we did pass this tobacco ban. It does not require that anything be taught in the schools. It has nothing whatever to do with the curriculum, nor with the costs for the operation of local schools. It simply says that we ought not to be permitting smoking by our students in the schools, and that we ought to make certain that teachers have at least some place where they can gather to discuss matters of importance to them, without being bothered by tobacco smoke. Unfortunately, in doing that we made a slight error in the language. All this Bill does is correct that error. It is a very minor kind of thing, but the schools have asked for us to do this in the hopes that they may be able to attract more parents and citizens of the community to things like presentations of dramas and concerts presented by the schools because presently those things are not permitted to have spectator areas for smokers. I think this is a very simple Bill and I urge its adoption."

Speaker Young: "The question is,, 'Shall House Bill 948 pass?' All those in favor vote 'aye', those opposed vote 'no'."

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Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 96 voting 'yes' 9 voting 'no' and 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 1681, Representative Cowlshaw. Mr. Clerk, read the Bill. Out of the record. House Bill 3569, Representative Hicks. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3569, a Bill for an Act in relationship to the Downstate Illinois Education Academy. Third Reading of the Bill."

Speaker Young: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3569 is the establishment of the Downstate Educational Academy which would provide residential programs for in the areas of science, math and the arts. Would be happy to try to answer any question on the Bill."

Speaker Young: "The Gentleman moves for passage on House Bill 3569 and on that question the Gentleman from DuPage, Representative McCracken. The Gentleman from DuPage Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Young: "Indicates he will yield."

Hoffman: "What is the, what is the cost of this program and do you have appropriation for it."

Hicks: "Yes, Representative Hoffman. I have put in additional legislation dealing with the, with the academy itself. That appropriation was for 10 million dollars. I was my idea that once we see things happening here later on in the Session specifically I think once the train gets on the track for a little something for Chicago that possibly

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downstate might have some interest in that type of thing. And if that comes about I'd like to have appropriated...I would like to have authorization for the types of...pork if you will, Representative, that I would like to see in my district."

Hoffman: "Well, I appreciate the Representative being as forthright as he is, in his own way. I stand in opposition to this legislation. As we all know, we already have a Math and Science Academy which draws students from all across the state including his area, in fact a former high school student of mine who ended up in her adult life in southern Illinois, has a daughter who is currently attending the Math Science Academy in Aurora. The fact of the matter is that of, of the state to have Math and Science Academies they all have single academy. And it seems to me that it is particularly important that students of this level of talent be gathered together in one place because not only do they learn from the teachers but they learn from each other. And I don't think we want to parochialize the process by bifurcating these kinds of programs. So, not only is it expensive, it's duplicatively not only in a money sense but also in a personnel sense. And with all due respect to the candid legislator from the southern climes, I feel impelled to rise in opposition to this legislation."

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 this Bill would it by chance also include an agricultural program?"

Hicks: "Representative Ropp, I don't think those things have come up as of yet. But possibly to look at your voting on this Bill, Representative Ropp, we certainly might discuss that

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at a later date."

Ropp: "Well, are you already aware that we have an arts program summer school which is in somewhat central Illinois, it's about 65 miles north of here. Are you aware of that already?"

Hicks: "Yes, Representative Ropp. I'm aware that there is an Arts program. But I'm really looking, Representative Ropp, at a a nine month school year you know being from the far south as I am, as far away from Aurora and the academy northern Illinois, even though I do have students in that academy, I think it's a worthwhile academy to have. I, I do find that many parents at a level which they're talking about, whenever children are 13 or 14, or 15 years old, sending those children away, the distance it is from my part of the state is something very difficult for parents to do. I do support the program that's going on currently. I just want some day I'd like to see an expansion of that program."

Ropp: "Well, if we'd have a downstate program, undoubtedly, unless those live real close are gonna have to drive anyway. Or if it's a live-in program they're gonna be away from their parents aren't they? And can't they now attend the Math Science Academy in Aurora now if they have automobiles to get up here?"

Hicks: "Representative, I can't answer that. It's not in my area. I'm not aware if they can or cannot. I believe that is a residential program. Whether or not they're allowed to drive in I'm not aware."

Ropp: "Well, it would seem to me Mr. Speaker to the Bill. I am one who is in full support to these kinds of educational opportunities, but it seems like, if we are creating a upstate-downstate every kind of a program we have, rather than if we need one, then we ought to have these kinds of

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programs. But just because we don't have one downstate we need one, or if we do not have one in upstate, we need one, is the kind of philosophy that seems to me to just add dollars to programs that we don't need to. Because we already have existing programs. If you want to go to a live-in program, we could go to the Math Science program. We certainly spend adequate sums up there. And I would think that we might want to reconsider and if we need to expand the programs that are already in existence, let's do that, rather than to build a brand new palace everywhere."

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

Cowlshaw: "Mr. Speaker. I rise very reluctantly, and respectfully towards the Sponsor, but in opposition to this Bill. And for two reasons. The first is, it has been very difficult for us, even those of us who endorsed wholeheartedly the concept of the existing Math and Science Academy. To justify to the public schools throughout this state, the cost per pupil in that academy because of the residential factor being added to the factors that are normally part of the cost for a student in a nonresidential public school. Since it has caused us to stretch considerably to try to justify that cost per pupil, in one such academy, it seems to me that it would stretch us to breaking to try to justify it in two such academies. But secondly, Mr. Speaker, and I think perhaps this is even more valid. One of the criticisms of the existing academy among science and mathematics teachers, and among of the most gifted of those teachers throughout this state was, we need in our schools the very brightest young people to set an example for the other students and to be of help to other students. We don't want those absolutely top students siphoned off from our local public schools, and sent somewhere else, even if it's for an tremendous

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advantage for that individual student. We also need that example in our local schools. I think one of the ways that that was addressed when we created the Aurora Academy was that there were such a small number of students that were going to be able to attend that academy, that we really weren't siphoning off a significant number of the brightest young people for the purposes of setting those examples in high schools throughout the state. But I don't think we can justify continuing to siphon the very top most brilliant pace setting students out of the public classrooms in Illinois. And so partly because of the absorbitant cost, but also partly because we really can't keep taking the most gifted away from the public school classrooms in out state. For those reasons, reluctantly, I stand in opposition to this Bill."

Speaker Young: "Representative Hicks to close."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. You know I find it a little bit incredible that people that already have a this fine school in their area are the ones who are rising in objection to it, you know they talk about the students. And that's the only thing I'm going to address in my closing remarks. Is the students. We talk about siphoning off in the public schools those students who may be used as examples of what a fine student might be and yet in every single study that we see that comes across our desk, it talks about the teachers who say they have no time for those gifted students. They have no time to spend with them because their time is spent with the less fortunate, those people who cannot live up to the measure that's been placed upon them be the curriculum that is offered. We find that so often even in my high school in Mount Vernon that's one of the finest high schools in the southern part of the state,

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students cannot qualify because the curriculum that's offered is not suitable to get them in some universities in this state and we have the students who are currently at the Math Science Academy that are doing an absolutely wonderful job. We find that in the last report that they were some two points higher than any other high school in the nation of its size, in relationship to the ACT test, and I think it's time that we allow that to happen, we allow it to happen in all parts of the state just not in one region of the state and I'd ask for passage of this Bill. Thank you."

Speaker Young: "The question is,, 'Shall House Bill 3569 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? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question...Representative Hicks moves that House Bill 3569 be placed on the Order of Postponed Consideration. We will now go to the Order of Human Services, Second Reading. The first Bill on that Order is House Bill 797, Representative Levin. Out of the record. 1656, Representative Wyvetter Young. Out of the record. 1817, Representative Trotter. Read the Bill Mr. Clerk."

Clerk Leone: "On the Order of Second Reading, on page 6 of the calendar. House Bill 1817, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 3058, Representative Cullerton. Read the Bill Mr. Clerk."

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Clerk Leone: "House Bill 3058, a Bill for an Act to provide support services to prevent homelessness. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed? Representative Cullerton."

Cullerton: "Has the Bill been read a second time?"

Speaker Young: "The Clerk has just read it for a second time."

Cullerton: "Fine, just, please leave it on Second Reading then. Thank you."

Speaker Young: "Take House Bill 3058 out of the record. House Bill 3110, Representative White. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3110, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed and no Floor Amendments."

Speaker Young: "Third Reading. Representative McCracken."

McCracken: "We ordered a fiscal note. I don't see it in my files. Does the Clerk have it filed?"

Speaker Young: "On which Bill? On 3110?"

Clerk Leone: "A fiscal note, Illinois Department of Public Aid, has been filed."

Speaker Young: "Third Reading. House Bill 3164, Representative Trotter. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3164, a Bill for an Act to create a Local Government Healthcare Fund. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Third Reading. House Bill 3561, Representative White. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3561, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill."

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Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 3562, Representative White. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3562, a Bill for an Act to amend the Hospital Licensing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young: "Third Reading. House Bill 3563, Representative White. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3563, a Bill for an Act to amend the Illinois Alcoholism and Other Drug Dependency Act. Second Reading of the Bill. There are no committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3565, Representative Currie. Representative Currie? Out of the record. House Bill 3567, Representative Williams. Out of the record. House Bill 3587, Representative Didrickson. Representative Didrickson. Out of the record. House Bill 3600, Representative White. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 3600, a Bill for an Act to amend the Illinois Public Aid Code, Third Reading...Sec...correction, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young: "Third Reading. House Bill 3675, Representative Trotter. Read the Bill Mr. Clerk...House Bill 3675, read

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the Bill Mr. Clerk."

Clerk Leone: "House Bill 3675, a Bill for an Act to amend the Family Practice Residency Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Fiscal note has been filed. Any Floor...floor amendments?"

Clerk Leone: "There are none."

Speaker Young: "Third Reading. Going back on this Order...of Human Services, Second Reading. House Bill 3565, Representative Currie. Out of the record. We will now go to the Order of Human Services, Third Reading. The first Bill on that Order is House Bill 299, Representative Currie. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 299, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Bill would codify the current rules regulations of the Illinois Department of Public Aid in respect to the program that permits spouses that remain in the community when the husband or wife becomes eligible for Medicaid help in meeting nursing home costs to enjoy the federally maximum permitted and reimbursed levels of asset retention and monthly income. The reason that it's important for us to codify these rules and regulations is that the department has changed its mind several times during the course of the last six months on exactly at what point in the federal minimums and maximums we should peg Illinois participation. And in October the department agreed with the current rule and with the provisions of House Bill 299 that maximum for federal participation made best sense was most kind and

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caring for senior citizens in need of a helping hand. In December the department did a switch, a switch that would've brought Illinois participation down to the very bottom, the minimum level permitted by the Federal Government. The department again changed its mind in sometime mid-February and said yes we were right the first time, we were right in October. I think it's critical for us to insure for the senior citizens in our communities who wrote to us over the winter months who expressed their concern about the department's real focus on this program and who are fearful that without statutory codification the department will change its mind yet again. I think it's important for us to make clear that the statutes speak to the issue. I think it's important not only for the seniors but it's important for us. We have a responsibility to advise and guide the Department of Public Aid and the Executive Branch of the State Government about what kind of social programs we should craft. If the department wants to flip again, on this political issue of spousal impoverishment, when we pass House Bill 299, we'll have a chance to hear from the department, its arguments. We'll have a chance to weigh the issues, we'll have a chance to weigh the costs and benefits and we'll have a chance to say yes or no. I think our senior citizens deserve that. They've been pulled back and forth. They've been flipped and flopped on the issue. I think the only kind of security and stability we can offer them and the only kind of responsibility we can maintain for ourselves, is to say yes to House Bill 299. I'd be happy to answer your questions and would appreciate your support for this critical Bill. "

Speaker Young: "The Lady moves for passage of House Bill 299. And on that question, the Lady from Cook, Representative

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Wojcik."

Wojcik: "Will the Sponsor yield for a question, please?"

Speaker Young: "Indicates she will yield."

Wojcik: "Representative, is it not fact that the Department of Public Aid has stated that they have suggested this and that it would be done via the rule process instead of the Bill?"

Currie: "Representative, the department twice proposed rules in this area, in fact thrice proposed rules in this area. The first rule said let's go with the provisions of House Bill 299. The second proposal said let's not go with these provisions, let's go with the stingiest provisions the Federal Government permits us. And the third flip of the Department of Public Aid was to say oops, we were wrong the second time, we were right the first time, let's restore maximum eligibility for participation. My point is that we have a responsibility to make sure that we are involved in the next decision by the Illinois Department of Public Aid on this sensitive program. If we make statutory the present rule, we will be involved in the next decision that the Department of Public Aid might choose to make and I think we have a responsibility to the senior citizens in our communities to make sure we do participate in the department's decisions."

Wojcik: "And you're stating that we would be involved in decision making has it if this Bill should go through, would we not have been involved in decision making if the rules were congregated through the Department of Public Aid?"

Currie: "Without this Bill there is the possibility that the department down the line would come back in with the same proposals the department made in December. A proposal to say let's go with the stingiest levels of support for the community spouse that the federal government will permit

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us. And at that point we would not be participants in the department's decision. My sense is that when the department is able to flip and flop and flip on an issue that is critical to the well being of spouses whose husband or wife is required to go into long term care and since we've seen the department do those flips and flops it is essential that we are involved in the department's decision and the only way we can insure our participation is if we codify what in fact is the current rule."

Wojcik: "Representative, when you use the word stingiest do you assume that maintaining 30 thousand dollars in assets is stingy when the individual would be on Medicaid? And they still would be allowed to keep their home which possibly could be valued over and above a figure of 150 thousand dollars? They would be able to keep their car. You think 30 thousand dollars is stingy?"

Currie: "As you know Representative, the issue in this Bill is not the current level of Illinois participation. If you think the maximum federal benefit available to Illinois seniors right now, if you think that is too generous, you are welcome Representative to introduce legislation to send Illinois participation to the federal minimum level. I would say that is relatively speaking a stingy level. But as you know, that is not the issue in this Bill, nor is it the issue in the present rule of the Department of Public Aid. Nothing that you're saying has to do with this Bill, but if as I say you think the maximums were too good, too kind, too caring for our elderly, put in legislation and let's debate the question shall we go to the minimum instead."

Wojcik: "Representative, I did put in legislation which you stood over there and talked against. I put legislation in that would help the widow or widower pertinent to this very

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subject. Do you know approximately what this legislation is going to cost the state?"

Currie" "Well, Representative, first could I just answer your first point. Your Amendment had nothing to do with the Spousal Impoverishment Program. It did not involve the federal program at all. Secondly, this Bill should we pass it, will cost the state not one penny above what the state has already committed to spend."

Wojcik: "Well actually the subject matter has already been covered through the Department of Public Aid. It is not necessary to have this Bill passed, because we already are going to have a 60 thousand dollar allowable income for an individual or a spouse who goes into a nursing home. So therefore my recommendation is that we allow Public Aid to continue on as the way there are instead of getting into this type of subject matter where we now are going to clutter up our statutes book with another statutory requirement or another mandate to the department. That's my only rationale on this. I think that it's something we should let the department handle and not have to be looking at a making a law to insure that it's handled correctly."

Speaker Young: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I rise in opposition to this Bill as well. You know, who are we kidding? This Bill has no meaning without an appropriation sufficient to cover this cost. Currently, there is a line item in the public aid budget which encompasses both this and another purpose. The public aid budget came out of the Appropriations Committee and was cut from even what the department had asked for. So right now they don't even have as much as they asked for and it did not in the first place ask for enough to cover this additional cost. 23 million dollars

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additional cost. However, that is just an estimate. Excuse me. It's not precisely clear what this will cost. But it is in that range. Now to say that we should be involved in this so that we can pass a Bill that is substantive has no meaning otherwise is the height of hypocrisy. It is a Democratic Committee which cut back the public aid budget. It is a Democratic Committee which hasn't given them even as much as they asked for. Yet, on a substantive piece of legislation, we want to curry the favor of the cameras. Well I say that was as unintended pun by the way. I say that we should be responsible. If you're going to cut the appropriation in committee, then do the right thing on the floor of the House. In effect what the committee said is we will not give you enough to do this. You will have to use your own judgement on how to spend what we give you. That is the precise reason the Department of Public Aid wants this accomplished by administrative rule. It will be able to spend as much as it can on these institutionalized persons. It will allow them to give as much as we can afford every benefit that these persons should have. That's precisely what the department is asking for. It's precisely the reason. To ignore what we've done in the Appropriations Committee and to stand up here and say to the cameras that we stand for more benefits for the elderly is baloney. That's all it is. We should not vote for this. It is doing a disservice to the community, not to tell the truth when we stand up and say our money is not where our mouth is."

Speaker Young: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker, and Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

Speaker Young: "Indicates he will yield."

Dunn: "Is, if this Bill becomes law, will the 60 thousand dollar

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federal maximum kick in in the State of Illinois?"

Currie: "Representative, that's already where we are with the with, under the rules of the Department of Public Aid. Which is why passage of this Bill will have no budgetary implication beyond the commitments that's already been made."

Dunn: "I understand that. But...that'll be the statutory law in the State of Illinois. I understand your argument because the department has changed the rules. You want to codify what is currently being done, is that correct?"

Currie: "That's right. And that is 60 thousand dollars."

Dunn: "That is the maximum, that is the maximum allowable under the federal directives that come to us from Washington?"

Currie: "That's right."

Dunn: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this legislation. If I understand things correctly, this legislation will codify what is currently being done. And first of all, a very important point to counter those who indicate they're budgetary problems. Secondly, budgetary problem issues are are not entirely credible. It's not that we how much money we have or how much money we have in an agency. It's what we do with that money and how we align our priorities. We have people out there, members of the voting public, who are at retirement age or near retirement age, husband and wife, who have worked all their life to accumulate a net worth and sometimes those net worths are not as large as they have dreamt of them being. With the cost of inflation, the cost of Medicare insurance going up, the cost of everything going up, living longer and lots of uncertainty, senior citizens are very very nervous. I'm a man. Most of us men go in the nursing home first and when that happens if you leave behind a healthy wife, and of course it can happen

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the other way, you leave behind a healthy spouse, that spouse does not only has a husband for example in the nursing home but with the assets being drained down at a 1000, 1500, 2000 dollars each and every month plus other incidentals, but she must not only sit alone at home but sit alone at home in terror about what is going to happen to me if all of our assets are used for these nursing home expenses. What this legislation will do is say that that surviving spouse, the other spouse can retain up to 60 thousand dollars in assets to cover her own situation against the possibility she may incur a long term illness or need to be sheltered in a nursing home and to have that buffer between her and abject poverty. That's not really much to ask for people who have worked all their lives and have accumulated that much money. To let them, to let them keep that money and to let the surviving spouse who is healthy, have some sense of security to protect her sanity, could be his sanity, but to protect her sanity. So I would urge that each and every one of us rise in support of this legislation, if you have not already been contacted by constituents of this measure you certainly will. Because it is a very, very important and significant piece of legislation and should be passed with every green vote up there from all the Members. There should be 118 'aye' votes on this Bill. If you don't vote for it, expect some mail, expect some criticism along the campaign trail, because believe me, those involved out there know about this issue. They're informed. They're educated and they're watching your vote. Please vote 'aye'."

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

White: "Mr. Speaker, Ladies and Gentlemen of the House, I chaired a hearing on this subject in Evanston, Illinois a few months ago. And the Department of Public Aid is on record

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in support of this kind of legislation. They have indicated that they are in favor of the concept but they are they are in opposition to this fine piece of legislation. So, for those of you who have senior citizens in your district the right vote on this piece of legislation the right vote is 'yes' and as Representative Dunn said a few moments ago and I don't want to swear but your constituents will let you know how they feel if you decide to oppose this fine piece of legislation."

Speaker Young: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. I think the issues have been well debated. There will not be a single extra penny spent if we pass House Bill 299 then what the department is presently committed to spend this year without it. The differences that with this Bill in the Illinois revised statutes our constituents, our elderly constituents know that they have security and stability in respect to the Spousal Impoverishment Program and we know that we have met our responsibilities to our senior citizens that important social programs will not be changed without our advise and consent. That's what the legislature is here for, that's what our responsibilities are about and I think for the efficient operation of Illinois State Government for an appropriate relation between the executive and the legislative branches, and certainly for the health and well being of our senior citizens whose, whose spouses must be institutionalized in long term care facilities, we can do no less than say 'yes' to House Bill 299."

Speaker Young: "The question is,, 'Shall House Bill 299 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.

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On this question there are 93 voting 'yes' 16 voting 'no' 4 voting 'present', this Bill having received the required Constitutional Majority is hereby declared passed. House Bill 975, Representative Currie. Read the Bill Mr. Clerk."

Clerk Leone: "House Bill 975, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a Bill that we addressed last spring and it's a Bill that I would suggest we should address even more seriously this spring. The point of the program is to encourage individual economic entrepreneurship among public aid recipients that are trying to move from the world of welfare to the world of work. The Bill would call for the Department of Public Aid to ask authorization from the Federal Government and to establish demonstration programs limited pilot demonstration programs to see to it that people have the opportunity to develop self-employment as an option to continued dependency on the public aid roles. There are several excellent examples of economic entrepreneurship in other states across the country and there are groups like Women For Economic Security some organizations involved through the Chicago Housing Authority in which the evidence is clear that some individuals on welfare would be best advised to develop small companies to supply needs presently unmet in their own neighborhoods, in their own communities as a viable root from the world of public welfare. I'd be happy to answer your questions and would appreciate your support for House Bill 975."

Speaker Young: "The Lady moves for passage of House Bill 975. And on that question the Gentleman from DuPage,

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Representative McCracken."

McCracken: "Thank you. I rise in opposition. I guess that doesn't surprise anybody. But, I could tell you, you know, that this will cost four million dollars, that it duplicates some part of DCCA's program on job training that it's based on a demonstration project which is not yet completed. But that isn't what sells newspapers. So let me tell you what sells newspapers. I want a law, if I were king for a day, I would make a law and I would say every good idea that cost money has to be accompanied in the same Bill with an appropriation for the money and if the appropriation is not a budgeted item that you have to have a source of income to pay for the program in the Bill. So that means one, you need a good idea, there's no shortage of good ideas, two, you have to tell us what it's going to cost and you have to stand up and say the state will spend the money, three, you have to tell us where the money will come from. That means a tax. Where is the money going to come from? We just heard the Department of Public Aid's budget has been cut by the Democratic Appropriations Committee by 50 million dollars and that this four million was not even in their budget. So where is the money going to come from? What is the tax going to be? Who's going to be levied on? Why is that not part of our process? Why do we disjoint the two? I say enough with this bifurcated process of government raising money and spending. It ought to be in one Bill, it ought to be in one program, it ought to be in one vote. Now I'm sure no one will respond to my plea, but we should be changing the way State Government does business. And everybody will want to consider himself a reformer, a do-gooder, take heed. You do no good when you put up on the board promises which you have no intention of paying for. And that is precisely what this

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is again today. And that is precisely what the next 20 Bills on this order of business will be all about. So let's tell the truth. We're not going to pay for this program. Nothing we've done today indicates we're going to pay for the program. Nobody's talking about the tax necessary to levy in order to pay for the program. It ain't gonna happen. So let's just say no. We're not going to pay for it, we're not going to spend the money on it. Why pass the Bill? And the answer to why pass the Bill is good publicity. It's because there are newspaper people here. That's why we want to pass the Bill. And that's the only reason we want to pass the Bill. When you talk about a compassion talk about giving your own money to pay for these programs. That's compassion. Taking it from the taxpayer is not compassion. It's the force of law. And if they don't pay they go to jail and that's the only reason they pay, believe me. Vote no."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen. I found the last speech very interesting, enthralling, engrossing, as I have many times before. Because Representative McCracken has only one speech. And he gives it over and over again. In fact, if Representative McCracken had bothered to even read the board let alone the Bill, he would see up there it says self-employment. What we are doing with this Bill is moving people off the welfare roles, and into gainful employment where they become taxpayers. Representative McCracken, this Bill will not cost money, this Bill will save money. This Bill will create new taxpayers, this Bill will generate more tax dollars, and if you want me to introduce an Amendment to cut the budget, to reflect those savings, I'll be happy to do it. And I urge you to be a Co-Sponsor."

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

Ropp: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield please?"

Speaker Young: "Indicates she'll yield for a question."

Ropp: "Representative, didn't we pass legislation a couple of years ago that dealt with what we call Project Chance that was supposedly set up to do the very thing you're attempting to do here?"

Currie: "Under our present Project Chance Program, self-employment is not an option. That's the whole point of this Bill. There is a pilot presently operated by the department, but this is not generally available and we would like...the point of this Bill is to expand self-employment opportunities for people on welfare. It's a good republican proposal. I thought the Republican Party stood for the little guy. The small businessman, individual entrepreneurship, that's what this program is about."

Ropp: "Well, I'm absolutely in support of individual entrepreneurship, but don't we have those programs available through education in our community colleges now?"

Currie: "Not for people who...this Bill specifically addresses people who are presently on aid to families with dependent children. And there is not the opportunity for them to investigate self-employment as a route out of public aid. The point of this Bill is to make that a possibility when it makes economic sense in terms of community needs and individual talent, skills and abilities."

Ropp: "Why do we have to have a separate program for every little person, every big person, every person that is so unique in one way or another when in fact if they want employment we already have schools for them to go to. We have programs through JTPA if they want to become employed or learn how

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to become entrepreneurs? We already have those programs. Why do we always have to create a new program to spend...to specify to fit a very unique kind of category each legislative session?"

Currie: "Well, I can only answer in respect to this Bill Representative. The Federal Government will not permit us to offer this employment option to women who are on aid to families with dependent children, unless we pass this Bill. So the problem really is at the federal level and our hands are tied. If we would like to help this population develop this opportunity we need State Legislation to do it."

Ropp: "Well, why is it then that we always seem to create a program that will fit whatever Federal Government's programs has so that I guess we get more dollars from the Federal Government rather than trying to do what is necessarily right and best for our people?"

Currie: "Well, in this situation Representative I think we're all concerned about the state budget. Going this route, the route that's offered by House Bill 975, is likely to give us a 75 percent federal funding match. And I would say that as we are cost conscience with our own budget, we might want to avail ourselves of federal opportunities when they are available. A 75 federal, 25 state match is a great match and given that we're in a state that's rock bottom, in our ability to return federal tax dollars to the State of Illinois, I'd say this is precisely the kind of program we should be encouraging."

Ropp: "Well the odds certainly sound good, however, it seems like the Federal Government has any number of these programs. Seems like the Federal Government is the agency of our government that is deeply in debt and I guess they will continue to be in debt because we will attempt to go after every buck that is made available. When in fact if states

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will not always go after all those federal bucks, maybe they can begin to save a few of their own dollars and help reduce the federal debt."

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

Stephens: "Well, thank you Mr. Speaker. The Lady who is the Sponsor is also a Member of the Appropriations II Committee. And she knows what a tough time we have this year in trying to make ends meet. It is interesting that she would refer to the Federal Government as an example to such. And that's exactly what she's doing. She's using the Federal Government as an example for the State of Illinois to follow in the appropriations process. They have spent themselves no, let me correct that, they have spent us into a debt that our great-grandchildren wouldn't be able to pay, no matter how wealthy they wound up being. And she suspects that if we can just spend ourselves a little bit more in debt because we're going to get some money back from the Federal Government, which ironically puts them further in debt, that somehow we're going to wind up on the plus side, that is just nothing further from the truth. Mention was made of Representative McCracken's speech, that he has given it before. Well, maybe he has but I think, I think the point is well taken. What's even more interesting, is it the same thing we keep hearing, it's the same tax dollar that you keep trying to spend time and time again. How many times can you spend that singular tax dollar? You're just got to get a handle on the budget. You come before us with projects that you know we can't fund. You voted to cut the public aid budget in the committee and now you stand before us and try to play to the press and say look, we're the good guys. We want to get these people off AFDC so they can start their own

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company. You know what? They can start their own business right now, they can do it. If poor people in Illinois and poor people in America have done it before, and we've got millions of example where people have lifted themselves above poverty by hard work and labor and ingenuity, then it can be done today in America. Government can't do it for them. You can't do it for them. They don't need your help, they need you to get out of their way so they can do it themselves."

Speaker Young: "The Gentleman from Macon, Representative Dunn."

Dunn: "On behalf of Representative Flinn and others, I move the previous question."

Speaker Young: "Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. I'm not sure what the accusations are that have been flung at me from Representatives on the other side of the aisle. First they accuse me of cutting the public aid budget, saving taxpayer dollars. Then they accuse me of being big spender. I don't know what it is I done. I don't know which thing is worse. But I think they're ignoring what this Bill, House Bill 975 is all about. This Bill merely authorizes our department of public aid to go to the Federal Government and ask the Feds for permission to craft a program to permit AFDC recipients to try self-employment as a route out of poverty. Now, we know what's happening in Washington. We have a Republican Administration. Our President Bush Administration. And if you think that he would be prepared to say to the State of Illinois, spend federal monies without winning back federal dollars, then I think you don't understand your own party, and your own President. If President Bush, who has the final word on this program, were to say yes, it's because President Bush would understand that it's critical for all of us to move

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people out of dependency and into the market place. This is one well established way to do so. There's no question that if this Bill passes, the Department of Public Aid will only win federal approval if the feds, if President Bush like me, believes that it's important to help people leave welfare and become taxpayers. I urge your support for House Bill 975."

Speaker Young: "The question is,, 'Shall House Bill 975 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. Representative McCracken. On this question there are 63 voting 'yes', 47 voting 'no' and Representative McCracken requests a verification. Mr. Clerk will you poll the absentees?"

Clerk Leone: "Poll of those not voting. Krska and Terzich. No further."

Speaker Young: "Poll of the Affirmative Roll Call."

Clerk Leone: "Poll of the Affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Trotter. Turner. Van Dyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Young: "Representative Breslin in the Chair."

Speaker Breslin: "Any questions of the Affirmative, Mr. McCracken?"

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McCracken: "Yes, thank you. Representative Leverenz?"

Speaker Breslin: "Mr. Leverenz. Is Representative Leverenz in the Chair, or in his seat. I can't see him. No, he's not. Remove him from the Roll call."

McCracken: "Representative Ronan?"

Speaker Breslin: "Representative Ronan? Al Ronan? The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Keane?"

Speaker Breslin: "Mr. Keane is in the aisle."

McCracken: "Representative Van Duyne?"

Speaker Breslin: "Representative Van Duyne? Leroy Van Duyne? The Gentleman is not in the chamber. Remove him from the Roll Call. Representative Leverenz has returned to the chamber."

McCracken: "Okay."

Speaker Breslin: "Add him to the Roll Call. And now Mr. McCracken. Representative Giorgi and Stern would like leave to be verified."

McCracken: "Yes. Yes."

Speaker Breslin: "They are both in meetings in the back. Okay, both have leave."

McCracken: "Representative Shaw?"

Speaker Breslin: "Representative, excuse me, Representative Terzich? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman has been, is not recorded as voting."

Speaker Breslin: "Okay. Representative Terzich asked to be voted 'aye'. Representative Nelson Rice is down here now. He asks leave to be verified and leave is granted to Representative Rice."

McCracken: "Representative Shaw?"

Speaker Breslin: "Representative Shaw is in the chamber. Representative Curran is voting 'aye' and he asks leave to be verified."

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McCracken: "Yes."

Speaker Breslin: "Leave is granted."

McCracken: "Representative McNamara?"

Speaker Breslin: "Mr. McNamara? Representative McNamara? He's
in the chamber. In the back of the room."

McCracken: "Representative McGann?"

Speaker Breslin: "Representative McGann, is in the chamber."

McCracken: "Representative Laurino?"

Speaker Breslin: "Mr. Laurino? Representative Bill Laurino? The
Gentleman is not in the chamber. Remove him from the Roll
Call."

McCracken: "Representative Lang?"

Speaker Breslin: "Representative Lang? Lou Lang? The Gentleman
is in the chamber."

McCracken: "Representative Hartke?"

Speaker Breslin: "Mr. Hartke? Chuck Hartke is here. And a day
older."

McCracken: "Where is he. I don't see him."

Speaker Breslin: "Right in front."

McCracken: "Oh. Representative Steczo?"

Speaker Breslin: "Mr. Steczo's in, by his seat."

McCracken: "Representative Davis?"

Speaker Breslin: "Representative Davis. Monique is in her seat."

McCracken: "Representative Turner?"

Speaker Breslin: "Representative Turner is in the chamber."

McCracken: "Representative Preston?"

Speaker Breslin: "Representative Preston? Lee Preston? The
Gentleman is not in the chamber. Remove him from the Roll
Call."

McCracken: "Representative Dunn?"

Speaker Breslin: "Representative Dunn? John Dunn? He's in the
chamber."

McCracken: "Representative Martinez?"

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Speaker Breslin: "Representative Martinez is in his chair."

McCracken: "Representative Santiago?"

Speaker Breslin: "Representative Santiago? Representative Santiago? The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Trotter?"

Speaker Breslin: "Representative Trotter? Donny Trotter? Is the Gentleman in the chamber? He is not. Remove him from the Roll Call."

McCracken: "Representative Mautino?"

Speaker Breslin: "Representative Mautino? Richard Mautino? I heard him but I can't see him. Now I see him. He's in the chamber."

McCracken: "Representative DeJaegher?"

Speaker Breslin: "Representative DeJaegher? Bob DeJaegher? Is the Gentleman in the chamber? He is not. 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. Representative Ronan has returned to the chamber, as has Representative DeJaegher. Add them to the Roll Call voting 'aye'. Representative Hicks asks leave to be verified. Mr. McCracken does he have leave?"

McCracken: "I don't see him."

Speaker Breslin: "Mr. Hicks is in the back of the chamber."

McCracken: "Yes, Okay."

Speaker Breslin: "Representative Hicks has leave."

McCracken: "Uh, nothing further."

Speaker Breslin: "Representative Lou Lang has returned to the chamber. He wasn't removed. Have all voted who wish? On this question there are 58 voting 'aye' 47 voting 'no', and 2 voting 'present'. Representative Jones, for what reason

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do you seek recognition? Representative Currie asks for Postponed Consideration and that will be granted. On the Order of Human Services appears 2013. House Bill 2013, Representative Kubik? Representative Kubik, do you wish to present this Bill? Out of the record. House Bill 3318, Representative Currie. On the Order of Human Services. Representative Currie. Out of the record. House Bill 3347, Representative Lou Jones. Out of the record. House Bill 3429, Representative Phelps. David Phelps. Clerk read the Bill."

Clerk Leone: "House Bill 3429, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentleman of the House. This Bill is an attempt to try to offer assistance to those welfare recipients that are registered with the Project Chance Program that right now do not have access to partial dental plates and eye glasses. This is supported by everyone in the committee when it came out of Human Services and I believe it will be a savings to the state. We estimate it could be as much as three million dollars savings so we appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3429. On that question the Gentleman from DuPage, Representative McCracken."

McCracken: "The estimate is based on your assumptions in earlier employment resulting in less expense on the public aid rolls, is that right?"

Speaker Breslin: "Representative Phelps."

Phelps: "Yes, Representative McCracken, I believe so."

McCracken: "Okay. Now, frankly the department is estimating the cost is 400 thousand. Our file says that the Work Welfare and Families group which apparently suggested this

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estimates the cost at about 5.5 to 6 million dollars. Is that your understanding?"

Phelps: "Well, the, the department's estimate was 400 thousand. And that seemed to be more in line with our thinking."

McCracken: "I can't hear you."

Phelps: "The 400 thousand figure was what we were going on, from the department."

McCracken: "Do you acknowledge though, that the Work Welfare and Families Group is estimating 5.5 to 6 million dollars cost?"

Phelps: "I hadn't seen that figure. I didn't know exactly where..."

McCracken: "Okay. Thank you. I rise in opposition to this. Currently children are provided eye glasses by DPA. For the adults glasses are made by another government department. DPA will provide full sets of dentures but not partial plates. Now, you know, in an ideal world, we want as much as we can have for everybody. But that just isn't the way life is. We have to make some hard decisions here. This is another one that's not a hard decision. Because there's no requirement that the appropriation be a part of this vote. There's no requirement that the source of revenue be identified and adopted by means of this vote. This is the same public aid budget which was slashed by 50 million dollars in committee. And the time of having your cake and eating it to, must come to an end. This is another example of some hard decisions we have to make. This is a very appropriate decision to make in opposition."

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

Stephens: "Thank you, Madam Speaker. I object. Representative McCracken has given the same speech again."

Speaker Breslin: "Representative Phelps is recognized to close."

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Phelps: "Thank you, Madam Speaker. I think it's most customary from that side of the aisle as well as ours to try to depend on department's estimates and it's the department's estimates that is 400 thousand and that's not taken into the account the reimbursement from the Federal Program, which at the most could be 200 thousand costing us so I think it's money well spent. Especially those people who are right at the margin in job placement need this extra help. Appreciate your support."

Speaker Breslin: "The question is,, 'Shall House Bill 3429 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is opened. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 68 voting 'aye' 37 voting 'no' and 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3515, Representative Lou Jones. Out of the record. House Bill 3575, Representative Bowman. Woods Bowman. Mr. Bowman. Out of the record. House Bill 3576, Representative Bowman. Out of the record. House Bill 3599, Representative McGann. Andy McGann. Is he in the chamber? Out of the record. House Bill 3655, Representative Hicks. Larry Hicks. Out of the record. House Bill 3748, Representative Wojcik. Out of the record. House Bill 3853, Representative Churchill. Clerk read the Bill."

Clerk O'Brien: "House Bill 3853, a Bill for an Act to amend the Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Clerk Leone: "Representative Churchill."

Speaker Breslin: "Excuse me."

Churchill: "Well thank you, Madam Speaker, Ladies and Gentlemen

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of the House. House Bill 3853 is a vehicle for the Illinois Health Facilities Planning Board."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 3853. 3853. On the question, the Lady from Cook, Representative Currie."

Currie: "Alright Representative, it's a vehicle for the Illinois Health Facilities Planning Board?"

Churchill: "That is correct."

Currie: "And what, what do they think they might need to have a vehicle for?"

Churchill: "I don't think they have any plans for the Bill at this point."

Currie: "I don't remember that there was a vehicle for the Illinois Health Facilities Planning Board last year. Or the year before. Or the year before. What makes them feel the need for a vehicle now?"

Churchill: "I haven't the slightest idea. I was asked to put the Bill on the Illinois Health Facilities Planning Board."

Currie: "So you don't know what it's for, they don't know what it's for, they don't know why they need it. Did they hire someone to encourage you to put this in for them, or was it the Executive Director who..."

Churchill: "This is why it is called a vehicle."

Currie: "Well, I'm just wondering whether they have hired someone to help them move their vehicle Bill along of whether the request to you came from the Executive Director of the agency or the Chairman of the Board, or what have you."

Churchill: "They have hired someone to act, be the proponent of the Bill. I'm sure if you'd check with Mr. Lapaille, he could tell you all about it."

Currie: "And, if every there were some, if ever there were some substance in the Bill would you, did this come out of the Human Services Committee?"

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Churchill: "That is correct."

Currie: "So, would you make..."

Churchill: "It was an unanimous vote."

Currie: "So, would, did you make an agreement with the chairman of the committee that you would check the Bill out with him if it ever were more than a vehicle?"

Churchill: "There were, there was no agreement made at that point. If I remember correctly it was a unanimous vote to vote it out."

Currie: "Would you be prepared to give the chairman, Representative White that kind of opportunity to participate in the substance of the Bill as well as in the vehicle stages of the program?"

Churchill: "I would be, I would be most happy to send those people who are interested in the Bill to talk to him before anything is done."

Currie: "Thank you."

Speaker Breslin: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Madam Speaker. I rise in support of this Bill. If this organization hasn't bothered us with a vehicle Bill for several years, as the previous speaker has indicated, then I think it is only fair that they be able to participate in the process. It's pretty obvious unless you have a vehicle Bill you don't get things done. And I think that's a wonderful reason to pass this Bill and I admire the Sponsor for his caring of this Bill and it's looks like a good piece of legislation to me."

Speaker Breslin: "The question is,, 'Shall House Bill 3853 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Representative Homer, one minute to explain your vote."

Homer: "Thank you, Madam Speaker, I would urge Members to

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reconsider this drawing up a green vote on this Bill. This is a shell Bill. The Sponsor says he doesn't know what it's for. Now I've been around here long enough to know you don't vote for shell Bills you don't know what they're for just because a lobbyist has asked the Sponsor over there to carry the Bill. So, I don't know what this Bill does. The Sponsor doesn't know what this does, but I would urge Members to reconsider. Just putting a green vote up I think you're asking for trouble."

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

McCracken: "Well that's certainly sound policy when it's a Democratic shell Bill. And that's something we've followed for years, but our following that for years never got us anywhere. So now we're gonna play the game the same way you guys do. We want our own shell Bills from now on. No more Democratic shell Bills. We want equal treatment. We want our own shell Bills. That's what this Bill is. And I applaud the Sponsor for having the courage to say it forthrightly. We need more Republican shell Bills. Ladies and Gentleman of the press, you can quote me on that."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 48 voting 'aye' 11 voting 'no' 53 voting 'present' and this Bill fails. House Bill 4216, Representative Bowman. Out of the record. Under House Resolutions appears from the Human Services area, appears House Bill 180, Representative Curran. Out of the record. House Resolution 180. He says that it's out of the record. House Resolution 196, Representative Steczo. Out of the record. House Resolution 1422, Representative Black. Mr. Black. Out of the record. House Joint Resolution 20, Representative Curran. Out of the record. The next Order

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of Business, Ladies and Gentlemen is Transportation, Third Reading. Transportation. Third Reading. The first Bill is House Bill 2887, Representative Peterson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2887, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker and Members of the House. House Bill 2887 as amended would permit the road district having a population of 15 thousand inhabitants to raise the threshold for bids from 5 thousand to 10 thousand dollars. Would be more than happy to answer any questions regarding the Bill."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 2887. And on that question, is there any discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Peterson: "Yes."

Homer: "Representative Peterson, there's an Amendment in our file, Amendment #1 that says the Bill's from 5 thousand to 15 thousand..."

Peterson: "That's correct. Population. That was requested by IDOT, they wanted only the townships with the larger populations because they feel that the correlated higher budget that the 10 thousand would not be as much that you would have in a small township. 75 thousand."

Homer: "Okay. But on your original explanation I didn't hear you saying anything about 15 thousand. I thought you said we were just taking it from 5 to 10. Why don't just...is Amendment #1 on the Bill?"

Peterson: "The bid goes from 5 thousand to 10 thousand."

Homer: "So what does Amendment #1 take it to?"

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Peterson: "Amendment 1 raises the population not the amount of money. It raises the population of a township, being eligible for that bid requirement to 15 thousand inhabitants."

Homer: "Oh. I see. I got it. Thank you."

Peterson: "Your've welcome."

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

McNamara: "The Sponsor will yield for a question?"

Speaker Breslin: "He will."

Peterson: "Yes."

McNamara: "If I understand correctly, what this says is that the bid requirements will now be 10 thousand dollars in relationship to population?"

Peterson: "It currently is the population now, but it's five thousand per population."

McNamara: "And it will raise it to 10 thousand. So therefore..."

Peterson: "No. Representative, it raises the population from 5 to 15 thousand."

McNamara: "I see."

Peterson: "It raises the bid threshold from 5 to 10 thousand."

McNamara: "So it is in relationship that the bid level is now tied to a higher population figure..."

Peterson: "That's correct. That's right."

McNamara: "Has the bid dollars gone up? Have the bid dollars gone up on this by 5 thousand dollars?"

Peterson: "That is correct. 5 to 10 thousand dollars."

McNamara: "Okay. I have a, to the Bill, I have a problem with this concept. Let me give you an example. Werth township has approximately a 172 thousand people, yet only 24 miles of roads. That is quite a bit different than a smaller township which would have a much greater amount of roads. So what we have really done is we've raised the threshold

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of dollars based on a population when the townships around the border counties of Cook County will be affected in allowing them to have larger no-bid contracts, yet at the same time, they will have less of a use for that money. I think this is precisely the wrong way of doing it. I would definitely support a measure that was put forward and I would suggest this method, that it would be based on miles of roads rather than just a population figure. Because it does precisely the wrong thing in a highly populated area. So, if, I would suggest to the Sponsor, that if it isn't too late at this time to perhaps pull the Bill back. Make it in response to miles of roads, rather than population figures, it would make significantly more sense, especially in the suburban areas in Cook County where there is a high population but maybe only eight to ten miles of roads. And lowering those bid requirements, I think, is very much of the wrong way of going. Thank you."

Speaker Breslin: "The Gentleman from Will, Representative Regan. Excuse me, Representative Peterson."

Peterson: "Madam Speaker, in reply to the Representatives request. The reason IDOT raised it is because the budgets are that much larger even though you have 27 miles of road. If you compare that with the downstate road district the budget's going to be three, five, ten times less. We're looking at the dollar amount in relationship to the population. Not the amount of road mileage in the district. Thank you."

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

Hartke: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Hartke: "Representative Peterson would you give me a logic again why we would want to raise the amount of possibility of

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noncompetitive bidding in this, the larger townships?"

Peterson: "First of all Mr. Hartke, Representative Hartke. The amount of dollars in most of these road districts is up four, five, six hundred dollars. They purchase a lot of things that they use to do their own work. This way they wouldn't have to go out and bid for those materials. It's not only services but it's materials. And this is why it was proposed by the township officials, through the township highway commissioners. The reason IDOT put the Amendment on and requested the Amendment is they felt that because the budgets were so small in the more rural townships, that ten thousand was too great a fee or too great an amount of money not to be bid out. So they kept it at five thousand. That's the rationale on the Bill."

Hartke: "So your smaller townships still have to go out for competitive bidding to spend a percentage of their budget."

Peterson: "That's correct. Because that five thousand is the greater amount of their budget."

Hartke: "So, your larger townships can spend more money without going out for competitive bidding."

Peterson: "They would spend ten thousand that's correct. In relation to other units of local government, I believe the counties and municipalities and the units of governments through the past few years have all raised there threshold to ten thousand dollars."

Hartke: "I recall that. I just wondered whether we had raised townships then too and we're raising it again."

Peterson: "No."

Hartke: "I know we did in municipalities and so forth."

Peterson: "No, we're not raising them again Representative Hartke. We're bringing them up comparatively with the other local governments."

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Hartke: "What population limits were put on these communities?

Did we, did we put that population above a certain amount?"

Peterson: "I didn't hear your question Representative."

Hartke: "In these municipalities did..."

Peterson: "No, there's no population restriction."

Hartke: "On municipalities there is not?"

Peterson: "No, there is not. No."

Hartke: "So a small community of 300 can go out on noncompetitive bidding award contracts?"

Peterson: "Right. Correct."

Hartke: "For up to ten thousand dollars?"

Peterson: "To my knowledge that threshold is applicable to all municipalities regardless to the population."

Hartke: "And it is supported by the county and township officials in Illinois?"

Peterson: "Yes, this Bill is."

Hartke: "Thank you."

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

Peterson: "Well, I think the Bill has been debated thoroughly and I would request for an affirmative vote on the Bill. Thank you."

Speaker Breslin: "The question is,, 'Shall House Bill 2887 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 78 voting 'aye' 29 voting 'no' and 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2896, Representative Stange. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2896, a Bill for an Act in relation to Safe and Sanitary Transportation of Food for Human Consumption. Third Reading of the Bill."

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Speaker Breslin: "Representative Stange."

Stange: "Miss Speaker, can we bring it down to Second Reading, bring it back to Second Reading, please?"

Speaker Breslin: "The Gentleman asks leave to return the Bill to the Order of Second for the purposes of an Amendment. Does he have leave? Hearing no objection...oh...Representative Dunn objects. He withdraws his objection. The Gentleman has leave. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #4..."

Speaker Breslin: "Representative Stange."

Stange: "I'd like to withdraw Amendment #4, please."

Speaker Breslin: "Withdraw #4. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Stange."

Speaker Breslin: "Representative Stange."

Stange: "Thank you, Madam Speaker, Amendment #5, is a technical Amendment, basically exempting farmers from this Bill."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 5, to House Bill 2896, on the question is there any discussion? There being none, the question is, 'Shall Amendment 5, be adopted?' All those in favor say 'aye', opposed 'no', in the opinion of the Chair the 'ayes' have it and the Amendments adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Stange, now asks leave for immediate consideration of this Bill as amended. Are there any objections? Hearing no objections, the Gentleman has leave. Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "House Bill 2896, a Bill for an Act in relation to safe and sanitary transportation of food for human consumption. Third Reading of the Bill."

Speaker Breslin: "Representative Stange."

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Stange: "Thank you, Madam Speaker. House Bill 2896, is an Intrastate Trucking Regulation Bill, prohibits, food, drug, and common carriers, from back hauling garbage intrastate Illinois. It's a very serious problem, that might develop into a serious problem that we had several years ago with the salmonella. I'd like your positive vote on this important Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2896. And on that question is there any discussion? Is there any discussion? Hearing none, the question is, 'Shall House Bill 2896 pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. The Gentleman from Cook, Representative Preston. The Gentleman indicates he does not wish to speak. Mr. Clerk 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 3090, Representative Peterson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3090, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker. House Bill 3090, provides that for the purposes of bidding procedures, the terms new machinery, and new equipment mean machinery or equipment that has not been titled or that has fewer than 200 operating hours and is accompanied by a manufacture's warranty. This has also been put in by the highway commissioners, to avoid the problem where equipment has been run maybe a hundred hours and it's basically brand new equipment, but people don't go out to bid because they say it has a hundred hours on it. So this Bill would clarify

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that and make the up to two hundred hours that equipment would have to be bid out as new equipment."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2896 (sic...3090), and on that question is there any discussion? Any discussion? We have the wrong Bill on the board, Mr. Clerk. The Bill is House Bill 3090. The question is,...3090...the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Vote Representative Dunn, 'aye'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 100...there are 110 voting 'aye', none voting 'no' and none 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3118, Representative Phelps. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3118, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill removes the requirement for a road district commissioner, to not line item levy request for the road purposes, he can now just have a lump sum levy as other districts can, like commission forms, where a township is not allowed to do that now. Appreciate your vote."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 3118. On that question is there any discussion? Any discussion? There being none the question is, 'Shall House Bill 3118 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The lady from Lake, Representative Stern,

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do you wish to speak? She does not. Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye' none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3204, Representative Peterson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3204, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson."

Peterson: "Thank you, Madam Speaker. House Bill 3204, amends the Highway Codes to provide if the county board has adopted rules and regulations governing the erection and maintenance of mail boxes along county highways, that upon the recommendations of the county superintendents of highways those rules and regulations shall apply rather than the rules and regulations of IDOT. The current law, U.S. Postal Regulations require the mailbox mounting posts, to be neat, of adequate strength and size. IDOT regulations follow the U.S. regulations, there is a loophole however, in the regulations regarding the standards and this loophole allows unsafe structures to be placed on the county highways. Most mailboxes have posts that will safely break away when hit, but some do not, this could cause minor accidents or even serious accidents...depending on the collision. I'd be more than happy to answer any questions regarding House Bill 3204."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3204, on the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "If I understand this, the current state regulations permit the erection of the steel reinforced mailboxes."

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Peterson: "Correct."

Cullerton: "And that's governed by the State Department of Transportation?"

Peterson: "Right, there using the U.S. Postal guidelines."

Cullerton: "Well, why don't rather than...and what the Bill does is permit the county board to regulate..."

Peterson: "County Superintendent of Highways."

Cullerton: "Why don't we just change the statewide statute with regard to the whole state."

Peterson: "It's just an IDOT rule, it's not a statute."

Cullerton: "Well, why don't we pass a law that overturns their..."

Peterson: "Well that's what this law would exempt them from the IDOT regulations..."

Cullerton: "But only if the county board goes and makes a determination and it's only on county highways."

Peterson: "The county superintendents of highways thought this was a way to remedy the situation."

Cullerton: "Well, it might correct his/or her particular problem, in your particular county but I'm just thinking, what you're basically saying is our State Department of Transportation has a rule which authorizes the erection of certain mailboxes that are inherently unsafe."

Peterson: "Correct."

Cullerton: "Alright, why don't we pass this but in the meantime why don't we look for another...another Bill perhaps to correct the situation for the entire state."

Peterson: "Fine, we'll follow up on that Representative."

Cullerton: "Alright, thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 3204 pass?' All those in favor vote 'aye', opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all

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voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye' none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3630, Representative Kubik. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3630, a Bill for an Act to release easements, restore access rights and convey property rights for certain described lands in state of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Kubik."

Kubik: "Madam Speaker, I believe that the Sponsorship of this Bill has been changed, and Representative Noland is now the lead Sponsor of House Bill 3630, I believe the appropriate paperwork has been filed with the Clerk."

Speaker Breslin: "We'll check that Representative. Representative Noland as a hyphenated Chief Sponsor, why don't you proceed with the Bill the Clerk is looking for the records, but while he does that why don't you please proceed."

Noland: "Thank you, Madam Speaker, Ladies and Gentlemen. House Bill 3630, is the Department of Transportation's administrative Bill and it releases easement rights, and restores access rights along certain highways. And I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 3630, this is Representative Noland's Bill. Representative Cullerton, I'm sure has some very important points to make on it. Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Now, do you know what the current House rules are with regard to the transfer of easement rights or land, from the State of Illinois to an individual?"

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Noland: "Would you please repeat your question?"

Cullerton: "The rules...the rules of the House. Now, I know you weren't here when we adopted them but did you have some kind of an orientation, did Representative Daniels provide some type of a basic explanation as to what the rules were?"

Noland: "He sure did."

Cullerton: "Okay, with regard to the transfer of land, by the state to an individual there is certain rules with regard to appraisals. I think it's 34G."

Noland: "Thank you for that question, the appraisals are on file with the Clerk, the County Clerk."

Cullerton: "How many parcels of land are we talking about?"

Noland: "Eleven."

Cullerton: "Wait a minute the county clerk, did they file them with..."

Noland: "The Clerk?"

Cullerton: "Which Clerk, the county clerk, city..."

Noland: "The House Clerk."

Cullerton: "Oh, the House Clerk, here, okay. The theory behind that of course is that we know that when we are transferring land. Is that what we're doing here by the way? Selling land off."

Noland: "Yeah, we're transferring about seven acres."

Cullerton: "In total?"

Noland: "Yes."

Cullerton: "And we're getting money for it?"

Noland: "We sure are. I'm proud to offer this Bill, I am physically responsible and I'm proud that we're receiving one hundred thousand dollars for the state."

Cullerton: "Yeah, than again we're losing some land too."

Noland: "The land is not needed. Easements and access was taken but it was not used and so they're getting it back. We're

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selling it back to them."

Cullerton: "We're giving land that we now own as a state back to individuals who need it."

Noland: "We're selling it back to them at appraised value that's agreeable with both parties and it happens annually, its an annual administrative Bill."

Cullerton: "How many appraisals did we get?"

Noland: "How many appraisals?"

Cullerton: "Just one."

Noland: "There were three appraisals for each piece of property."

Cullerton: "And who picks the appraiser, the Department of Transportation?"

Noland: "That's correct."

Cullerton: "Are you familiar with Micheal Lane the Director of the Department of Transportation?"

Noland: "I've heard the name."

Cullerton: "Well, this is the guy that picked the appraisers."

Noland: "I don't think he actually went out and physically did the appraisals. I think he was in charge."

Cullerton: "Now, did we have the appraisals in committee, when the Bill came out of committee?"

Noland: "Yes, they were on hand they were distributed to every party."

Cullerton: "Tell me about the one in LaSalle County. Could you tell me what that one is for."

Noland: "May I read the entire document? Do you want me to read the entire document?"

Cullerton: "No, just tell me how much we are transferring, how much it's for and to whom we're selling it to."

Noland: "LaSalle County easement involves 1.426 acres, it was acquired in 1926, for \$600, and we are selling it to them for \$1500.00."

Cullerton: "And who are we selling it too."

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Noland: "We are selling it to some good personal friends of mine.
'Kyrockus Vahotious'."

Cullerton: "I'm sorry I couldn't hear that what was the name of
the person were selling it to."

Noland: "'Kyrockius Vahotious.'"

Cullerton: "Is that some kind of Hiliamostary organization."

Noland: "They are in Jerry Weller's district, that's why we're
naming the road after them."

Cullerton: "Is this an individual?"

Noland: "I hope so, I feel sorry for them, but I think that's the
name there parents gave them."

Cullerton: "Well, you're saying we're selling this acre and a
half for \$1500.00."

Noland: "Well, it's 1.426 acres."

Cullerton: "Almost an acre and a half for \$1500.00 dollars. Is
that how much the land goes for in LaSalle County?"

Noland: "Well, I pride myself in that I'm a fifth generation
farmer, so I happen to know what an acre is and what it's
worth, and that's very adequate, as a matter of fact I
think the state is getting a very good deal here."

Cullerton: "Okay, now, did you have any objections when you
presented this Bill in Committee."

Noland: "No, it was unanimous."

Cullerton: "You did present it in committee I take it."

Noland: "It passed out of committee 21 to nothing."

Cullerton: "And you were there."

Noland: "Yes, yes, yes, I was."

Cullerton: "You presented the Bill."

Noland: "I assisted Representative Kubik, I'm his assistant."

Cullerton: "You're Kubik's assistant?"

Noland: "But then Vern came to me and Vern came to me and saw my
excellent leadership abilities and ask me to carry this
Bill in the House."

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Cullerton: "Well, you realize, if you're Representative Kubiks assistant, than your also Senator Topinka's assistant. Well, I don't think that we should have any problems with this Madam Speaker, I think that the state's gonna make a hundred thousand dollars out of this deal, maybe we can fund some of Representative Currie's Bills. So, I don't think they'll be any problem with this Bill, I'm not gonna vote for it myself but if anybody else wants to, it's up to them."

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

Noland: "Well, I'm just proud that they've come to me and asked me to carry this bipartisan Bill that's gonna gain, get one hundred thousand dollars to the state and I just urge and 'aye' vote."

Speaker Breslin: "The question is,, 'Shall House Bill 3638 (sic...3630) pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Noland, sixty votes are required for passage. Have all voted who wish? Representative Kubik to the rescue. One minute to explain your vote."

Kubik: "Duwayne, I think were in trouble, but you've got my vote because I helped Sponsor the Bill, I know good leadership when I see it. I think we might be able to get a few more votes on this Bill. But what I would suggest is usually what you do, is you might want to explain your vote and it might help the passage of the Bill."

Noland: "This Bill is fiscally very conservative, it helps to reduce taxes, and I'm just happy to be here, I really am, and I'm just happy to be here. Madam Speaker, my only regret is my mother could not be here to see me."

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

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'present'. This Bill having received Constitutional Majority is hereby declared passed. House Joint Resolution 100, Representative Weller. Proceed Sir."

Weller: "Thank you, Madam Speaker, House Joint Resolution 100, requests the renaming of Coal City Road, at the requests of the local communities in the area after the state fossil. I ask for an 'aye' vote."

Speaker Breslin: "After who!"

Weller: "The state fossil."

Speaker Breslin: "The state fossil. The question is,, 'Shall House Joint Resolution 100, pass?' On that question the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker. Question of the Sponsor, will the Sponsor yield?"

Speaker Breslin: "Proceed."

Kulas: "Is this one of those emergency measures in your district?"

Weller: "Representative this is considered important by the local promoters of this effort and the local communities which have all passed resolutions in support of it."

Kulas: "What's the name of the road at the present time?"

Weller: "Currently the road is known as FAS2319. That's commonly called Coal City Road and the local communities would like to rename it Tullymonster Road in recognition of our area being the home of the state fossil."

Kulas: "So, we're gonna change Coal City Road to Tullymonster Road?"

Weller: "That is correct, Representative the Department of Transportation indicated when we discussed this request with them that it would require a House Joint Resolution."

Kulas: "Well, this is a very important measure, I'm glad we're working on it, at this late in the Session."

Speaker Breslin: "Any further discussion? There being none the

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question is, 'Shall House Joint Resolution 100 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from DuPage, Representative Hoffman, Mr. Hoffman do you wish to address the assembly. No. Have all voted who wish? The Clerk will take the record. On this question 101 voting 'aye', 102 voting 'aye', 3 voting 'no', 1 voting 'present'. And this Joint Res..this Joint Resolution is adopted. The next Order of Business is the Order of Economic Development, Third Reading. Economic Development, Third Reading, House Bill 3239, Representative LeFlore. Out of the Record. The next Order of Business is the Order of State Government Administration, Third Reading. State Government Administration, the Sponsors are Kubik, McPike - Kulas - Bowman - Terzich - Curran. House Bill 1585, Representative Kubik, you're first. Clerk, read the Bill."

Clerk O'Brien: "House Bill 158..."

Speaker Breslin: "Out of the record. House Bill 2377, Representative McPike. Mr. McPike do you want to present your Bills now? You have a series here. Okay, Clerk read the Bill."

Clerk O'Brien: "House Bill 2377, a Bill for an Act to amend the Illinois Educational Labor Relations Act. Third Reading of the Bill."

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

McPike: "This is a shell Bill and I would like to send it to the Senate as a shell Bill, so...I'd like to get a few Republican votes on this if I could Mr. McCracken."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2377, and on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "You've got my vote, but I'm concerned about

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Representative Homer."

Speaker Breslin: "The Gentleman from Morgan, Representative Ryder."

Ryder: "Could I ask a question of the Sponsor please?"

Speaker Breslin: "Certainly."

Ryder: "Representative, when you were off the floor previously, there was a few question asked of a previous Bill and I just thought I might ask you the same. What's contained in the Bill now?"

McPike: "It changes the word modified to now, or hereafter amended."

Ryder: "Is that in other words to say zero, zip, nothing?"

McCracken: "Yeah, it's a shell Bill, so it's got nothing in it."

Ryder: "Right, and then as a result..."

McPike: "You can vote for this Bill and it won't hurt your reelection."

Ryder: "Have you talked with Representative Homer about that? What do you intend to put in the Bill?"

McPike: "Pardon?"

Ryder: "What do you intend to put in the Bill?"

McPike: "Nothing at this point."

Ryder: "Do you know?"

McPike: "No."

Ryder: "We took some very good advise from Representative Homer recently in which he said we should never ever do that, one little bity Republican Bill."

McPike: "Mr. McCracken said he was going to support me."

Ryder: "I know, Tom's a generous guy isn't he. Generous. But Representative Homer said that we shouldn't do this."

McPike: "I can't believe that someone from my neighboring district would turn me down in a time of need."

Ryder: "Representative you didn't come and talk, you didn't ask, are you asking now?"

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McPike: "No."

Ryder: "Fair enough, thank you Madam Speaker."

Speaker Breslin: "The question is,, 'Shall House Bill 2377 pass?'
All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Sixty votes are required for passage, even
for shell Bills. The Gentleman from Lake, Representative
Churchill one minute to explain his vote."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. I don't think there should be so many greens votes
on this Bill, because you know you can never tell what this
Bill is gonna come back to be. You know I think I heard
somebody say this a few moments ago, that this Bill could
come back with a tax on it, or this Bill could...I don't
know. This Bill could come back being the worst Bill of
the Session, and yet you're voting for this Bill.
I...Representative Homer, I think that's your argument, I'd
like to hear more proponent argument."

Speaker Breslin: "The Gentleman from Fulton, Representative
Homer."

Homer: "Thank you, Madam Speaker, since my name has been raised
here several times let me just assure the Members I have
carefully examed this Bill and it looks like a good Bill."

Speaker Breslin: "Have all voted who wish? The Clerk will take
the record. On this question there are 72 voting 'aye', 35
voting 'no', 6 voting 'present'. This Bill having received
the Constitutional Majority is hereby declared passed.
House Bill 2378, Representative MCPike. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 2378, a Bill for an Act to amend
sections of the Illinois Public Relations Act. Third
Reading of the Bill."

Speaker Breslin: "Representative MCPike. Out of the record.
House Bill 2388, Representative MCPike. Clerk, read the

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Bill."

Clerk O'Brien: "House Bill 2388, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "This is a shell Bill for UI, and nothing will go on this Bill unless it's agreed to by both sides of the aisle, by labor...by labor, management and the governors office. But there is a possibility that we will have to add something to this Bill in order to take care of the federal shortfall of money for UI."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 2388, on that question the Lady from Cook, Representative Didrickson."

Didrickson: "I just rise to support the Gentleman's Motion, as it is part of the agreed process."

Speaker Breslin: "The question is, 'Shall House Bill 2388, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 1 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2389, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2389, a Bill for an Act to amend sections of the Workers Compensation Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "This is a shell Bill for work comp. and again nothing will go on unless it's been agreed too."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2389. All those in fav...On that question is there any discussion? There being none. The question is,

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'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 107 voting 'aye', 2 voting 'no', and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2907, Representative Kulas. Out of the record. House Bill 3196, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3196, a Bill for an Act concerning land in Madison County. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam speaker, and Ladies and Gentlemen of the House. This Bill directs the Department of Mental Health to convey by quick claim deed to the Bethaldo School District, the properties that were given to the Bethaldo School District in 1976 and 1978. The district would like to sell this property so that it can be developed."

Speaker Breslin: "The Gentleman has moved for passage of House Bill 3196, and on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, I...I will you be nice to me when I come up with a local measure? Okay."

Speaker Breslin: "The question is, 'Shall House...'excuse me the Gentleman from Morgan, Representative Ryder wants to put in his two cents. Mr. Ryder."

Ryder: "Actually, I'd like a little bit more than two cents but I'm not sure I can get it. Representative as your neighbor, in the neighboring district to the north, are you asking for a vote now?"

Speaker Breslin: "The question is, 'Shall House Bill 3196, pass?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Sixty votes are required for the passage

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of this Bill. Have all voted who wish? Have all voted who wish? The Clerk, will take the record. On this question there are 106 voting 'aye' 1 voting 'no' and 4 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3248, Representative Bowman, Mr. Bowman. Out of the record. House Bill 3393, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3393, a Bill for an Act to amend the Build Illinois Bond Act. Third Reading of the Bill."

Speaker Breslin: "Excuse me Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "What order are we on?"

Speaker Breslin: "The McPike Order."

Cullerton: "Yea."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, this is the Build Illinois vehicle. It raises the Build Illinois Bond Act by one dollar."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3393, and on that question is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, I rise in opposition, there are no agreements as to what would happen with this. In fact, Build Illinois doesn't have enough money to satisfy any new obligations, and I rise in opposition to the use of the shell Bill for this purpose."

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

Cullerton: "I don't think it's a shell Bill, I think that because of the statement you just made because there is not enough money, we're just raising it by one dollar and I think that

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you can safely vote for it, it only increases it by one dollar."

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

McPike: "Well, I would ask the Republicans to support us on this, we have one G.O. Bond Bill, which I have Sponsored for the last eight years, and one Build Illinois Bond Bill, which I Sponsored, and at the end of the year we have never had a dispute as to what goes on those Bills, and I don't anticipate this year that we will have any dispute as to what will go on the Bill. And in fact, we need a vehicle, so we can either do this or at the end of June take a Bill off the table, one way or the other we do need a vehicle for both Build Illinois and the G.O. Bond Bills."

Speaker Breslin: "The question is, 'Shall House Bill 3393, pass?'. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required. Representative McCracken for what reason do you seek recognition?"

McCracken: "Parliamentary inquiry, does this require 71 votes? Does it increase Bond Authorization?"

Speaker Breslin: "Yes, it requires 71 votes. Have all voted who wish? Seventy one votes are required. Have all voted who wish? The Clerk, will take the record. On this question there are 63 voting 'aye', 48 voting 'no', 1 voting 'present'. Representative McPike."

McPike: "Postponed Consideration."

Speaker Breslin: "Put the Bill on Postponed Consideration. House Bill 3397, Representative McPike. Clerk read...out of the record. House Bill 3426, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3426, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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Speaker Breslin: "Representative Terzich."

Terzich: "Yeah, Madam Speaker, I'd like to return House Bill 3426, back to Second Reading for the purpose of an Amendment."

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

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

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker, Amendment #1, simply changes the word state, or waste resulting from manufacture of printing inks and dyes generated, and I would move for it's adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1, to House Bill 3426, and on that question is there any discussion? There being no discussion, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendments adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Excuse me, Representative Zickus, for what reason do you seek recognition? The Lady indicates she does not seek recognition. Are there any further Amendments, Mr. Clerk."

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3793, Representative McPike. Clerk, read the Bill. Out of the record. House Bill 3891, Representative Curran, Mr. Curran. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3891, a Bill for an Act to create the

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Homebuilders Emergency Relief Act. Third Reading of the
Bill."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker, under this Act we establish the Homebuilders Emergency Relief Fund, that's a fund for situations where mine subsidence occurs in or near the sight of a newly constructed home, after that house is built but before it's sold. The contractors would have to prove that they have suffered a loss of at twenty five percent of the value of a partially or completed dwelling which they have not yet resold, there is no money in this Bill yet, frankly, I think it would be pretty difficult later to put money in it. But all this does right now is to establish the fund, I don't think it's partially controversially and I ask for an 'aye' vote. Be glad to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3891, and on that question is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, is this prompted by a particular situation?"

Speaker Breslin: "Representative Curran."

Curran: "Yes, it is. In my district and in part of Representative Hasara's district, contractors through no fault of there own, built houses and between the time when they built the homes and the homes were sold, mine subsidence occurred causing a substantial reduction in the value of those properties. This simply establishes a fund which we may later put money in it which would help those people. But right now, we don't know where the money would come from. There is no money in this Bill."

McCracken: "I know, but there and there appears to be a very

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nominal cost, how does that work if you're giving them grants, how is there no cost associated with the Bill?"

Curran: "Well, because we haven't put any money in the fund, we've just established the fund by way of this Bill, to be honest with you, I don't know where we're gonna get the money from, something falls out of heaven, we might apply it to this."

McCracken: "Okay, thank you."

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm."

Klemm: "Sponsor yield for a question?"

Speaker Breslin: "He will."

Curran: "Sure."

Klemm: "Representative Curran, since we don't know where the money would come from and I assume that there may be public funds involved since you do ask in the Bill that either private or public funds can be used. Who would be better off rather than having perhaps taxpayers pick up the tab to maybe have an insurance policy or something that would be available to these builders who suffer this lose, to indemnify them somehow."

Curran: "Right now, no insurance policy for mine subsidence covers loss for market value. So I don't...I don't think that's going to work and we've talked to the people with the mine subsidence fund, and I don't think they would like that approach, we don't want to step on their toes, we just want to set something in place so that maybe we come up with...with what is necessary..."

Klemm: "I'm concerned about trying to spend public funds too, to help people who perhaps would be involved in an insurance loss. Such as flooding, that's a problem in homes lost along the rivers and that. Should the public funds be there to replace the value of there homes, usually we have

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low cost insurance policies and I was wondering if the state could look into a program that would help them better that way than using dollars that we have to take from education or public aid, or Currie's Bills or whatever we're talking about to fund this."

Curran: "Well, this is basically a gap in the insurance market that where honest hardworking small business people through no fault of their own have incurred a loss. And this Bill doesn't have money in it, this doesn't establish a fund with money in it, it just establishes a fund into which we may put money later if we find money that is available, through for example some addition on some insurance policy, but I don't have a specific answer for where the money will come from yet."

Speaker Breslin: "The Lady from Sangamon Representative Hasara."

Hasara: "Thank you, Madam Speaker, I believe there may be a little confusion about this Bill. There is a mine subsidence fund in Illinois, if you remember a few weeks ago we raised the limit, that someone can receive from the fund to 350,000 dollars, the difference is, and it is related to what has happened recently in Springfield, is that people who are living in their own homes are eligible for money under the fund to repair the mine subsidence damage, that is in the policy that already exists in the Bill, we have raised the limit that they can receive, this is an unusual situation in which we had new subdivisions in which a few builders had built a number of homes while they can recover under the fund to have the repairs done, no one is going to buy these homes and they are sitting there, and some of them are about to have to go bankrupt because of the loss of market value, so it's totally different if you're a resident, a homeowner, living in the home and you're a builder who has built several homes, you are out

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of business, you are bankrupt, because you are sitting there with homes that through no fault of your own you probably will never be able to sell, certainly not at market value and that's really the reason for trying to create this fund, it came up rather late and we are looking for a way to finance it at this time. It affects just a very few people, but it's really helping business in Illinois and that's what we do all the time."

Speaker Breslin: "The question is, 'Shall House Bill 3891, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'aye', 5 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Going back to Bills that have been passed over, appears House Bill 3793, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3793, a Bill for an Act to amend the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, this is another shell Bill for the RTA, and I believe Representative McCracken should be a co-sponsor to this because we, our policy is that we don't put anything on this Bill unless it's agreed too. So I'd ask for the passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3793, on the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Did I Cosponsor this?"

Speaker Breslin: "He thinks you should."

McCracken: "I should have, yea, I should have."

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Speaker Breslin: "Mr. Clerk, would you add Representative McCracken..."

McCracken: "Oh, no, no, only in the ideal world should I have, I rise in opposition. This is a shell Bill, we don't have any agreement at this point as to how and for what it should be used. I rise in opposition."

Speaker Breslin: "The question is, 'Shall House Bill 3793, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for 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 66 voting 'aye', 44 voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority...Representative Piel...this Bill having received the Constitutional Majority is hereby declared passed. Representative Piel, for what reason do you seek recognition?"

Piel: "Thank you, Madam Speaker, according to the House rules, lobbyists are prohibited from the House Floor, and I'd ask that they remove themselves please."

Speaker Breslin: "Yes, the Gentleman is within his rights, would all lobbyists remove themselves from the House Floor. House Bill 3397, appears on the Order of State Government Administration, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3397, a Bill for an Act to amend the Metropolitan Transit Authority Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike, asks leave to return this Bill to 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?"

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

Speaker Breslin: "Representative Jones."

Jones, L.: "Thank you, Madam Chairman, Members of the House. This Amendment...what this Amendment does is it prohibits any drinking or eating on the 'L' except for medicinal purposes. And I got this Amendment from some senior citizens because there is beer cans, pop cans, popcorn, all kind of stuff on the 'L's' and one of them fell and really hurt herself so that's why I put this Amendment on. On behalf of them."

Speaker Breslin: "The Lady...The Lady has asked for the adoption of Amendment #1, to House Bill 3397, on the question is there any discussion? There being 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, the Amendments adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Munizzi."

Munizzi: "My apologies, which I know you'll accept, right? Amendment #2, changes the competitive bidding process from \$5,000.00 to \$10,000.00, it upgrades it to correspond with inflation."

Speaker Breslin: "The Lady has moved for the adoption of Amendment 2..."

Munizzi: "Well, I don't know if I like this..."

Speaker Breslin: "to House Bill 3397, and on that question is there any discussion? There being 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

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further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative McPike, now asks leave for immediate consideration of House Bill 3397, as amended. No...okay, the Gentleman does not ask leave to have it heard immediately, so that will be heard another day. House Bill 3248, Representative Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3248, a Bill for an Act to amend an Act to require prompt payments by the State of Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill amends the Prompt Payment Act. I'm sure every Member of this House agrees that the State of Illinois should conduct its business affairs properly and in good order. And that means that we should pay our bills on time. Unfortunately, the present law is very lax, the present law permits departments such as Public Aid, to hold up approval of a voucher, if there is even one item on the voucher that is in question. Rather than proceeding to pay the approved items, they hold the whole voucher, seeking...pending approval of the errant item. In addition, the law is lax in that the time limitations imposed before the penalties accrue, permit us to delay bill payments by up to sixty days before any penalties accrue. Well, there is no other business in the United States, that runs its affairs this way, the customary time period is thirty days, on your credit card bills it's thirty days. So this Bill is an attempt to restore fairness to providers, to provide that the State of Illinois be a good business partner with its vendors. It does two things, it permits the department of Public Aid to

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authorize payments of items on a voucher and hold the questionable items to one side. So the questionable items do not hold up payment of the agreed items. The second thing it does is it sets up a time frame of twenty days for approval, ten days to get the check out the door. So that Bills would be paid within thirty days before penalties accrue. I think this is a very good Bill, it is a Bill that will make the hospitals happy, it will make the nursing homes happy, it will make poor people happy who depend upon these services, and it's a good government Bill. There is absolutely no reason to oppose this legislation, if we pay our bills on time there is no cost to the legislation. I urge support of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3248, on the question, the Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Madam Speaker. And in all due respect there are a couple of reasons that we might think that you might consider opposing this otherwise fine piece of legislation. Certainly when it comes to paying the state's bills, doing so in a timely manner is something that we want to make the practice of the State of Illinois. But I would remind the Members of the House that we have a Prompt Payment Act, and for for claims that are submitted to the department, clean claims, claims that do not need to be adjudicated, they are paid within thirty days, or they fall subject to the Claims Act. So we have in place a Prompt Payment Act it's dictated by the federal government and it's something that we can live with. But the real issue before us today, we wouldn't have to be talking about moving the Prompt Payment Act down to thirty days, if we could deal with the budget in more realistic terms. The State of Illinois has, has a limited amount of revenue,

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there are only so many billions of dollars that the taxpayers can afford to send us every year. This year we have about thirteen billion dollars and we've got to live within that budget. That's general revenue funds, we have to learn to live within that budget, the way to make it affordable for the state to pay hospitals and doctors and medical providers in a timely fashion is to somehow limit our spending so that we can afford each line in the budget. Now, we can't afford each line in the budget if we continue to put Democrat pork on this budget, if we continue to pass four million here, and six million there, in committee and on the House Floor, running additional dollars into the budget with no source of revenue to replace those lost funds. The only way to deal with this in a responsible manner, Representative, is to cut spending and so that we can afford our previous commitments. We have to learn to live within the realm of the taxpayer's ability to pay. That's the issue before us. You can talk hospitals this or responsible actions, real responsible action is providing us with a balanced budget, we on the Republican side of the aisle want to work with you to come up with a responsible budget that lives within the taxpayer's means and delivers services as prescribed by other laws. So we stand in opposition to your Bill."

Speaker Breslin: "Representative Bowman is recognized to close."

Bowman: "I can't believe what I'm hearing, it seems as if some people in this Chamber say we shouldn't pay our Bills on time. I mean that's the only issue here whether we should pay our Bills on time. Now, the Bill that I'm proposing amends the present Prompt Pay Act which is so loose, it is so loose that the state gets away with murder. We get away with dragging our feet, and dragging our feet before any interest penalties accrue, this Bill doesn't say that the

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world comes to an end if we don't pay in thirty days but it says the penalty clock starts running in thirty days, isn't that fair? Shouldn't the penalty clock start running in thirty days, it runs on you, and you, and you if you don't pay your credit card bills within thirty days you have to pay interest. Why should it be any different for the state? The hospitals that we buy services from aren't bankers, they have to go out and borrow money if we don't pay our bills on time. The nursing homes that we buy services from aren't bankers, they have to go out and borrow money if we don't pay our bills on time, none of the vendors that we borrow, that we do business with can afford to loan money to the state without getting adequate payment. That's all this is about, it is a simple matter of fairness and good government. I urge your support."

Speaker Breslin: "The question is, 'Shall House Bill 3248, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Sixty votes are required. Have all voted who wish? Representative Bugielski votes 'aye'. Have all voted who wish? The Clerk will take the record. On this question there are 79 voting 'aye', 29 voting 'no', and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. And the next Order of Business is Criminal Law, Third Reading. Criminal Law, Third Reading. The Sponsors are Currie, Novak, and Mautino. First Bill, House Bill 1268, Representative Currie, Representative Currie. Out of the record. House Bill 3180, Representative Novak, Mr. Novak. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3180, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Novak."

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Novak: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3180, increases the penalties for driving under the influence of alcohol. The penalty right now for reckless homicide and DUI, is a Class III felony, the Bill was amended as a compromise last year to make it a Class II felony. It went out of committee but it got caught up in a Conference Committee but today it's been reintroduced and I ask for your favorable support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3180, this Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from DuPage, Representative McCracken."

McCracken: "I don't rise in opposition but our analysis points out a potential problem, I wanted to discuss. Three to seven years is the term for an unextended Class II felony, I believe, and your Bill allows for three to fourteen, at least I'm told, is that true and if so does it cause you a problem with the sentencing guidelines?"

Novak: "Representative McCracken, under the Bill reckless homicide is a Class III felony, I'm quoting the Bill here, except in the cases described in the following subsection, in the case involving reckless homicide, in which the defendant was determined to have been under the influence of alcohol or any other drug or drugs, the penalty shall be a Class II felony for which a person is sentenced to a term of imprisonment, shall be sentenced to a term of no less than three and no more than thirteen."

McCracken: "Well, alright, I'll defer to some criminal law experts. I thought a Class II was three to seven not three to fourteen. But if no one else has a problem that's fine."

Speaker Breslin: "There being no further discussion? The question is, 'Shall House Bill 3180, pass?' All those in

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favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for 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', 6 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3521, Representative Mautino. Clerk, read the Bill. Mr. Mautino, Clerk, read the Bill."

Clerk O'Brien: "House Bill 3521, a Bill for an Act in relation to Motor Vehicle Theft Prevention. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker, Representative Young, I believe has filed an Amendment #3 to this Bill, so to accommodate Representative Young, I'd like to move the Bill back from Third to Second for the purposes of his Amendment."

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

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

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Thank you, Representative Mautino for bringing this Bill back. Amendment #3, just clarifies that this new entity created by the underlying Bill will not have subpoena power or the power to arrest. I move for it's adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 3, to House Bill 3521, on the question is there any discussion? There being none. The question is, 'Shall

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Amendment 1...Amendment 3 be adopted?' All those in favor say 'aye', all those opposed say '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 Mautino, now asks leave for immediate consideration of House Bill 3521 as amended. Are there any objections? Hearing none. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3521, a Bill for an Act in relation to motor vehicle theft prevention. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker and Members of the House. This is a bipartisan proposal, that establishes the Illinois Motor Vehicle Theft Prevention Act. It is supported by law enforcement officials throughout the State of Illinois and it establishes through the Department of Insurance a fee of one dollar per auto that can be, at least has been, in the State of Michigan been provided by the insurance companies without passing that one dollar fee onto the motoring public in terms of the insurance coverage. What this Auto Theft Prevention Act provides is that there will be funds available so that local law enforcement agencies will have the opportunity to apply for and receive training as it pertains to the new methods, the updated technology, and the grants and funds available to offset auto theft in this state. In larger metropolitan areas of this state auto theft is a big business. It especially in specific types and models of cars. What this Legislation will do will to be cut back...to cut back those auto thefts that occur in our state and it establishes...establishes the funding mechanisms to do so.

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The board that is created by this legislation consists of the Secretary of State, Director of Insurance, the Director of the Illinois State Police, States Attorney of Cook County, Superintendent of the Chicago Police Department and six others all to be appointed by the Governor. There is no compensation involved with the individuals who are nominated and selected to the board and this board and this Act allows the council to address the problems of auto theft and to establish this trust fund to administer the council and its works in the collection and discrimination of information. That fund is created in the State Treasurers office, I stand in support of this legislation it's progressive it provides one of the few proposals that appeared in the Judiciary Committee, where there was no opposition. All areas of concern, insurance, law enforcement, legal profession, with the Amendments that were adopted both by Representative Young, and Representative Countryman, basically put before us an agreed Bill that will go a long way in stopping auto thefts and training law enforcement officers and providing the funds to do what's necessary to addressing this question. I ask for your support, and move for the passage of 3521."

Speaker Breslin: "The Gentleman has asked for the passage of House Bill 3521, on the question, the Gentleman from Cook, Representative Terzich."

Terzich: "Representative Mautino, are you made mention of the fact that supposedly someone is going to be assessed one dollar a policy."

Mautino: "Representative Terzich, I'd never presented a proposal that established a program without funding that program, in this particular case, I agreed that there would be a dollar charge for every auto that is licensed in the State of Illinois. In the State of Michigan, the insurance

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companies did not pass that one dollar surcharge onto the policyholder. They ate the whole amount because the cost of auto theft overshadowed, what they had to pay out in claims overshadowed the one dollar per auto cost that's included in this Bill. There is no opposition, by the insurance industry and I don't think by the consumers as well, as long as they would see a reduction in their auto premiums by virtue of this Act."

Terzich "But you know that that's really not true, if they're paying. I would assume, that who is responsible for auto theft now, I mean is there some particular agency, like the City of Chicago, the police department, the state police. Who is going to get all of this money which I understand is approximately seven million dollars that is supposedly going to set up some type of agency to set, to make some super people a specific division of auto theft. I mean is this like the highway patrol or auto theft patrol. Who is supposed to receive the benefits of this. I would think that if there was seven million dollars put in there that would be seven million dollars that could be used to pay for the loss of automobiles which we pay in our insurance premiums."

Mautino: "Well, first of all there is no individual that would be the recipient of these funds, this provides for training funds and programs and grants for law enforcement officials throughout the State of Illinois in combatting auto theft. I believe the information provided that the urban area of Chicago has of course the largest amount of auto thefts in the State of Illinois and of course being the most populated area. But this funding mechanism will if law enforcement officials use the tools in training and the programs that are available to them, it will provide for a reduction I believe in the long term of insurance costs."

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Terzich: "I've never heard of any law enforcement agency preventing automobile theft. Could you possibly tell me how this would occur, I've heard of burglar alarms, watch dogs, bombs, everything else, but I never heard of a law enforcement agency that prevented auto theft. Could you tell me basically how it would prevent auto theft."

Mautino: "Well, this would provide for communication, techniques, training, innovative programs. You know that's the same type of philosophy you presented that people disagreed with the Denver boot, they said what good is a Denver boot, but as soon as you put one on somebodys tire on there car, all of a sudden they end up paying for those outstanding tickets and charges against them in traffic court. I think this is a positive step, it seems to me that the chop shops and the auto theft rings can be stopped to a degree with the implementation of the training that's available and the innovative programs in law enforcement. There is no compensation for any of these members who serve on the board. And the monies would go back to the local law enforcement community."

Terzich: "Well, than why don't the insurance companies just give the to some law enforcement agencies. Maybe I could start a law enforcement agency to prevent auto theft, but why don't they just give them the money. Why do we need legislation to authorize some insurance companies to give some law enforcement agency some money to recover some automobile, why would we need that?"

Mautino: "Because we have to establish an avenue and a and an area for the funding and that happens to be in the Treasurer's Office. Where the funds from the assessment would be provided, we also have to have the checks and balances which I'm sure you are aware of in your 22 years in serving in this House. That there are no programs that

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are just doling out cash. You have to be qualified, you have to provide a program that's operative and will provide for some results. I know of no other way of doing it if we're gonna establish through law a program of assessing vehicles that we have to have the checks and balances. This is that method."

Terzich: "Well, thank you, with regard to the Bill. I appreciate your comments but all I could see is that this Bill is setting up another agency which is going to collect seven million dollars, we pay insurance premiums and if the insurance industry is going to pay for it you can be assured that it's gonna be tacked onto our insurance premiums. I've never heard of any automobile insurance premiums that went down and all we're doing is we're setting up another agency to supposedly protect us against this horrendous auto theft, and I certainly think that seven million dollars could be used to perform some other type of protective service than to set up another establishment to...against this dastardly deed of automobile theft."

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

Regan: "Thank you, Madam Speaker will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Regan: "Representative Mautino, will you explain a little bit about how the money is gonna be spent other than just for training of the state police. What positive aspects come in the area of technology?"

Mautino: "Well, by the use of advance technology, as it pertains to the markings of model numbers on the vehicles and certain portions of the engine, and the chassis, this will go a long way in establishing where the parts from a stolen vehicle go and if you implement that program, I think

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probably the best way to analyze it is less theft, less cost to the automobile policy owner. The technology used today is much more advanced than what was available five and ten years ago. We're talking about high tech programs, you're fully aware of the fiber optic finger print provisions that can be brought up from the metal on a vehicle as well as from a, an engine. I think there is a lot of positive things that have to be provided. And we can't just provide it for one portion of the state that has the highest theft rates, we have to make it available to, all the law enforcement agencies in the state."

Regan: "Thank you, to the Bill. This is a Bill supported by the Illinois State Department...or the state police, and it's the insurance industries certainly it's gonna be worthwhile. In the long run it certainly I hope and looks like it can reduce your insurance premiums. And I'd advise a 'yes' vote."

Speaker Breslin: "The question is, 'Shall House Bill 3521, pass?' All those in favor vote 'aye', all those oppose voted 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 4 voting 'no', none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next Special Order, Ladies and Gentleman is State and Local Government, Third Reading. State and Local Government, Third Reading. The Sponsors are Petka - Steczo - Hensel - Kubik - McNamara - Terzich - Davis - Novak - Phelps =Barnes. First Bill, House Bill 1856, Representative Petka. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1856, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Breslin: "Representative Petka."

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Petka: "Well, thank you very much, Madam Clerk, Members of the House. House Bill 1856, is a Bill which was requested by the attorney for the park district, a park district in my district. This basically provides a mechanism for property owners who can join together and disconnect from a current park district and join another park district. The Bill was reported out of committee without any unfavorable votes. I know of no opposition to the Bill. I would ask for passage of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1856, this Bill is on the Order of Short Debate, does anyone rise in opposition? There being none, the question is, 'Shall House Bill 1856, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', none voting 'no', and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2366, Representative Steczo. Clerk, read the Bill. Out of the record. House Bill 2367, Representative Steczo. Out of the record. House Bill 2884, Representative Hensel. Clerk, read the Bill."

Clerk Leone: "House Bill 2884, a Bill for an Act relating to township purchasing. Third Reading of the Bill."

Speaker Breslin: "Representative Hensel."

Hensel: "Thank you, Madam Speaker. House Bill 2884, amends the Township Purchasing Act, it requires that all townships located outside Cook County for contracts and purchases in excess of ten thousand dollars by townships having ten thousand or more inhabitants and located outside Cook County. It's raising the dollar amount from \$5,000 to \$10,000, it only affects 152 townships that are over ten

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thousand and this was on Short Debate, passed out of committee 14 to nothing. I ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2884. This Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Effingham, Representative Hartke."

Hartke: "Representative Hensel, didn't we just do this with Bill Peterson's Bill?"

Hensel: "That was for township road commissioners. This is for the other branch of the townships which is supervisors."

Hartke: "Okay, what we're doing then is we're not putting in the same population. We're lowering it to ten thousand population for a ten thousand bid...now for the township."

Hensel: "Yeah."

Hartke: "But the road district, which if it had fifteen thousand we would raise that to ten right?"

Hensel: "That's correct. But townships that have ten thousand population or more, are not affected by the roads and the amount of miles of roads that are in the district. For example, say you have a air conditioning unit, central air conditioning unit that fails in the middle of summer, and it's gonna cost \$7200 dollars to get it replaced. You're gonna send out for a bid and wait two weeks before you get the bids and have all those people suffering through the summer. I think we're just coming in line with what the municipalities and everybody else's and the rate of inflation and I think it's a good Bill."

Hartke: "Well, I understand but why in the world wouldn't we make it consistent with Representative Peterson's Bill and be less confusion in the township and the road district if they were compatible."

Hensel: "Well, last year I had this Bill and I included all townships and there was a problem because some of these

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townships, their complete budget was not more than ten thousand and so it was suggested that we take a...and do it by population and my Bill was in there and I had it at ten thousand. Why they put the road commissioners at fifteen I don't know. But like I said the ten thousand it only effects 152 townships, out of about 1400. And I think it's a good Bill, I don't think there is going to be any conflict between the ten thousand or the fifteen thousand population. I think it's a good Bill."

Hartke: "Are the township officials supporting this move."

Hensel: "Yes, Sir."

Hartke: "Then we all ought to be for it."

Speaker Breslin: "This Bill is on the Order of Short Debate. Representative Regan do you rise in opposition?"

Regan: "Yes, Ma'am, I'd just like, a situation here exists. The road...the township road commissioners actually have more bidding situations than anyone else, and yet they're with townships of fifteen thousand they're in a situation where they're limited on there to five thousand, it doesn't make any sense at all. Air conditioners on one hand are important, gravel costs the same for a township whether there is fifteen thousand people in it or not, and I would certainly hope that by the time it gets to the Senate that they can take care of this. The lower, the smaller population township have more roads in it and have to spend more money, and they don't have the money

Hensel: "This has nothing to do with the roads, Bob."

Regan: "I know but it's a protest against the one before that I missed."

Speaker Breslin: "Enough, enough, enough. The question is, 'Shall House Bill 2884, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish?"

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Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'aye', 6 voting 'no' and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 2941, Representative Kubik. Clerk, read the Bill. 2941."

Clerk Leone: "House Bill 2941, a Bill for an Act creating a privilege for certain interpreted communications. Third Reading of the Bill."

Speaker Breslin: "Representative Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2941, creates the Interpreter Privilege Act. It basically provides that if any communication is otherwise privileged, it's privileged nature is not waived because of the presence of an interpreter. It further provides that the interpreter shall not disclose the communication without the express consent of the person who has the right to claim the underlying privilege. The Bill passed out of committee thirteen to nothing. I know of no opposition. I'd be happy to answer any questions and would appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2941, this Bill is on the Order of Short Debate. Does anyone rise in opposition? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Representative, was this the Bill that we talked about an Amendment for?"

Kubik: "We decided not to pursue the Amendment in Committee. The Amendment was withdrawn."

Cullerton: "There was an Amendment offered in committee?"

Kubik: "Right, and we withdrew that Amendment because it would have broadened this Bill considerably."

Cullerton: "Okay, alright, fine thank you."

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Speaker Breslin: "The question is, 'Shall House Bill 2941 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required. 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 3024, Representative McNamara. Out of the record. House Bill 3293, Representative Terzich. Clerk, read the Bill. 3293, Mr. Clerk."

Clerk Leone: "House Bill 3293, a Bill for an Act to amend an Act to create Sanitary Districts. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yes, Madam Speaker, House Bill 3293, allows the bond anticipation notes to not mature more than three or rather than a one year after issuance. Presently under the existing statute, the bond anticipation notes must mature not later than one year from the date of issuance. This Bill merely allows construction projects to extend over a period of two or three years. It's intended to accommodate the district's participation in a revolving loan fund. I know of no opposition."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3293, and on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "I rise in opposition to this. There is not a demonstrated need or a reason to allow an increase in how long an anticipation note can be outstanding, right now its one year, the Sponsor asks that it be amended to extend to three years. That certainly represents a cost of capital, which is not accounted for. We don't want to see that paid out of property taxes and we rise in opposition."

Speaker Breslin: "Is there any further discussion? There being

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none, Representative Terzich, to close."

Terzich: "Yes, Madam Speaker, there is no cost in this Bill and I would move for it's adoption."

Speaker Breslin: "The question is, 'Shall House Bill 3293 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Terzich would you like to explain your vote?"

Terzich: "Well, the reason I could explain like I mentioned Madam Speaker, under the Bill all it does is extend the bonds anticipation notes to not mature more than three years rather than one year. There is no cost involved and it's simply to accommodate the participation of the revolving loan fund by extending the maximum maturity to three years to allow sufficient time for project finance with the revolving loan fund to be completed. There is no cost involved and hey that's the way it is, that's the way it is."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 41 voting 'aye', 61 voting 'no', 2 voting 'present'. Representative Terzich."

Terzich: "How many votes do I need for postponed?"

Speaker Breslin: "You need 47."

Terzich: "Well, I'm looking for 6 votes for postponed."

Speaker Breslin: "I'll change my vote to give you 42, anybody else out there. Representative Williams, Terzich, rather Leverenz, Jones, Bowman, Lou Jones, Levin, and Mautino. On this question there are 48 voting 'aye', 51 voting 'no', 2 voting 'present'. The Bill will be put on the Order of Postponed Consideration. House Bill 3294, Representative Terzich. Clerk, read the Bill."

Clerk Leone: "House Bill 3294, a Bill for an Act to create

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sanitary districts. Third Reading of the Bill."

Speaker Breslin: "Representative Terzich."

Terzich: "Yea, Capparelli told me to take this out of the record."

Speaker Breslin: "Out of the record. House Bill 3333, Representative Davis. Clerk, read the Bill."

Clerk Leone: "House Bill 3333, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Breslin: "Representative Davis."

Davis: "Thank you, Madam Speaker. House Bill 3333, is a piece of legislation that amends the Purchasing Act, and it prohibits the State of Illinois from purchasing products that are made in South Africa, or by South African corporations. I think we're all aware of the political system in South Africa, it is totally opposed to the democracy that we promote."

Speaker Breslin: "The Lady has moved for the passage of House Bill 3333, and on the question the Gentleman from Champaign, Representative Johnson."

Johnson: "What products would this cover?" What products do we now purchase that we wouldn't be able to after the passage of this legislation?"

Davis: "At this point Representative I don't know of any."

Johnson: "We don't purchase any products from South Africa."

Davis: "That are owned by South African companies. No."

Johnson: "Would this be only direct purchases by state agencies or could this be an indirect purchase through a intermediary."

Davis: "Direct. Direct purchases, direct."

Johnson: "Does this cover South Africa, does it also cover other areas such as Zimbabwe, and other areas in the world where democracy is equally trampled up on. Or are you just singled South Africa out."

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Davis: "Well, this piece of legislation, Representative is in specific reference to South Africa."

Johnson: "Pardon me, in other words it doesn't cover any iron curtain countries, it doesn't cover Zimbabwe, it doesn't cover South American..."

Davis: "No."

Johnson: "countries where people are tortured and beaten, only South Africa."

Davis: "No, that sounds like a good Bill though but no sir it is not on this one."

Johnson: "What's the fiscal impact of this going to be on state agencies?"

Davis: "Zero."

Johnson: "Why do we pass...why do you want to pass it, if it doesn't have any relevance."

Davis: "Well, I think it makes a very good statement and it says that the Illinois Legislature believes in governments that have a democracy."

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

Stephens: "Well, thank you Madam Speaker. You know I'm not sure that that's the message that you're sending here. If that's the case, if you just want to send a message to countries who don't share our beliefs about democracy, why don't you include all those countries who don't have democracy."

Davis: "To be honest Representative I just didn't think about it."

Stephens: "I always assume your honest with me, if you haven't been please tell me."

Davis: "No, I am being honest with you. I really didn't think about it. I just really didn't think about it. The other...I'm committed to doing that at some future time."

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But at this time this Bill deals only with South Africa."

Stephens: "Okay, and just one other question. I know that your intentions are very good here, but I think sometimes well intention people do more damage than they do good. One other question, what is a South African company. Is it defined."

Davis: "A South African company is a company that is owned by the South African government, or that has it's total operation in South Africa."

Stephens: "It's owned by the government of South Africa or..."

Davis: "It could very well be..."

Stephens: "Or it does its business in its entirety in South Africa."

Davis: "Absolutely."

Stephens: "So if it's doing business in South Africa and New York, it wouldn't be is that right?"

Davis: "If it's a South African company, you know in order for a company to be a Illinois comp..."

Stephens: "Is Mobil Oil, a South African company?"

Davis: "No, Sir, it's an American company."

Stephens: "Can you give me one example of a South African company?"

Davis: "No, I can't."

Stephens: "Then why are we doing this?"

Davis: "Because it's necessary."

Stephens: "For what?"

Davis: "Well..."

Stephens: "Oh, it's a Vehicle Bill?"

Davis: "No, it is not a Vehicle Bill. It's here to help abolish the apartheid systems in South Africa."

Johnson: "Madam Speaker to the Bill, I think that that's a noble cause and I think that's what we ought to just do, I think we ought to make a statement against apartheid and do that

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if that's what we want to do, as a General Assembly let's say that and let's not try to deal with the business economy, you might be taking an all black firm that happens to be doing business in South Africa and saying the State of Illinois doesn't want to do business with you because you're in South Africa, well, they can't help where they were born. My goodness, I understand what you're trying to do why don't you just do that and get it done with. Madam Speaker, I, again, well intentioned Legislatures trying to make a point sometimes do serious damage and I think that's the case with this Bill. Thank you."

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

Williams: "Thank you, Madam Speaker. I rise in support of this legislation, and I kind of take offense at what I call the brevity and the lightheartedness of which we play with, what in many instances happens to be a serious statement to a lot of people on this floor. In all sincerity what we talking about is a system of life, that exists in a country where people of my race cannot live and cannot act with the freedom that exists in this country. This is no fun thing to play with, a mere 30 years ago, we lived in apartheid in America. A mere 30 years ago, the people in this country did not give to my mother and my father the right to go and sleep and live where they wished. And therefore, to sit here and to play games with a request that's relatively simple. We don't say ask the company to get out of South Africa. All the Bill says is that if a product is manufactured or produced by a company organized under the State of South Africa, we shall not buy that product, we can find...black or white...I agree, black or white, because understand it, this does not help people in apartheid whether we purchase from a black person who adds

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to the economy that destroys their life as opposed to if we buy from a white person their life is still destroyed by the economy. And therefore, they cannot and they will not own a company in South Africa. This is no game, let's be real. The state can find these products at the same costs by manufacturers who do not add to the destitute status of a person's life, who do not add to the indignity of a person's life. So I stand here today and I ask this Body in all sincerity to give this Bill a serious consideration. That's what I'm standing for, I believe in it. But even if you don't, give it serious consideration. Do not play. Because this world is very real and the sort of tensions that we talk about come to bear either in the streets or hopefully by legislative bodies taking responsible action. I ask for an 'aye' vote."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn."

Dunn: "Thank you Madam Speaker, I think it is important for the record. Let's applaud the previous speaker. I think it's important for the record on this legislation to have a white legislator speak in support of this legislation. I urge an 'aye' vote on behalf of all my colleagues in the General Assembly, on this piece of legislation."

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

Bowman: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. The General Assembly has already

established a policy on other legislation which it has passed, I was Cosponsor with then State Representative Carol Moseley Braun, on other legislation that addressed this issue in a different form. But we considered that and we passed it. And we we're spared the kinds of speeches that we've heard here tonight also, I would just point out that if anyone on

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the other side of the aisle had a problem with this legislation they had the opportunity to amend it on Second Reading, this is Third Reading. Let's pass the Bill and keep on the course that the General Assembly has already established in this regard. I urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 3333, pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty votes are required for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 65...67 voting 'aye', 31 voting 'no', and 13 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. House Bill 3398, Representative Novak. Out of the record. House Bill 3571, Representative Phelps. Out of the record. House Bill 3591, Representative Barnes. Out of the record. Second Reading, Consent Calendar, Mr. Clerk."

Clerk Leone: "House Bill 1477, a Bill for an Act to amend the School Code, together with House Amendment #1. House Bill 1504, a Bill for an Act to amend the Criminal Code, together with House Amendment #1. House Bill 2938, a Bill for an Act to amend an Act in relationship to Fire Protection Districts. House Bill 3154, a Bill for an Act to amend the Public Community College Act. House Bill 3371, a Bill for an Act to amend the Public Utilities Act. House Bill 3372, a Bill for an Act to amend the Bingo License and Tax Act, together with House Amendment #1. House Bill 3479, a Bill for an Act to amend the Unified Code of Corrections. House Bill 3582, a Bill for an Act in relationship to juvenile placement, together with House Amendment #1. House Bill 3584, a Bill for an Act to amend the children and family services, together with House Amendment #1. House Bill 3645, a Bill for an Act to create

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the Certified Public Accountants Administration and Disciplinary Fund. House Bill 3671, a Bill for an Act to amend an Act concerning educational matching grants. House Bill 3842, a Bill for an Act to revise the law in relationship to plats. House Bill 3874, a Bill for an Act to amend an Emergency Telephone System Act. House Bill 3953, a Bill for an Act to amend the Child Care Act. House Bill 3986, a Bill for an Act to amend an Act to authorize the State's Attorney to appoint investigators. House Bill 4038, a Bill for an Act to amend the Illinois Funeral and Burial Funds Act. House Bill 4192, a Bill for an Act to amend the Children and Family Services Act. House Bill 4203, a Bill for an Act to amend the Unified Code of Corrections. House Bill 4221, a Bill for an Act to create the Juvenile Detention Center Revolving Loan Fund. Second Reading of these Bills."

Speaker Breslin: "Third Reading. Introduction and First Reading."

Clerk Leone: "House Bill 4230, offered by Representative Matijevich and Giorgi, a Bill for an Act in relationship to dealership practices. First Reading of the Bill."

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

Brunsvold: "Madam Speaker, could I mention that the Community Bankers are going to hold their reception over at Baur's restaurant because we are running late here."

Speaker Breslin: "Very good, the reception at Baur's will be held over awaiting our adjournment. We have only one Bill left to do it's on State Government Administration, Third Reading. House Bill 3393, Representative McPike. Representative McPike. Representative McPike asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no

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objections leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker, this Amendment reduces the Build Illinois bond authorization by one dollar instead of increasing it by one dollar, I move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1, to House Bill 3393, on that question the Gentleman from Cook, Representative Piel."

Piel: "There's a couple of questions. First of all question of the Chair, how many votes does this take?"

Speaker Breslin: "The Amendment requires a majority."

Piel: "Has the Amendment been printed and distributed?"

Speaker Breslin: "It has."

Piel: "If the Amendment gets on the Bill how many votes does it take?"

Speaker Breslin: "How many votes will the Bill take?"

Piel: "Yes, ma'am."

Speaker Breslin: "Sixty."

Piel: "Sixty. I wonder why he's...why...question of the Sponsor. Representative McPike, just out of curiosity why are you trying to change this Bill by only one dollar."

McPike: "Because I don't have to have any Republican votes on a sixty vote majority."

Piel: "Okay, thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1, be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the...all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. A simple majority is required for the adoption of Amendments."

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Have all voted who wish? Have all voted who wish? That's a test vote. The Clerk will take the record. On this question there are 64 voting 'aye', 47 voting 'no', none voting 'present'. And the Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative McPike now moves that this House stand adjourned until, 9:30 tomorrow morning. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'aye's have it and this House stands adjourned until 9:30 Wednesday morning."

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