

STATE OF ILLINOIS
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Speaker McPike: "...Come to order. The Chaplain for today is Pastor Duane Koffman, from the Church of Nazarene in Marseilles. Pastor Koffman is a guest of Representative Weller."

Pastor Koffman: "Let us pray. Eternal God and Father, we bow our heads and hearts in respect of Your love and presence to each present today. We ask Your rich and special blessing upon this Session of the Illinois House of Representatives during this the 86th General Assembly. We ask Your blessing and guidance upon these fine leaders of the great State of Illinois. Out of our darkness, we come to Thee for light and out of our sorrow, we come to Thee for joy. Out of our doubts, we come to Thee for certainty. Open our hearts today that our every need will be satisfied. We ask that You will bless all those who lead this land in the halls of Legislature, in the courts of law, in the positions of high honor, that they may know Thee, in Thee, and know alone that Thou art our help. May these Leaders of the State of Illinois never take lightly their responsibilities to those they serve. May they never be allowed to neglect their larger duties toward the welfare of every nation and every people. Bless our President, bless our Governor, bless all those who serve in the government of administration to our country, our cities, our towns, our countries, our districts and grant that they may take Thee as their counselor at all times. And that they would have wisdom to think with clarity and to act with courage. Eternal God, so bless and help each one so that none of us will ever fail in Thee and that we have a trust in You of this day. All this we ask and pray in Your Holy name, Amen."

Speaker McPike: "Mr. Goforth, would you lead us in the Pledge of

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Allegiance."

Goforth - 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 Matijeovich."

latijeovich: "Mr. Speaker, on this side of the aisle, excused absence today is Representative Nelson Rice and the report is he's doing fine at the hospital. Should be released today, won't be in Session today, but should be here tomorrow."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Would the record reflect that Representative Peterson has an excused absence for today."

Speaker McPike: "Thank you. One hundred and...take the Roll, Mr. Clerk. One hundred and sixteen Members answering the Roll, a quorum is present. Intend to read Supplemental Agreed #2. We're going to read the Bills a third time. If any Member has a Bill on this list that needs to be back... needs to be brought back to Second Reading, should please so inform the Chair. Mr. Clerk, read the Bills."

Clerk O'Brien: "House Bill 114, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 219, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill. House Bill 377, a Bill for an Act to amend an Act in relation to housing. Third Reading of the Bill. House Bill 509, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 510, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 588, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 643, a Bill for an Act to amend the Code

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of Criminal Procedure. Third Reading of the Bill. House Bill 672, a Bill for an Act to amend the Mobile Home Landlords and Tenant's Rights Act. Third Reading of the Bill. House Bill 1075, a Bill for an Act to amend an Act in relation to county government. Third Reading of the Bill. House Bill 1108, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1158, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill. House Bill 1186, a Bill for an Act in relation to air rifles and firearms. Third Reading of the Bill. House Bill 1227, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1314, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 1316, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 1366, a Bill for an Act to amend an Act in relation to prisoners in jails. Third Reading of the Bill. House Bill 1389, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1404, a Bill for an Act in relation to jury list. Third Reading of the Bill. House Bill 1427, a Bill for an Act in relation to good school attendance. Third Reading of the Bill. House Bill 1443, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill. House Bill 1448, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1568, a Bill for an Act to amend the Vital Records Act. Third Reading of the Bill. House Bill 1595, a Bill for an Act concerning the plugging and reclamation of oil well drilling sites. Third Reading of the Bill. House Bill 1599, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill. House Bill 1609, a Bill for an Act to amend an Act to create the Bureau of the Budget. Third Reading of the Bill. House

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Bill 1661, a Bill for an Act to amend the Structural Pests Control Act. Third Reading of the Bill. House Bill 1685, a Bill for an Act to amend the Illinois Credit Union Act. Third Reading of the Bill. House Bill 1726, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Third Reading of the Bill. House Bill 1749, a Bill for an Act to amend an Act concerning powers of attorney. Third Reading of the Bill. House Bill 1754, a Bill for an Act to amend the Condominium Property Act. Third Reading of the Bill. House Bill 1787, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1832, a Bill for an Act to regulate the title of insurance and escrow business. Third Reading of the Bill. House Bill 1848, a Bill for an Act to amend the Condominium Property Act. Third Reading of the Bill. House Bill 1875, a Bill for an Act to amend the Build Illinois Fund. Third Reading of the Bill. House Bill 1877, a Bill for an Act concerning adopted children. Third Reading of the Bill. House Bill 1885, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 1984, a Bill for an Act to amend the Illinois Banking Act. Third Reading of the Bill. House Bill 1994, a Bill for an Act to amend an Act in relation to dedications of land. Third Reading of the Bill. House Bill 2003, a Bill for an Act to amend an Act to require hotels and motels to post in the room, their room floor plans. Third Reading of the Bill. House Bill 2045, a Bill for an Act in relation to banking. Third Reading of the Bill. House Bill 2073, a Bill for an Act to amend an Act in relation to the use of an assumed name. Third Reading of the Bill. House Bill 2076, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2133, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 2217, a Bill

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for an Act to amend the Illinois Insurance Code. Third Reading of the Bill. House Bill 2279, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. House Bill 2290, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 2337, a Bill for an Act to amend an Act relating to the Illinois Mathematics and Science Academy. Third Reading of the Bill. House Bill 2365, a Bill for an Act relating to the abatement of asbestos in elementary and secondary schools. Third Reading of the Bill. House Bill 2450, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2506, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill. House Bill 2615, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 2718, a Bill for an Act to amend an Act concerning official bonds. Third Reading of the Bill. House Bill 2736, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill. House Bill 2758, a Bill for an Act relating to the economy and productivity in state government. Third Reading of the Bill. House Bill 2759, a Bill for an Act creating the state program audit report. Third Reading of the Bill."

Speaker McPike: "These Bills will be held on Third Reading. We will take a vote on these later in the day. Mr. Clerk, have you passed out a sheet that will allow the Members to vote? The Clerk will distribute a sheet that will allow you to vote on these Bills individually, and that will take place later this morning. Agreed Resolutions."

Clerk O'Brien: "House Resolution 530, offered by Representative Matijevich; 531, Johnson; 532, Parcels and 535, Ewing."

Speaker McPike: "Representative Matijevich."

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

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these are all congratulatory. I move the adoption of the Agreed Resolutions."

Speaker McPike: "The Gentleman moves the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 56, offered by Representative McPike. House Resolution 534, offered by Representative Giglio."

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

Clerk O'Brien: "House Resolution 533, offered by Representative Petka; with respect to the memory of Jimmy H. Dolbee."

Speaker McPike: "Representative Matijevich moves for the adoption of the Death Resolution. All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Resolution's adopted. ... Order, Civil Law, Second Reading. These Bills have been read a second time, previously, so if the Sponsor amends the Bill and puts it on Third, the Chair is prepared to call it on, Third, immediately. First Bill is House Bill 359, Representative Stange. If there are any Members in their office, the Chair would suggest they come to the House floor. House Bill 359, Representative Stange. Is the Gentleman here? Out of the record. House Bill 656, Representative Ewing. Mr. Ewing in the chamber? Out of the record. House Bill 1450, Representative Countryman. Mr. Countryman here? House Bill 1483, Representative Kirkland. Representative Kirkland? Out of the record. House Bill 1689, Representative McCracken. Representative McCracken? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1689, a Bill for an Act in relation to fraudulent transfers. This Bill's been read a second time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Representative Cullerton filed a request for a fiscal note. And...and it's withdrawn. Third Reading. Mr. McCracken, the Bill is on Third Reading. Do you wish to call the Bill? It's been read previously. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1689, a Bill for an Act in relation to fraudulent transfers. Third Reading of the Bill."

Speaker McPike: "Representative McCracken."

McCracken: "This Bill would enact into Illinois law the Uniform Fraud Transfer Act, as adopted by the National Commission of...Conference of Commissioners on Uniform State Laws, and would set forth in statutory form the right to creditors and transferees in that case. I move its passage."

Speaker McPike: "The Gentleman moves for passage of House Bill 1689. Does anyone stand in opposition? Being none, the question is, 'Shall House Bill 1689 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 109 'ayes', no 'nays', none voting 'present', House Bill 1689 having received the Constitutional Majority is hereby declared passed. House Bill 1833, Representative Bowman. Representative Bowman? The Gentleman here? House Bill 2262, Representative McCracken. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2262, a Bill for an Act to amend the Juvenile Court Act. This Bill's been read a second time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This amends the Bill so that

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if the controlled substance is found in the blood stream of the infant, that it would qualify for neglect status under the Juvenile Court Act. I move its passage...or adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. Is there any discussion? Representative Young."

Young, A.: "I'm sorry, Mr. Speaker, I didn't hear the Gentleman's explanation."

Speaker McPike: "Representative McCracken."

McCracken: "This would provide that where any controlled substance covered by the Bill, is found in the blood stream of the child, that child could be neglected. A petition could be filed and that would be evidence of neglect."

Young, A.: "Would that have any effect on the mother, in terms of any criminal effects or presumptions..."

McCracken: "No."

Young, A.: "...Or...How...in terms of this Amendment in this Bill, is this consi...do you consider this merely a civil procedure to have no effect one way or another or do you consider this to be an alternative procedure, these instances to a criminal procedure?"

McCracken: "No, no. It has nothing to do with the criminal procedure."

Young, A.: "So in terms of whether a mother could still be charged or would not be charged criminally, but would just be subject to being neglected parents, this Bill doesn't try to answer that question in either event?"

McCracken: "No."

Young, A.: "Thank you, Mr. Speaker."

Speaker McPike: "Representative Flowers."

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

Speaker McPike: "Yes, he will."

Flowers: "Representative McCracken, this Bill is...is there a law

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governing what a woman can and cannot do when she's pregnant?"

McCracken: "No. This covers only controlled substance, which is already illegal to possess or use."

Flowers: "Total substance, would you explain that?"

McCracken: "Well, yeah. It's a...it's a...well, the term is controlled substance. It's illegal to have or use it, to possess it or use it; such as cocaine."

Flowers: "So, when...are you saying that I cannot take cocaine if I'm pregnant and if so, if my baby comes out with a habit or something is wrong?"

McCracken: "If the baby has it in its blood stream, the baby could qualify for neglect status, so that the court would have jurisdiction to monitor or treat the child. It has no effect on the mother. There's no criminal sanctions involved, nothing of that type."

Flowers: "Thank you very much."

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

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 2262, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker McPike: "Representative McCracken, the Chair moved the Bill to Third Reading in error. There's a request for a fiscal note is been filed and the request for a prison impact note. The Bill will be...Representative McCracken."

McCracken: "I see some rational reason for a fiscal note, but not for a prison impact note. This is a civil proceeding only. I move that the prison impact note act does not apply."

Speaker McPike: "The Gentleman moves that the request for a prison impact note not be applicable. And on that,

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Representative Cullerton."

Cullerton: "Mr. Speaker, my suggestion would be that if Representative McCracken could take this out of the record for just a minute, he could speak with Representative Young, who's filed the request and perhaps we could work this out."

Speaker McPike: "The Gentleman takes the...the Bill has been returned to Second Reading and will be held there and we will return to it. Now, Representative Countryman has returned so House Bill 1450. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1450, a Bill for an Act to amend an Act in relation to criminal identification. This Bill has been read a second time previously. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill deals with expungements of criminal records in misdemeanor cases, where more than ten years has elapsed. Amendment #1 disqualifies that expungement for misdemeanors that are violations of Section 12 or 12-15, which are the sexual criminal misdemeanors under the sexual part of the Criminal Code. This is at the request of the State Police and I believe probably a proper Amendment. The other part of this Amendment says that computer records maintained by the department, meaning the Department of State Police, a person shall receive orders of expungement under this Section, shall not be released by the department except to prosecuting agencies for the purpose of prosecuting subsequent offenses committed by such persons. This is at the request of the Department of

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State Police and I move its adoption."

Speaker McPike: "The Gentleman moves the adoption of Amendment #1. Is there any discussion? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment changes one other Section. It deals with the Cannabis Control Act and the Illinois Substance...Illinois Controlled Substances Act and what it does is it takes what we commonly refer to as the fourteen-ten probation, seven-ten probation, which are forms of supervision people are placed on for violation of this Act; and says that neither one of these shall be subject to expungement and that expungement provisions of this Section shall not become final for purposes of appeal until thirty days after notice is received by the department, meaning the Department of State Police. Again, this is an agreed Amendment with the Department of State Police."

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

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 1450, a Bill for an Act to amend Sections of an Act in relation to criminal identification and investigation. Third Reading of the Bill."

Speaker McPike: "Representative Countryman."

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

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House. As I indicated just a few moments ago, this Bill amends the Act in relationship to criminal identification investigations. It provides that whenever at least ten years has elapsed since a person has been convicted of a misdemeanor, the person has not been convicted of any felony or misdemeanor within that ten year period; the person may petition the chief judge where the conviction was entered to expunge the person's arrest, conviction and final...and official records relating to that misdemeanor. And as I've indicated to you on the two Amendments, we've taken out certain provisions. We've taken out any of the sexual crimes. We've provided for the records to be maintained by the Department of State Police to be released to prosecuting agencies for second or subsequent offenses. And we have provided that under the Cannabis Control Act and the Controlled Substances Act, the seven-ten probation records will not be expunged."

Speaker McPike: "Does anyone stand in opposition to the Gentleman's Bill? Question is, 'Shall House Bill 1450 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there 115...116 'ayes', no 'nays', none voting 'present', House Bill 1450, having received the Constitutional Majority is hereby declared passed. House Bill 1483, Representative Kirkland. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1483, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "House Bill 1483, a Bill for an Act to amend the

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Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker McPike: "Representative Kirkland."

Kirkland: "Mr. Speaker, I guess I just want to ask leave to have that Bill put in Interim Study. Sorry to take the time."

Speaker McPike: "Yeah, you can...if anyone wants their Bill put in Interim Study they can come up, fill out a slip, the Bill will be placed in Interim Study."

Kirkland: "Should I do that?"

Speaker McPike: "Yes, and we encourage that. Representative Bowman on House Bill 1883. 1833. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1833, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "House Bill 1833, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker McPike: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The hour is early and many people are not on the floor and so I do want everyone here to understand exactly what this Bill is and what it is not. I think this Bill is the so called 'gay rights' Bill. What it does is to add to the category of conditions and circumstances that define unfair discrimination, sexual orientation, actual or perceived. Sexual orientation is a matter that is not well understood. Some people say it is a matter of choice, other people say it is a matter of biology or chemical

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structure of one's body, something beyond one's control. Whatever it is, it defines the person. It defines the person every bit as much as one's color or one's gender or one's national origin. And we have a very basic principle in this country, that people should not be discriminated against on the basis of what they are or who they are. What one does, how one acts towards their fellow man is infinitely more important, and our laws are defined to regulate behavior. Our laws do not circumscribe nor should they circumscribe thoughts or innermost feelings. That is the whole purpose of the first amendment to the Constitution. So, Ladies and Gentlemen, I bring to you this legislation which removes the last barrier. This is the last frontier in human rights, and I ask all of you to consider this and vote your conscience and join with me in removing the last barrier in the area of the advancement of human rights. Thank you very much."

Speaker McPike: "Representative McAuliffe on the Bill."

McAuliffe: "Thank you, Mr. Speaker, could I ask the Sponsor a question?"

Speaker McPike: "Yes, he'll yield."

McAuliffe: "Representative Bowman, if I own an apartment building with six units in it and I lived in there with my family, would this law require me to rent to people that were living together of the same sex?"

Bowman: "Well, Representative McAuliffe, it is presently very common for persons of the same sex to live together. Certainly in the college environment and so forth. But this...what this Bill would require is, if you would...were to arbitrarily say that someone couldn't live there because of their sexual orientation, then they would have a right of action against you with the Department of Human Rights. This would not be a matter of criminal law in any event."

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McAuliffe: "Could I ask one more question? If I ran a day care center for young children, would I be forced to hire someone that was a known homosexual?"

Bowman: "Would you...I didn't hear the last part of your phrase. Someone who was what?"

McAuliffe: "...I said, who was an openly homosexual, would I be forced to hire him to work in my day care center?"

Bowman: "Well, Representative McAuliffe, if this...if this person had any evidence in their record that they were pedophiles or they had done anything that would be construed to be child abuse, child neglect, anything of that nature, then you could deny them employment. If their sexual orientation is the only issue and if that sexual orientation has not been expressed in a way harmful to children, then...and you denied them employment, then you may have to answer for that later."

McAuliffe: "Thank you, if I may speak to the Bill. Well, I would speak against this Bill. I think people shoul...I think everybody should have their rights. But, I don't think we have to bend over backwards. I think a person who has their own apartment building...backwards, I said. This person has his own apartment building they ought to be able to choose who they want to live in there...have living in there if they have their family there with them, and I certainly would speak against this Bill."

Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 1833. This of course, is an issue that has been around the General Assembly for a number of years. And I think it's a matter of fear, lack of understanding, because this was an issue for many years in the City of Chicago as well; and people we're made...public officials were concerned about what is

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the effect of this type of legislation. Well, the City of Chicago has undergone a change, objectively, because the gay and lesbian communities in Chicago got more politically involved and got registered to vote in massive numbers. But, the Chicago City Council recently passed an ordinance very, very similar to what is included in House Bill 1833. And that ordinance underwent very extensive hearings and many of the concerns and questions that have been raised here on this floor were raised in that city council. And that ordinance passed. It passed in the city council because it was the right thing to do. It passed because when the concerns and questions got raised and got fully discussed, people from all over the city, aldermen from all parts of Chicago, the southwest side, northwest side, north lake front, south side said, we're not gonna condone discrimination under any guise. We don't necessarily agree with the lifestyle but we're not going to allow discrimination against the individual simply because of who he is. That is the tradition of our country. That is the tradition of our state. So, I would suggest that we can learn a lesson from the experience in the Chicago City Council, which is very much a microcosm of the residents of Chicago, just as this General Assembly is a microcosm of the people throughout the State of Illinois. You know, those of us who have significant gay, lesbian constituencies know people. We don't know stereotypes and the gay, lesbian community is like any other community. And I would suggest that there is a lot of fear but it's a response to stereotypes, and that in Chicago, the Chicago City Council saw that there was a need to pass legislation very similar to this, so that we look at the individual rather than at a stereotype. So, I would strongly encourage an 'aye' vote on House Bill 1833. We're not

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condoning anybody's lifestyle just like we don't condone anybody's religion. I have my religion, you have yours. You believe in it but you don't discriminate against me because you don't like my religion. I don't discriminate against you because I don't like your religion. That's basically what's involved here. The same kind of concept, and I would just ask for an affirmative vote."

Speaker McPike: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker, Members of the House. I rise in opposition to this piece of legislation. I have various and sundry reasons, but very simply stated: A number of years back when I brought children into this world along with my wife in a monogamous marriage, we made a decision to raise our children in what we considered to be a biblical manner. Because of various exposure of this so called alternative lifestyle which has been made in the press and on television, I've had an opportunity to discuss this matter, not only with my wife but also with my children. And it just...it seems to me that what we are...we're talking about here is not a...a ban on discrimination. What we are talking about here is a preference. A preference to be given to certain individuals who are living a lifestyle which some who...who believe, think is an abomination. I have no animosity towards those who profess to be homosexual, in fact the Bible teaches us to, to hate the sin but love the sinner. But I don't believe that legislation of...of this type is certainly in the best interest of our society, and certainly abhorrent to those who would wish to raise their families in a traditional, biblical setting. And so I must voice my opposition and urge all of those who feel, well, like I do, to also vote 'no'. Thank you."

Speaker McPike: "Representative Bowman to close. Well, by all

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means, Representative Stephens. Let the Chair repeat what we said earlier, we've got 500 and some odd Bills here and if we're gonna talk on every Bill for an hour, we're never gonna get to anybody's Bill. So, Representative Stephens, you go right ahead and proceed."

Stephens: "Well, thank you very much, Mr. Speaker, and I certainly don't want to trample on anyone's rights here to get their Bill heard. However, I think this is an issue of significant enough natu...enough significance that we ought to take a few moments to, to discuss it. This Bill would create a situation where, whether you liked it or not, you would have to hire known homosexuals. It says it would be unlawful to discriminate in employment, that would be employment at the church, employment at the day care center, employment at the school. Real estate transactions, I have to think rental agreements would be included also. If you don't want to rent to homosexuals, never mind, you've got to. It talks about the...it would be unlawful to discriminate in the provision of public accommodations. Now, I just would get a little bit nervous, if I was in the local facility and a woman came in and stood next to me, that would upset me. It would also upset me, if this Bill passed. The extension of credit and other situations, what we are creating here is a situation where homosexuals are all of a sudden a chosen segment of society. They are an accepted minority and the next step, Ladies and Gentlemen of the House, will be hiring practices. You've got to hire. There'll be minimum quotas. How many homosexuals do you have working on your staff this year? How many have you hired in the Department of Transportation? I can see it in committee just a couple of years down the road; how many have you hired? We hear it about minorities now and they will be a chosen minority.

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How many homosexuals do you have in your department? How many has the Governor and the Secretary of State and the Comptroller hired this week? And if you haven't hired enough then you're discriminating and we're gonna rake you over the coals in appropriations. No, Ladies and Gentlemen, this is not a good Bill. Maybe good intentions but a bad, bad idea, whose time will never come. I urge a 'no' vote."

Speaker McPike: "Representative Bowman to close."

Bowman: "Well, thank you. With opposition speeches like that, I probably don't even need a closing argument on this Bill. But, I do want to just make a couple of points in conclusion. Number one, we're not condoning any particular behav...lifestyle here. The Human Rights Act already protects people who have been dishonorably discharged from the military. Now, certainly we don't condone dishonorable discharges, but if someone is dishonorably discharged that's not a burden they should carry for the rest of their lives. That shouldn't be a reason for denying them employment or rental...tenancy in rental property and so forth. These people that this Bill...whose rights this Bill serves to protect, would have to maintain this high standards of behavior on the job that anybody else would have to maintain. We have laws against sexual harassment, heterosexual harassment and harassment of every kind. If a man harasses a woman on the job or vice versa, that is against the law right now, and that would continue to be against the law if this were to pass, and if this were to pass and a man would harass another man on the job, that would be against the law. Make no mistake about it. We are not condoning. We are not protecting unwarranted behavior of any kind. And lastly, let me just say, the...a lot of people regard this as political dynamite, that, that

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is grossly, grossly overstated. The Chicago City Council has already passed an ordinance like this. We have had examples where a Republican Member of this Legislature has supported legislation like this in the past and that was used against him in a party primary, and that Gentleman was returned to sit among us. We have had instances on this side of the aisle where people have voted for this in the past, and that has been used against them in primaries and in general elections, and they have returned to sit among us. Ladies and Gentlemen of the House, this is indeed an idea whose time has come. We should remove the last barrier towards the advancement of human rights and I ask you to join with me to do this now. Thank you very much."

Speaker McPike: "The question is, 'Shall House Bill 1833 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Sutker is voting 'aye'. Have all voted who wish? The Clerk will take the record. On this Bill there are 26 'ayes', 77 'nos'. The Bill fails. House Bill 2270, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2270, a Bill for an Act in relationship to certain contracts concerning alcoholic liquor have been read a second time previously. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2270 is very simple. It deletes from that legislation, 'wine' and includes as well the term 'does not include brandy'. That's all that the Amendment does."

Speaker McPike: "And on the adoption of the Amendment,

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Representative McCracken."

McCracken: "Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

McCracken: "If this Bill is good enough for distilled spirits, why should brandy be not in it?"

Mautino: "I was informed by the wine institute that in the existing language it includes brandy which is a...a grape base. They had asked that since this was a Spirits Fair Dealing Law it did not apply, and that's the reason that I put the Amendment in."

McCracken: "Alright."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. 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. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2270, a Bill for an Act in relationship to certain contracts concerning alcoholic liquor. Third Reading of the Bill."

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. This proposal House Bill 2220 (sic - 2270) is drafted exactly as two other statutes now on the books here in Illinois. One is the New Car Dealer's Fair Dealing Act, the other is the Fair Wholesale Fair Dealing Act. This legislation follows that proposal...this proposal follows those...those existing statutes and addresses only that question of spirits. This provides fair treatment between small local wholesalers and their large multinational distillers. It provides for a basis for termination, which is the just cause provision. Provides both protections for the supplier as well as the wholesaler. The fact and the need for this legislation is

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one in which multinational corporations as well as national corporations have been buying and selling among themselves within this industry for the past four or five years. In that process they have automatically terminated distributors who have been in business for 30, 40, 50 years. Local people who hire local employees, purchase their trucks and their supplies, et cetera, locally and because of no fault of their own, other than the main corporation has either bought or sold their brands that they carry, they are basically terminated not based on just cause. That's what this legislation does. I'd be happy to answer any questions."

Speaker McPike: "The Gentleman moves for the passage of the Bill, and on that Representative Terzich."

Terzich: "Representative Mautino, I don't understand, will... does this mean that people that import liquor or something like that, wouldn't be able to distribute it or...I really don't understand what..."

Mautino: "The current process, I'd like to explain it to you, Bob. The current process with spirits is that you may have four or five different distributors providing the same brand, and what has happened in recent years is that a national...let's say a national supplier has determined that he wants to get rid of four of these five people, and they do it with a letter. And I think everyone here has received copies of those correspondences and it basically puts a person out of business, not because they weren't doing the job, providing the service or selling the product, it's because the decision was made somewhere else on consolidation. We have no distillers in the State of Illinois, but we do have wholesalers. For example, in my area the local wholesaler who had been in business probably for 60 years, woke up one Monday morning and received a

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correspondence that forty percent of his lines were taken away from him. He laid off 26 people. Those are 26 jobs. The gentleman who owns the facility also has one in Rock Island and it occurred...the same situation there with the supplier. This legislation addresses that. It's a job's Bill for Illinois. It's fair and provides for just cause for termination. This is a unique business whereby you're at the mercy totally of the supplier as it pertains to our products that are under state and federal control. And I think just cause should be the only reason for termination."

Terzich: "Okay. Thank you."

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

McCracken: "Thank you, Mr. Speaker. I rise in opposition to the Bill. These relationships between the wholesaler and supplier are contractual relationships. And what this Bill would do is modify very substantially the relative rights of the parties, who in the past have been allowed to contract between themselves. You know, if the contract allows a termination in the manner described by Representative Mautino, then that determines the rights between the parties. No one's forcing them to sign these contracts. If the supplier wants that and wants a wholesaler on those terms, he should be able to find that person. And as far as determinations themselves, there may very well be financial reasons that necessitate it. We don't know that. We don't know that that's not the case. But the fact remains that what we're doing is putting up an impediment to the right to contract between parties and there's no justification for that in this case. I stand in opposition."

Speaker McPike: "Representative Mautino to close."

Mautino: "Thank you, Mr. Speaker. Before I close, I would like

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to respond to Representative McCracken's comments. It's very difficult to understand...for me to understand the business of law because I'm not a lawyer. I'm sure that Mr. McCracken makes well intended remarks, but in this case he really doesn't know what he's talking about. Let me explain to you, and if I may read the correspondence that was just submitted to a local wholesaler on February 1st of 1988. It's a...it's a Springfield company, and I think this explains exactly what the problem is. By certified mail on February 1st to the Paul Tick Liquor Company, 'Gentlemen, this is to advise you that the James Bureau...Burrow, the producer and owner of Beefeater London Distilled Dry Gin, et cetera, et cetera, et cetera, has appointed the Buckingham Wild Company. This...this change will be effective March 1st, 1988, replacing your concern'. The man gets 30 days. There's no reason for him to be wiped out of business with these lines, except that there was a major acquisition in England that basically puts a man out of business and they give him 30 days. Not because he wasn't selling the product. Not because there was any financial concerns. He had done nothing wrong and I think it's unfair. I don't know who we're trying to provide jobs for. Is it the suppliers or the owners in England, in Scotland, in Canada, in New York? Or is it to the people who hire and buy products made here? Do all those things that are necessary to keep businesses going? I don't know. I just think it's kind of strange that...that someone can say...it's fair for 30 days later to be wiped out of business. I'm sure if he probably got a hold of a good attorney, Representative Cracken...McCracken, that probably wouldn't have occurred. But...this was certified mail notification and nothing at all for the man to do and I think it's unfair, and that's why I have agreed to Sponsor

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the legislation. I move for its passage."

Speaker McPike: "The question is, 'Shall House Bill 2270 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Novak to explain his vote."

Novak: "Mr...Mr. Speaker, for the record, on the previous Bill, House Bill 1833; I was out in the hall talking to a constituent and my button was inadvertently pressed 'yes'. Please let the record show that my vote should be 'no'."

Speaker McPike: "Mr. Novak, the record will so reflect that had you been in the chamber, you would have voted 'no' on House Bill 1833. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 84 'ayes', 27 'nos'. House Bill 2270, having received the Constitutional Majority is hereby declared passed. House Bill 2316, Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2316, on page 17 of the Calendar, a Bill for an Act to amend an Act in relationship to child support. Second Reading of the Bill. There are no Committee or Floor Amendments."

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

Clerk Leone: "House Bill 2316, a Bill for an Act to amend an Act in relationship to child support. Third Reading of the Bill."

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This is a Bill I inherited from our former colleague, then Representative John Daley, now Senator John Daley. It amends the Child Support Statutes to provide that the automatic income withholding order at the time that it is entered can include the dollars that the obligor is permitted under law to pay to the Clerk of the Circuit Court for...for doing the paperwork, the technical work in

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making sure that the child support order is done. That fee is set by law at \$36 a year, so this Bill would permit the order to include the additional three dollars per month in checks that are sent by the employer to the Clerk of the Circuit Court in order to meet child support obligations. There would be no additional requirements than those in current law for the employer. It would not require the employer to cut a second check it would just permit the income withholding order to include that three dollar payment. I would be happy to answer your questions and would appreciate your support for the Bill."

Speaker McPike: "The Lady moves for the passage of the Bill, and on that Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Probably won't do any good, but I rise in opposition to this legislation. This adds to the burden of the already burdensome and terrible and awful automatic withholding orders that we have authorized in this General Assembly. For those of you who don't recall, we have passed legislation which...which mandates that from now on whenever there is a dissolution of marriage, a divorce and child support payments are ordered the person who is required to make those payments shall have no choice but shall have those payments deducted from his or her pay by the employer; in every case. It makes no difference whether the payor is current or paying ahead or the best possible risk in the world the payments shall automatically be withheld from the employee's wage by the employer. It's demeaning to an employer (sic - employee) who is current on his or her child support payments and it is a terrible burden to the employer. When this Bill passed, I said or during the debate I said, it was probably the worst Bill I've ever seen in the General Assembly, and it's a year

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later and I don't think any differently. The three dollar fee just adds to that burden and it... should not be added to the ignominious burden placed upon a well-meaning child support payor. You shouldn't have to have this taken out of your check also. This is a bad Bill, and I would urge it's defeat."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes, she will."

Black: "Thank you. Representative, if I understand what you're doing and I think the previous speaker covered this, but let me make sure; what your Bill would do, would be to allow, I guess it's the court to automatically withhold the somewhat controversial \$36 fee."

Currie: "That's right, Representative, this was a recommendat..."

Black: "So...So, the fee, which I think we a year or two ago made a permissive piece of legislation depending on what the county board would do, now it would be possible to roll this fee into the actual withholding order."

Currie: "If the Judge chose to do that. It would not require that the three dollar fee be included but it would...it would mean that the three dollar fee could be included in the automatic withholding order entered at the time of the dissolution."

Black: "I see, alright, thank you very much."

Speaker McPike: "Ms. Currie to close."

Currie: "Thank you, Mr. Speaker. It's a simple straight forward Bill, belonged to Representative John Daley. If we pass this Bill he'll get to Sponsor his own Bill in the Senate. It was a recommendation of the...of the Cook County States Attorney's Office. It's my understanding that it would help downstate counties even more than the big ones upstate

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because those counties are less likely to collect the \$36 than is the upstate version. So, that's the Bill, I'd appreciate your 'aye' votes."

Speaker McPike: "The question is, 'Shall House Bill 2316 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 79 'ayes', 29 'nos', 3 voting 'present'. House Bill 2316 having received the Constitutional Majority is hereby declared passed. House Bill 2516, Representative McCracken. Hyphenated Cosponsor will handle the Bill. Read the Bill, Mr. Clerk."

Clerk Leone: "On page seven of the Calendar, House Bill 2516, a Bill for an Act concerning condominiums. Been read a second time previously. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #1 makes certain changes of more of a technical nature. One of those changes is that notice has to be sent by certified or registered mail rather than just simple mail. And I move its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #1. Any discussion? Representative Levin."

Levin: "Yeah, would the speaker yield? Okay. We... we had this Bill last year and last year it had some technical problems, and as a result it didn't quite make it through the whole process. The major problem was one that was pointed out by your staff and that was..."

Speaker McPike: "Representative Levin, are you speaking to the Bill or the Amendment?"

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Levin: "The Amendment is quite relevant here..."

Speaker McPike: "...Fine, proceed."

Levin: "...Because the problem...Alright, the problem that was pointed out by your staff last year was a Supreme Court decision that required notice to be given to all parties that have an interest in the condemnation, which means not only the unit owners, but also the mortgage holders."

McCracken: "Right."

Levin: "Is everybody satisfied that with this Amendment..."

McCracken: "Yes, they are..."

Levin: "That that constitutional requirement is been satisfied?"

McCracken: "Yes, they are."

Levin: "Okay. And has the Chicago Title been consulted on this?"

McCracken: "We had it in a Titled Subcommittee and there was a person who, Representative Cullerton and Countryman were deferring to on these issues and he approved of it. Candidly, I don't know if he was from Chicago Title."

Levin: "Okay, because last year, you know, Jake Terano had constitutional problems. If that's been worked out, I have no problem with the Bill or with the Amendment."

McCracken: "Yeah, I...frankly, Jake Terano has not spoken to me about it. But this was in that Title Subcommittee and no one's expressed any reservations about it."

Levin: "Okay. Alright, I would support the Amendment. Thank you."

Speaker McPike: "Representative Countryman."

Countryman: "I just stand to support the Bill. I think it's a good Bill and does the right thing. And hope everybody votes..."

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

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "House Bill 2516, a Bill for an Act concerning condominiums. Third Reading of the Bill."

Speaker McPike: "Representative McCracken."

McCracken: "This Bill allows where eminent domain proceedings are taking...taken against common...commonly owned property of a condominium that notice, for purposes of the eminent domain lawsuit, may be given to the unit owners by registered mail. This was before this Body last year. I had some reservations about it at that time. Over the course of the last twelve months, I've talked to people in the Title industry who assure me, not only of the necessity but of the constitutionality; therefore I move its passage."

Speaker McPike: "Question is, 'Shall House Bill 2516 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 114 'ayes', 1 'no'. House Bill 2516, having received the Constitutional Majority is hereby declared passed. House Bill 2630, Representative Countryman. Interim Study, okay. Civil Law, Third Reading, appears House Bill 18, Representative Stern. Out of the Record. Representative Stange has returned to the floor. The hour of 10:10 having arrived, Representative Stange, House Bill 359. Read the Bill, Mr. Clerk."

Clerk Leone: "On page ten of the Calendar, House Bill 359, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage 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 Stange."

Speaker McPike: "Representative Stange."

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Stange: "Thank you, Mr. Speaker. House Bill 359 amends the Marriage Act. Amendment 1 provides, the Bill does not apply if the child has been voluntarily surrendered for adoption, has been previously adopted by unrelated individuals or is a subject of a pending adoption petitioned by unrelated persons. I move its adoption."

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

Clerk Leone: "Floor Amendment #2, being offered by Representative Stange and Stern."

Speaker McPike: "Representative Stange."

Stange: "Thank you, Mr. Speaker. Amendment #2 provides that the Bill does not apply if the child has been surrendered to DCFS or to a foster care facility. Again, I move its adoption."

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

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

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker. This, I believe, is an agreed Amendment with the Sponsor of the Bill adding a provision protecting the rights of grandparents to visit their children, (sic - grandchildren) when one of the parents is deceased. I would appreciate an 'aye' vote."

Speaker McPike: "Gentleman moves the adoption of the Amendment #3. No discussion? Question is, 'Shall the Amendment be

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adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #3 is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "House Bill 359, a Bill for an Act to amend the Sections of the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker McPike: "Representative Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 359, would give a court jurisdiction to consider granting visitation rights to grandparents, regardless of whether one or more of the following circumstances apply. Number one, a parent through whom the grandparents were related was still living; number two, no proceedings or dissolution of marriage...legal separation, or declaration of invalidity was impending or concluded between the child's parents. This Bill is good for grandparents. It's good for child. Grandparents should have certain rights. The child should have certain rights visiting their grandparents. I would certainly appreciate your 'yes' vote."

Speaker McPike: "Any discussion? Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. I spoke in front of this group two months ago and I heard some of most horrible stories of treatment of grandparents and children being kept from their grandparents. I understand that in all cases the parent has the final decision. But at least it gives the grandparents a right of action to pursue them...the visitation right's of their grandchildren. I think that one of the problems we have with the youth today is that they can't go down the block to have some milk and cookies with grandma and grandpa when they get disturbed.

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And they wind up at bus stations and being taken away to Las Vegas or New York. I think it's a good Bill and I certainly urge everyone here to support it."

Speaker McPike: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, I, too, rise in support of this legislation. Because I was not paying the attention I should have, I'm not certain what the Amendments have done to it. But, I know that the original intent of the Bill is to see to it that grandparents who are not currently covered in the Marriage and Dissolution of Marriage Act as having visitation rights, now, at least have access to a court to decide whether or not they shall have such visitation rights. This is not meddling in the family circle. This is an intention to give children that extra dimension of growing up that they ought to have by virtue of knowing their grandparents. I urge an 'aye' vote."

Speaker McPike: "Question is, 'Shall House Bill 359 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 103 'ayes', 5 'nos', 4 voting 'present'. House Bill 359, having received the Constitutional Majority is hereby declared passed. The Supplemental Agreed #2. These Bills have been read a third time. House Bill 2133, Representative Didrickson, has been removed from the agreed list. The rest of them have been read a third time. The question is...the question is, 'Shall these Bills pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Yes, yes, when we take the record, you have a change of vote form, right there and we're going to have two hours to fill that out. Representative Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, 1595

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which appears on the agreed Bill list, I did ask and submit a slip to have it removed. It's my Bill and I ask to have it placed in Interim Study, and with leave of the House, I will have it placed in Interim Study now. I have requested that at the well."

Speaker McPike: "1599?"

Hicks: "1595, Sir."

Speaker McPike: "1595. Very well. The Gentleman moves to remove House Bill 1595 from the agreed list and place it on Interim Study. So does the Gentleman have leave? Attendance Roll Call will be used. The Bill is on Interim Study. Representative Petka, for what reason do you rise?"

Petka: "Mr. Speaker, I would like to be recorded as 'aye' on the Consent Calendar."

Speaker McPike: "You are. I'm sorry, you're not. Please vote Representative Petka, 'aye'. Have all voted? Have all voted who wish? The Clerk will take the record. It's now 10:15. The Members will have until twelve noon to fill out the yellow sheets that are being passed out. If you want to vote differently on any individual Bill, fill out those sheets and turn them in. We will then take the record at twelve noon and later in the day announce if these Bills have passed or not. Continuing on Civil Law, House Bill 18 was taken out of the record, Representative Stern, is that right? Out of the record, alright. House Bill 749, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 32 of the Calendar, House Bill 749, a Bill for an Act in relationship to driving privileges. Third Reading of the Bill."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If I could request leave to return this Bill to Second Reading for purposes of an Amendment. Can I return

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to Second Reading for purposes of an Amendment, please?"

Speaker McPike: "The Gentleman ask leave to return to Second Reading. Does the Gentleman have leave? Leave is granted. Mr. Clerk, are there any Amendments?"

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

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

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, with your patience and indulgence, we had a discussion of 749 in a different form, the first of the week. It had a good debate, but this Amendment 1 makes it a different Bill. We actually gutted the Bill and now it becomes more of a compromise form to address those, especially on the other side of the aisle who had some reservations about the language originally. Now I think we have a Bill that makes it much more workable in accepting, because what the Bill now does it just expands the discretionary authority of a juvenile court judge when sentencing a minor, who has been adjudicated of any delinquency related to alcohol, cannabis or controlled substance violation. So under the Amendment or the Bill now, the judge may order not shall, but may as a condition a probation or conditional discharge that that minor refrain from acquiring a driver's license. If the minor already has a permit or license between the sixteen and eighteen year old, then the judge may order refrain from driving, except in the course of employment. I appreciate your favorable support. We worked hard to try to get this together to address those reservations on the other side of the aisle."

Speaker McPike: "Representative Dunn."

Dunn: "Would you explain again exactly what this...does the Amendment become the Bill, first of all?"

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Phelps: "Yes it does, John."

Dunn: "And if it does...if it is adopted, what will the Bill do now?"

Phelps: "It actually sets the authority back to the Judge of the Juvenile Court of discretionary authority to...may, as a condition of...probation or conditional discharge, may, it's in the Judge's domain now to...if that minor has a violation in...related to alcohol, cannabis or controlled substance, that he may as a condition of probationary...or discharge refrain that person, that minor, from acquiring a driver's license. If the minor has already got a permit or license, he may refrain...have them refrain from acquiring a license unless employment conditions."

Dunn: "What alcohol violations are covered by this legislation?"

Phelps: "Representative Dunn, it's the violations that appear now in the Code."

Dunn: "Well, I think, didn't you have a Bill the other day that...that provides that if there's possession of alcohol anywhere in your garage or on the pavement or on the street or the curb or wherever that the driver's license shall be suspended for a juvenile. I think that Bill passed this chamber, did it not?"

Phelps: "No, it did not, John. We had a vote of 66 votes, if you remember when it was in the stage of explaining the vote before they took the record. I think Minority Leader Daniels asked that those who did support it...went 'present' to get in the compromise form. We took it out of the record and Postponed Consideration and now we have this compromise form. It does not address...the concerns you had."

Dunn: "So, I guess my question is that if this Bill passes, do you intend to pursue the other concept?"

Phelps: "No, no, no. This became the Bill. You may have not

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heard."

Dunn: "Okay. Thank you."

Phelps: "Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes, he will."

Black: "Thank you. Representative, I appreciate the fact that you've tried to amend this. Let me ask you a few questions that I still have and I think some other Members do as well. Are we to assume that this Bill addresses or is addressed elsewhere in statute such language as the hearing process, a restricted driving permit, those kinds of things that I think fall under due process?"

Phelps: "The administrative process that we...as we know of that relate to driver's license question is not involved. This is in the courts entirely."

Black: "So, in other words, if the minor in question were to lose his or her license, then the only recourse would be through the courts, not the administrative hearing process?"

Phelps: "That's correct."

Black: "Thank you, Representative. To the Bill, Mr. Speaker and Ladies and Gentlemen of the House. I think the Sponsor is to be commended for trying to work this out. It still is a rather far-reaching Bill that, I think, even though the minor obviously has some recourse in the courts, still is lacking some basic due process rights. I don't quarrel with where the Sponsor is headed. I still think it is somewhat discriminatory. And I question whether or not some of us can support the Bill. Thank you."

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

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Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "House Bill 749, a Bill for an Act in relationship to driving privileges. Third Reading of the Bill."

Speaker McPike: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this Bill has had just debate. We cleaned it up quite a bit to answer those who did not accept its original premises. I believe that we... we will drive a strong message home to our young people if we say you may, not shall, but you may be addressed in the extent of your driving privileges if you participate between the ages of 13 and 18 with this type of activity that we all demand be addressed. I ask you for your favorable support."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there's 105 'ayes', 5 'nos', 5 voting 'present'. House Bill 749, having received the Constitutional Majority is hereby declared passed. House Bill 899, Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 899, a Bill for an Act to amend the Illinois Human Rights Act. Third Reading of the Bill."

Speaker McPike: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 899 amends the Human Rights Act to provide that an employer may, if that employer chooses, adopt a policy to provide that when a new employee is considered for hire that the employer may reject that hiree if that person is married to someone who is already on board. A number...a lot of employers around the state do not wish to have both spouses on board. So if one spouse

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is already on board, this Bill would allow the employer to reject the other spouse for employment. The legislation exempts public employers. Teachers called to my attention a concern about teachers who...one might be on board and another come on board and want to get married and so we exempted public employers. Thank you for your favorable vote."

Speaker McPike: "Representative Didrickson...on the Bill."

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

Speaker McPike: "Yes, he will."

Didrickson: "Representative Dunn, would you repeat for me what it is that your Bill does?"

Dunn: "What this Bill does, and it is supported by the Illinois State Chamber of Commerce, the Bill provides simply that an employer who has a married person already on the staff may reject the other spouse for employment."

Didrickson: "Why can't they do that right now?"

Dunn: "There is some consternation. Apparently there has been a case which clouds the issue. I should point out quickly that this Bill has nothing to do with two employees meeting over the water cooler, both of whom are already on board, falling in love and getting married. It does not prohibit that situation at all."

Didrickson: "Would you...would you tell me which case this is and, you know, give me a little detail on that, please?"

Dunn: "Okay, the case is Burton and Allied Chemical Corporation's 13 Illinois Human Right Commission Reports 246."

Didrickson: "And?"

Dunn: "There has been consternation, although it's my understanding that case is distinguishable from the current situation. Yeah, that case actually involved, if I understand it, two employees already on board and when they

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decided to get married, the employer wanted to transfer one of them and a case resulted. This situation is different. This applies only under the circumstances where there is an employee on board who is a married person and the other spouse applies for employment. If this Bill becomes law, it would allow the employer to reject the other spouse."

Didrickson: "So what you're saying is the case that you referred to or referenced earlier does not apply to this Bill."

Dunn: "That is my understanding, but it is clouded the issue sufficiently that a number of people felt this legislation should be put on the books to clarify the situation. It is not an earth-shaking change in policy at all."

Didrickson: "To the Bill, Mr. Speaker. I think this is a Bill that we ought to perk up on, and I'm not 100 percent certain what the reason for the introduction here is of this legislation or why we should be legislating personnel policy such as this is with regards to whom we hire and whom we don't hire, whom we discriminate and who we don't discriminate against. It was mentioned that there was a case here, and there isn't a case that is referencing the need for this legislation, so I would suggest that this is one of those Bills that until we get more information with regards to the need is discriminatory. And I think that personnel policies such as this ought to be handled within the companies and within the corporations, particularly since there is no case law here that is particularly addressing this situation. I would urge a 'no' vote at this time."

Speaker McPike: "Representative Flowers."

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

Speaker McPike: "Yes, he will."

Flowers: "Representative Dunn, what is the purpose of this legislation?"

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Dunn: "The purpose of this legislation is to enable chiefly small employers, and you might say an accounting firm or a small law firm where one of the partners is a married person and the spouse of that person decides to seek employment with that firm, and the firm may wish to have a policy to say we don't...we don't want that. We don't want you to bring your spouse on board in our small group. It'll upset the balance of the firm, for whatever reason. So this legislation would allow that to take place. It does not say that you cannot have married people on your staff. It does not say that if two people meet over the water cooler, and both of whom are already on board, and they meet and fall in love that they...and get married, that one of them has to leave."

Speaker McPike: "Representative Dunn, go ahead."

Dunn: "It does not say that either of them have to leave employment. It only applies to the situation where a new employee seeks to obtain work and that employee is married to someone who is already on board. And this legislation would allow the employer to say we have a policy not to hire the second spouse. The spouse on board..."

Speaker McPike: "Mrs. Flowers. Representative Flowers."

Dunn: "Okay."

Flowers: "Representative Dunn, what if this is John Deere and there's a population of 500 people and this is the only job in town? And me and my husband both need to work?"

Dunn: "This Bill, if it became...if it became law, would allow any employer to adopt this policy, except a public employer. A public employer means a governmental employer."

Flowers: "Is this...I think this is a bad Bill and I really don't understand the purpose of it, and I reluctantly rise in opposition to this Bill. Thank you."

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Speaker McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Despite the good Sponsor of this Bill, I must also rise in opposition to this legislation. It erodes the basic concept that we have in the Human Rights Act that you judge an individual based on their own merits. This provides that you can ignore the merits of the individual because of his or her relationship in terms of marriage with somebody else. The situation that Representative Flowers pointed out, I think, is an important one. Particularly in downstate Illinois, we have many towns that have one large employer, employs many people in many different locations. Under this legislation, it wouldn't make any difference if the husband and wife were in the same office or physically at the other end of town from each other in terms of the buildings where they were going to be working. It would give the employer the opportunity to say, 'I'm going to deny the employment, not because of the merits of the individual, but because of the spousal relationship.' I think it's a bad precedent and I would urge a 'no' vote."

Speaker McPike: "Representative Flinn."

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

Speaker McPike: "The Gentleman moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The main question is put. Representative Dunn, to close."

Dunn: "Once again, I think there's been confusion about this Bill because I hear the criticism coming in the direction of what I would call standard concerns of advocates of the Human Rights Commission, which I am one. This Bill is not counter to the trends and policies of the Human Rights Commission. Simply what this legislation says is that if

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an employer has a married person on the staff, the employer may reject the other spouse for employment. If you agree with that, vote 'green'. And I ask for your 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 899 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Kirkland, to explain his vote."

Kirkland: "I'm just going to ask a question, and if the Sponsor wants to shake his head one way or the other. I was going to ask whether there are any other statutes involving nepotism along these same lines? You've picked out a particular relationship, husband and wife, but you can also have similar kinds of situations with brothers and sisters or fathers and children and things like that. Are you aware of other legislation along this lines in connection with those kinds of relationships, Representative? Yes...No. Okay, thank you."

Speaker McPike: "Representative Barger."

Barger: "Thank you, Mr. Speaker. I don't think this was explained as thoroughly as it could be. If you have a very small business and you have two employees who are married and one of them is not doing a good job and you have to let them go, you end up with one disgruntled employee. Now this is a very, very sad thing in a small office. We're not talking about big companies, like Caterpillar, because most of the business in Illinois is small business. And just as Representative Dunn said, this can be very disruptive in a small office to have two people working together who set themselves up against the other one or two people in the office. And I think that very definitely this is a Bill that is well worth the support of both sides of the aisle. Thank you."

Speaker McPike: "Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. I normally

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don't get up to discuss things like this, but I would like to explain my vote. I think this is truly discriminatory. I just cannot understand that someone would try to have this piece of legislation. I would ask everybody in this House to vote. I think this is an anti-woman vote and I'm voting 'no'."

Speaker McPike: "Representative Stephens."

Stephens: "No."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 43 'ayes', 44 'nos', 24 voting 'present'. House Bill 899, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 1393. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1393, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker McPike: "Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Ladies and Gentlemen, we debated this Bill last week. The Bill received 57 votes. I've spoken to some people who voted 'present' or were not here and asked them to change their vote and they've indicated that they might. So, I expect a close vote. I'll just briefly explain, once again, what this Bill is and emphasize the importance of it. This Bill requires children under 18 to wear motorcycle helmets when they are driving or a passenger on a motorcycle. The evidence is clear that motorcycles are dangerous. There's over 4,500 deaths every year in the United States from motorcycles. A hundred and sixty-four thousand serious injuries occur each year and one-half of these deaths involve teenagers and young people under the age of 24. The average age of a person killed on a motorcycle is only 22 years old. So, there's a reason to

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have this apply to minors. Forty-four states have a law that governs the use of motorcycle helmets - either requiring everyone to wear it or people under a certain age. We're one of only 6 states. It only applies to minors. The suggestion was made last time we debated this that perhaps helmets in themselves are unsafe. Maybe they make...they cut down on peripheral vision. They cut down on ability to hear. They make people tired. Well, if that's the case, then why are we teaching in motorcycle courses...why are we teaching people to wear them? I mean, if these things are so dangerous, let's put a Bill in to a ban these killer helmets. But, of course, that's absurd because we know that they cut down on the chance of being injured. A non-helmeted rider is three times more likely to receive a fatal head injury than a helmeted rider and ten times more likely to suffer a critical head injury. Louisiana reenacted the helmet law after having repealed it, there was a 30 percent reduction in motorcycle fatalities for the year following the reenactment. Now I think that when we reflect upon the fact that we pass a lot of Bills here dealing with all sorts of categories from banks selling insurance to gill nets, we rarely come up with a Bill that directly involves saving lives, and this is such a Bill. This issue is not a partisan issue. This issue should transcend loyalties to seatmates. It should transcend party lines and after having debated yesterday the issue of helping out children's hospitals, I would ask you to reflect upon the fact that there's probably in those children's hospitals in our state, children who are there because they were injured on a motorcycle, because they weren't wearing a helmet. I think it's a very important issue. People should not be intimidated by motorcycle clubs like, A Brotherhood Against Totalitarian Enactments,

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and by the weight of mail that they might write saying, 'Let those who ride decide', when this only applies to minors. The public policy of this state should not be made by motorcycle clubs. The public policy should be made by us and if we know that this is the right thing to do, let's vote for it. Thank you, Mr. Speaker. I appreciate an 'aye' vote."

Speaker McPike: "The Gentleman moves for the passage of the Bill and on that, Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Point of clarification if you'd be so kind. What Order of Business is this on?"

Speaker McPike: "Representative Churchill, at about 9:10 this morning, we started on the Order of Civil Law and have moved ahead one Bill at a time, and we are still on this Order."

Churchill: "And is this Bill also on Postponed Consideration?"

Speaker McPike: "The Bill is on Postponed Consideration. The Bill is under Special Order, Civil Law."

Churchill: "The point I would like to make, I believe, is that there are many Members on this floor who have not had a chance yet to call their Bills and talk about their Bills and pass their legislation, and now we're going back to a very controversial Bill that we spent a long time on a couple days ago, that's on Postponed Consideration, that should be taken out of the Order, and we should go back to that when we're done with everybody else's legislation."

Speaker McPike: "Representative Weaver, on the Bill."

Weaver: "Thank you very much, Mr. Speaker. I rise in opposition to this Bill and seatmate loyalty notwithstanding, Representative, I appreciate your comments; there are some very good reasons to vote either 'present' or against this Bill. If you believe the United States Department of Transportation which has studies that seem to indicate that

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helmet usage above thirteen and a half miles per hour contributes more to accidents than it does to safety. The Illinois Motorcycle Safety Association disputes that a little bit. They don't think that helmets are worth anything above three and a half miles an hour. There's another problem with this Bill, in that it does not cover pedicycles and scooters, which if any of you have ridden these things or seen them around town, they can attain speeds upwards of 35 to 40 miles an hour. These are the kinds of vehicles that children would ride. Why are we excluding these vehicles? If safety is the issue, we need to look at the statistics that deal with safety. Safety, wearing helmets has been proven below three and a half or ten miles an hour, whichever surveys you tend to believe. But once you get above thirteen and a half miles an hour, we discovered that motorcycle helmets, regardless of what quality they are, actually contribute to a higher percentage of accidents. They may save the rider from head injuries, but they contribute to more severe neck injuries. So it's an even trade-off in terms of how the rider will die above thirteen and a half miles an hour. But one fact keeps coming out at us, and that is the fact that above thirteen and a half miles an hour, a helmet will actually cause more accidents, even though the head injuries may be less severe. I think perhaps that Representative Cullerton is well-founded and got a good idea for some riders; however, it is not illegal for a rider to wear a helmet. I don't think that any of us would like to pass a law making these killer helmets illegal. But we do think it should be a matter of personal choice and for that reason, I would urge you to vote either 'present' or 'no' on this Bill. Thank you."

Speaker McPike: "The question is, 'Shall House Bill 1393 pass?'

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All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 62 'ayes', 51 'nos', 2 voting 'present'. The Gentleman from Coles, Representative Weaver."

Weaver: "Mr. Speaker, I request a Verification of the Affirmative."

Speaker McPike: "The Gentleman asks for a verification. Mr. Clerk, read the absentees...poll the absentees."

Clerk Leone: "A poll of those not voting. Representative Krska is the only Member who's not absent, who is not voting."

Speaker McPike: "Proceed with the 'aye' votes, Mr. Clerk. Representative Mulcahey."

Mulcahey: "Could I be verified now, please?"

Speaker McPike: "Mr. Mulcahey would like to be verified. Mr. Weaver. Yes. Proceed, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Balanoff. Barnes. Bowman. Brunsvold. Bugielski. Cullerton. Currie. Davis. DeJaegher. DeLeo. Deuchler. Didrickson. Doederlein. Dunn. Farley. Flowers. Virginia Frederick. Giglio. Giorgi. Granberg. Harris..."

Speaker McPike: "Excuse me, Representative Bugielski would like to have leave to be verified. He's in the center aisle. Proceed, Mr. Clerk."

Clerk Leone: "Lou Jones. Shirley Jones. Keane. Kirkland. Kubik. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Parcels. William Peterson. Phelps. Piel. Preston. Regan. Ronan. Santiago. Satterthwaite. Steczo. Stern. Sutker. Trotter. Turner. Wennlund. White. Williams. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker McPike: "Representative Bowman asks leave to be verified."

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Questions of the affirmative, Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. Mr. Leverenz?"

Speaker McPike: "Representative Leverenz. Representative
Leverenz is over here. Any others?"

Weaver: "Representative Ronan?"

Speaker McPike: "Representative Al Ronan. Representative Ronan.
Is the Gentleman here? Remove Representative Ronan from
the Roll."

Weaver: "Representative Ropp?"

Speaker McPike: "Representative Ropp..."

Weaver: "Excuse me, he's voting negative."

Speaker McPike: "...is voting negative."

Weaver: "Representative Harris?"

Speaker McPike: "Representative Harris. Representative Harris.
Is the Gentleman here? Remove Representative Harris from
the Roll Call."

Weaver: "Representative Wennlund?"

Speaker McPike: "Representative Ronan has returned. Return
Representative Ronan to the Roll Call. Representative
Harris has returned. Return Representative Harris to the
Roll Call. Any further questions?"

Weaver: "Representative Farley?"

Speaker McPike: "Mr. Farley. Representative Farley.
Representative Krska would like to vote 'aye'. Mr. Clerk,
record Representative Krska as 'aye'. Representative
Kulas, for what reason do you rise? To be verified?
Representative Kulas asks leave to be verified. Now, Mr.
Farley, is Representative Farley in the chamber? Mr.
Farley here? Mr. Farley is not here. Remove...remove
Representative Farley from the Roll. Representative Keane
and Representative Currie ask to be verified, they're right
here. Mr. Weaver, is that alright? Thank you. Any
further questions?"

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Weaver: "Representative Granberg?"

Speaker McPike: "Mr. Granberg. Representative Granberg. Representative Morrow would like leave to be verified. He's right here in front. Representative Morrow has leave. Representative Van Duyne. Representative Van Duyne would like to change from 'no' to 'aye', and Representative Shaw would like to change from 'no' to 'aye'. Now, Representative Weaver, do you have any further questions?"

Weaver: "Yes, Mr. Speaker. Representative Laurino?"

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

Weaver: "Representative DeLeo?"

Speaker McPike: "Mr. DeLeo. Representative DeLeo here? Representative DeLeo's not here, remove him from the Roll Call."

Weaver: "Representative Turner?"

Speaker McPike: "Mr. Turner. Representative Turner. Art Turner. Representative Turner. The Gentleman is not in the chamber. Remove Mr. Turner from the Roll. Further questions?"

Weaver: "Representative Ryder? Excuse me, he's voting negative. Representative Goforth?"

Speaker McPike: "He's voting negative, Sir. Do you have further questions?"

Weaver: "Representative Woolard?"

Speaker McPike: "Representative Woolard is voting 'no' also, Sir. That's three in a row."

Weaver: "Okay, how about Representative Giorgi?"

Speaker McPike: "Representative Giorgi's here. Further questions, Sir?"

Weaver: "Representative Williams?"

Speaker McPike: "He's here, Sir."

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Weaver: "There he is, okay. Is Representative Phelps here?"

Speaker McPike: "Yes, he's here."

Weaver: "Representative White?"

Speaker McPike: "Yes, he's here."

Weaver: "On the right side."

Speaker McPike: "Further questions, Sir?"

Weaver: "Representative Novak?"

Speaker McPike: "Representative, you're being dilatory. That's the fourth or fifth one that's voting 'no'. Now, do you have any further questions?"

Weaver: "No further."

Speaker McPike: "The Gentleman has no further. On this Bill there are 61 voting 'aye', 49 voting two (sic - 'no'), 2 voting 'present'. House Bill 1393, having received the Constitutional Majority is hereby declared passed. Representative Dunn."

Dunn: "Thank you, Mr. Speaker. While we have just a moment of lull, I'd like to announce for the record that there's a Bill on this Consent Calendar, House Bill 1832, which involves title insurance. And I'm a member of Attorney's Title Insurance Company and this is an agreed Bill, all worked out to the best of my knowledge, and I intend to vote my conscience on that Bill. Thank you."

Speaker McPike: "Very well. And Representative Williams. Representative Williams, did you want to make a statement in regards to the agreed..."

Williams: "Yes, I did. It was in conjunction with Representative Ewing. I'm also a member of the Attorney's Title...but there is some additional language, legislative intent language, that had to be input into the record as regards 1832. I would...if you would give me a moment, I would like to refer with Representative Ewing in regards to this language."

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Speaker McPike: "Yeah, Representative Ewing is in the chamber."

Williams: "Okay."

Speaker McPike: "Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, if you'll bear with us here, we want to go to...we want this in the record now. You prepared...we prepared to do that?"

Speaker McPike: "Yes. Yes."

Ewing: "We have a couple of questions that we'd like to have read into the record and answers in regard to House Bill 1832, so please bear with me. Would the Sponsor yield for a question?"

Speaker McPike: "Yes. Representative Williams."

Williams: "Yes."

Ewing: "The Bill requires that a producer of title insurance business or an associate..."

Speaker McPike: "Excuse me. Excuse me. Mr. Clerk, put this Bill number up on the board. It's 1832, is that correct? Mr. Williams."

Williams: "That is correct."

Ewing: "1832."

Speaker McPike: "1832. And it's on the agreed #2. Proceed, Sir."

Ewing: "I'll start over with the question. The Bill requires that a producer of title insurance business or an associate of such producer disclose the financial interest of the producer or associate in the title company or agent and give an estimate of the charges to be paid if the producer or associate refers title business to the company or agent. This disclosure is to be given prior to the time of the issuance for the commitment of title insurance. When would an attorney, representing a party and writing title insurance as a producer of title insurance business, give the disclosure to the other party, to the transaction

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assuming that disclosure was properly and timely made to the client?"

Williams: "A producer of a...or an associate of a title business, the producer, would issue a title commitment for a party who the producer represents could make the disclosure to the other party as late as the time the producer sends the commitment to the other party, together with the statement that the other party can obtain title insurance coverage, which the other party may be obliged to supply from producing. This disclosure will be made within a reasonable time after the identity of the other party is known and is ample time prior to closing."

Ewing: "Thank you, for that very clear and concise answer. I have another question for you. Independent escrowees are covered by the Bill. Certain parties are excluded from the definition of independent escrowee, including attorneys in the attorney-client relationship. Would this exclusion be construed to include a person who is an attorney acting as trustee or escrowee in a starker or transaction or other similar transactions?"

Williams: "The attorney-client relationship exclusion to the definition of independent escrowee under the Bill should be construed to include the relationship established when a person with a licensed attorney is retained by the parties to act solely as escrowee, trustee or other capacity in effectuating a starker or exchange or other similar transaction, structured to obtain favorable tax treatment under the Internal Revenue Code or other tax law."

Ewing: "Yes, Mr. Speaker, with those answers to the questions, I think that House Bill 1832 is an excellent piece of legislation. And while I..."

Williams: "You're a member, a member, you're a member."

Ewing: "The Amendment is an excellent...this would make an

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excellent..."

Williams: "You are a member..."

Ewing: "Yes. Yes, thank you. This is an excellent piece of legislation. I am a member and a stockholder in Attorney's Title. And I want that to show on the record, that I have a possible conflict of interest, but will vote my conscience. Thank you."

Williams: "And I, too, in closing want to say that I am a member of the Attorney's Title, and I do have possible conflicts, but I do intend to vote my conscience for the best interests of the industry. Thank you very much, Mr. Speaker."

Speaker McPike: "The next Bill is House Bill 1489, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1489, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Terzich."

Terzich: "Yes, Mr. Speaker. House Bill 1489 amends the Civil Procedure Act to require a court order for private detective or licensed employees of private detective's agency to serve process. And also, Amendment #1 to the Bill merely sets forth the state's public policy position that fathers should have a say in the decision by the mother whether or not to abort their unborn child. And I would urge your support."

Speaker McPike: "The Gentleman moves for passage of 1489. Being no discussion, the question is, 'Shall this Bill pass?' All those in favor vote...Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. I'm going to speak to the underlying Bill and I suspect there are others who will want to speak to the Amendment which was mumbled through. The underlying Bill changes the law back to the way it was before three years ago, when we made a change in the law

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and would allow...would require that detectives and their employees who make service...who are going to make service of process, have to go to a...have to get permission, and this usually occurs through a...an attorney who files a lawsuit, that attorney going to a judge and getting permission for that detective to make service of process. Outside of Cook County, certainly, questionably inside of Cook County, but the law now excludes Cook County. It's a complete waste of time to require an attorney in each kind of case where he would like a detective to serve process rather than the sheriff's office to go and bother a judge, interrupt a judge's time, interrupt his own time, to get a specific appointment for this case. And we made the change in the law three or four years ago. It was a good change in the law and this attempts to reverse it. Detectives are qualified to make service of process. They have to be licensed by the Department of Professional Regulation. They have to have insurance. There's also a good argument, I think, that service of process is something that should occur without harassment by those who are also allowed to do it in the public sector. Sheriffs certainly can spend their time...the sheriff's office most valuable time, certainly, is attempting to solve crimes and cause arrests as opposed to serving process and that's why there's a two tiered system. And to change the law back to just basically harass detectives who are also qualified to serve process and waste the time of lawyers and judges is a bad change, and I rise in opposition to this Bill for that reason."

Speaker McPike: "Representative Flowers."

Flowers: "Mr. Speaker, Ladies and Gentlemen of the House, I agree with the previous speaker that this Bill is a waste of time for lawyers and judges, because it also infringes on

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women's rights. Again, Ladies and Gentlemen, this Bill is a Bill that says, 'Any man who claims to be the father can stop a woman from having an abortion', and I would truly urge your 'no' vote on House Bill 1489. Thank you very much."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. I rise in the same vein. The underlying Amendment that was adopted, and it was sponsored by Representative Pedersen is clearly unconstitutional. It does infringe upon women's rights. There was a case, Planned Parenthood of Central Missouri versus DanForth, which clearly stated that a male, a husband, could not infringe upon a woman's decision and that it had to be a joint decision. And here we are asking in this Bill that any man may claim to be the father. Please, a 'no' vote is the right vote."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment that we put on this Bill was bad when we put it on the Bill. It's still bad. It's not going away. I envision designated fathers running around the state claiming that they're the father of children to stop abortions. This is a bad Bill. It's discriminatory. It is unconstitutional and it's unfair to women and I urge a 'no' vote."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I rise in support of the Bill and I, too, would like to address the Amendment. I don't know that this was made clear in the debate when the Amendment was adopted, but there's already a law which to some degree permits precisely what's being done here. This is not cut out of whole cloth. If you look at the Amendment, you will note that it amends an already existing

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Act. And if you read the language of the current law, it is not very much different at all. As a matter of fact, as currently, the relevant portion reads as follows: 'In any case when a married woman wishes to have an abortion performed upon her and her spouse, who is the father of the unborn child, is opposed to the performance of that abortion, a court may hear testimony from both parties and balance the rights and interests of those parties.' That is current law. And if you look at the Amendment, you'll see that I'm right. This has been on the books for some number of years. What Representative Terzich seeks to do by reference to Amendment #1 is not wacky. It's not uninformed. It's not unconstitutional. It is a refinement of currently existing law, and I stand in strong support of this Amendment and the Bill."

Speaker McPike: "Representative Terzich, to close."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Bill, of course, has been...has the support of the Illinois Sheriff's Association as well as the Illinois Pro-Life Coalition of Illinois. As the previous speaker stated that this merely outlines the father's rights onto...to be an additional part of objecting to the taking of a life through an abortion process and I would urge your support."

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

Homer: "Thank you, Mr. Speaker. This Bill had a full debate the other day. This is not a refinement of the current law, which allows husbands to come into court and challenge whether or not their wife will have an abortion. This allows men who father children out of wedlock some jurisdiction and standing to go into court to make...have

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some influence in the decision that the mother makes about that child. Just whether you're for or against abortion, whether you're pro-life or pro-choice, it just strikes me that this concept is so utterly offensive and against our social moral fiber to allow a father of an unwed (sic - unborn) child to have some special standing in our courts. I can't believe that anybody that believes in the moral fiber of our society wants to promote those rights. Fathers of unwed (sic - unborn) children should have no rights over that child, particularly, until there's been a determination of paternity, until that father is making support payments. And to allow this Bill to go forward, I think is wrong and immoral."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I simply would ask for a verification should the Bill receive enough votes to be at passage stage."

Speaker McPike: "Thank you. Representative Ropp."

Ropp: "Thank you, Mr. Speaker. In voting 'no' to allow a young man, who has no concern for matrimony and the familyhood of being a part of the development of that child, certainly seems totally ridiculous and unacceptable in our moral standard of living. I can't imagine that we would allow someone who would just claim to be the father to have that authority and that's what this Amendment, which is in the Bill, does and I certainly oppose it."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 56 'ayes', 47 'nos', 7 voting 'present' and House Bill 1489, having failed to receive a Constitutional Majority is hereby declared lost. Representative Terzich."

Terzich: "You know, I think I would at least have a right to ask for a Poll of the Absentees. I mean, I really don't know

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why and I...also, I have not even had a right to put on Postponed Consideration. So, I wish you would reconsider."

Speaker McPike: "Well, Representative Terzich, I did not see your light on and I apologize. Representative, you're always yelling at me. House Bill 1660, Representative Churchill."

Terzich: "Mr. Speaker..."

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

Clerk O'Brien: "House Bill 1660, a Bill for an Act to amend Sections of the Illinois Dental Practice Act. Third Reading of the Bill."

Speaker McPike: "Representative Churchill."

Churchill: "Mr. Speaker, I would like leave for permission to bring this Bill back to Second Reading for the purpose of an Amendment."

Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Hearing no objections, leave is granted. The Bill's on Second Reading."

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

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In this Bill, this is a dental..."

Speaker McPike: "Excuse me, Representative Churchill. Representative Tate, for what reason do you rise?"

Tate: "Yes, Speaker, on a point of order."

Speaker McPike: "State your point."

Tate: "You know, last night we had an incident where we had a miscommunication with a light and I claimed that...well, the electrician, I think, sometimes inadvertently turns lights off, and not...at no fault of the Speaker or anyone else. And I recognize that you have a very difficult job, but in all due respect in deference to Representative

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Terzich, he claims he had his light on. He was seeking recognition. There were several Members that were directing their comments to you in the Chair, and I'm sure there was confusion. And at least, I think that you should recognize the Member, because we hadn't totally left the Bill when he was seeking recognition. And either you give him the courtesy of at least..."

Speaker McPike: "Representative Tate, would you state your point of order?"

Tate: "Okay. My point is, is I think the Legislator, as a Member of this Body, is at least inclined to have his Bill put on Postponed Consideration, a courtesy that the Chair gives to each and every Member. And he did have 56 votes, which was very close to passage. And we've called Bills in this chamber where more..."

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

Tate: "...We've had on Postponed Consideration and I would ask you to recognize Representative Terzich for that purpose."

Speaker McPike: "The Chair declared that the Bill was lost and we are now on House Bill 1660. Representative Churchill, proceed."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the chamber. This Amendment places the Bill back in the situation that it exists in the statute at this point. Originally in the underlying Bill, there was an attempt to change how colleges were accredited for dentistry. And there was some dispute between the department and the members of the Dental Society and rather than allow that dispute to continue on, we've agreed to amend the Bill back to its current position and proceed with the Bill. I would ask for the adoption of the Amendment."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. Is there any discussion? Representative

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Breslin, on the Amendment."

Breslin: "Thank you. Thank you, Mr. Speaker. Representative Churchill, will you yield for a question?"

Churchill: "Yes."

Breslin: "Representative Churchill, for clarification purposes, does this Amendment delete Amendment #2 with regard to the exemption from civil liability for free care?"

Churchill: "I hope not."

Breslin: "Okay, so that provision in Amendment #2 remains. Is that correct?"

Churchill: "It should, yes."

Breslin: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "The Gentleman asks leave to...Third Reading. The Gentleman asked leave to hear the Bill at this time. Are there any objections? Hearing none, the Attendance Roll Call will be used. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1660, a Bill for an Act to amend and repeal Sections of the Illinois Dental Practice Act. Third Reading of the Bill."

Speaker McPike: "Representative Churchill."

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Dental Practice Act Clean-Up Bill, and there have been several parts of this that have been deleted, but currently the Bill stands as follows. It would establish temporary training licenses for persons who wish to practice dentistry. It would establish a procedure for placing a dental license or dental hygienist certificate on inactive status. It streamlines the

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procedures for licensing by endorsement. It requires disciplinary action with regard to a dental license to be commenced within three years of a complaint or a conviction. And it provides for certain advertising disclaimers for general dentistry who are using specialty terms in their advertising. I don't think there's anybody who objects to the Bill, and I would ask for an 'aye' vote at this time."

Speaker McPike: "Is there any discussion? The question is, 'Shall House Bill 1660 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there 111 'ayes', no 'nays', 1 voting 'present'. House Bill 1660, having received a Constitutional Majority, is hereby declared passed. House Bill 1690, Representative McCracken. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1690, a Bill for an Act in relation to Premarital Agreements. Third Reading of the Bill."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This Bill would create for Illinois, the Uniform Premarital Agreement Act, specified that the agreement must be in writing to be enforceable and certain other procedural matters primarily. To the extent any substantive matters are included, but not addressed specifically, the parties are free to contract between themselves for anything that is not against public policy or...subject to void. So I move its passage."

Speaker McPike: "Is there any discussion? Representative Hultgren."

Hultgren: "One question, if the Sponsor will yield."

Speaker McPike: "Yes, proceed."

Hultgren: "Is this recommended by the Uniform Laws Commissioners?"

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McCracken: "Yes."

Hultgren: "Thank you very much."

Speaker McPike: "Further discussion? Question is, 'Shall House Bill 1690 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Representative Curran, 'aye'. On this Bill there are 113 'ayes', no 'nays', none voting 'present'. House Bill 1690, having received a Constitutional Majority, is hereby declared passed. House Bill 1737, Representative John Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1737, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, this is a mechanical Bill that I know of no opposition. It relates to the Code of Civil Procedure in Bills of particulars and dovetails the time for filing those Bills of particulars to the same time limit schedule as response for pleadings. I know of no opposition. I ask for a favorable vote."

Speaker McPike: "There being no discussion, the question is, 'Shall House Bill 1737 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 100 and... Representative Dunn, do you want to vote on your Bill? Like to vote 'aye'. On this Bill there are 110 'ayes', no 'nays', none voting 'present'. House Bill 1737, having received the Constitutional Majority is hereby declared passed. House Bill 1738, Representative Dunn. Read the Bill, Mr. Clerk."

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

Speaker McPike: "Representative Giglio in the Chair."

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Clerk O'Brien: "House Bill 1738, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a Bill, I believe I could even vote for. It...It relates to summons to confirm a conditional judgment. It extends the return date on those from ten to twenty-one days. What happens is, lawyers are going to court, they file these summons, and the sheriff wouldn't have time to get them back. So this changes the return date from ten to twenty-one days. I ask for your 'aye' vote. I know of no opposition."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of House Bill 1738 vote 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no', 1 voting 'present'. House Bill 1738, having received the required Constitutional Majority is hereby declared passed. House Bill 1974, Representative Stange. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1974, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Giglio: "Representative Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1974 is a simple Bill. Provides that in determining child custody, the court must consider evidence of willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and a child. I move for its adoption."

Speaker Giglio: "Any discussion? The Gentleman (sic - Lady) from Cook, Representative Flowers. Do you want to talk on

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this?"

Flowers: "Representative Stange, what is the penalty if the two parents are not able to facilitate this?"

Stange: "I don't know at this time. I don't know at this time."

Flowers: "You don't know at this time? Well, if I got a divorce from this man, obviously...well, I did get married, okay, and now...If I got a divorce from him, obviously we could not even facilitate our relationship, so how would it be possible that he and I could possibly facilitate a relationship that would be cohesive enough that we can have...encourage a close relationship with our child? You know, I'm going to do the best I can to encourage my relationship with my child, but I cannot make him have the same feelings. So, what is the point? I don't understand this piece of legislation."

Stange: "They're trying to, basically, encourage the parents somewhat to have a closer relationship with the other one to encourage the child on liking both parents basically."

Flowers: "Why is it that we did not pass this legislation to encourage the parents to stay together? I mean, this, to me, seems to be after the fact."

Stange: "It's basically the encouraging a parent and a child, not the two parents."

Flowers: "So how would I ask the mother, who has custody of the child, facilitate this relationship with the father? And if I cannot do it, what would be my consequences or what would happen to the father who choose not to participate?"

Stange: "To my knowledge, there's no consequences involved whatsoever. There's no court penalty or any of that. We're just trying to have a better relationship with the child and the two parents."

Flowers: "I think this is...it sounds good. You know, the Bill reads of willingness and the ability of each parent to

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facilitate and encourage a close and continuing relationship between other parent and the child. But what, what is the consequences? What is the purpose? And what if it doesn't work?"

Stange: "There's no consequences at all in this."

Flowers: "What is the purpose of the legislation?"

Stange: "It's so often...so often that the parents will make it hard on the child regarding the other parent. With this legislation, we're just trying to have a better encouragement with both parents working with one another for the purpose of that child."

Flowers: "But they could do that when they took the vows and promised to death do us part. So, you know, Ladies and Gentlemen, to the Bill, I think the Bill is, you know, the Gentleman is to be commended and if this was a more perfect world, I would be more than happy to support you. But I don't quite understand what is the purpose, what are the consequences, and it's just kind of confusing to me, and I just really need a little clarity here on it."

Stange: "I'm just trying to encourage the parent and a child for a better, closer and continuing relationship with one another."

Flowers: "Thank you very much."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I rise in opposition to this Bill. While it has good intentions, as the Sponsor of the joint custody provision in the Act, I have heard from too many Judges who indicate that we should have only the concern for the best interest of the child in determining child custody. Continually adding to what should be given weight in the process of determining child custody does not help the process. I remember when the former Chairman of the Judiciary Committee, Aaron Jaffe,

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went to the bench. He deals with these issues constantly. It is his opinion that the only standard we should have in determining child custody should be what is for the best interest of the child. We should not continue to add to the list of what should be given weight. I oppose this Bill."

Speaker Giglio: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "You know, I just am absolutely shocked that people could stand up and oppose a Bill like this. I...You know, sometimes, things come up here, you just...are just beyond me. What this Bill says is that one of the factors that's to be considered in a placing of custody of a child is, 'the willingness and ability of each parent to facilitate and encourage a close and continuing relationship between the other parent and the child.' What that means is the proponent of this Bill says the idea of this Bill is to make sure when there's a divorce that the children don't suffer. That one of the factors to be considered is that the father or the mother, according to who the custodial or non-custodial parent is, make sure that they do what they can to encourage a loving, close relationship between the other parent and the child. In other words that this Bill says when you get divorced, we should do everything we can to make sure the child doesn't suffer. But then, the opponents of the Bill, with due respect, I like them, I respect them, come up with these silly arguments as to why we shouldn't change the law. Listen to the other factors: The wishes of the child or parent; the wish of the child or custodian; the child's adjustment to his home, school and community; mental and physical health of individuals involved. And then people stand up and apparently want to encourage a situation where divorce is rankerous, where

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divorce is...speaks with it a desire on the part of both parents or one parent or the other to stir up animosity between the child and the other parent. That's just foolish. This Bill is something that is so long overdue that it...that I can't believe we haven't amended the law before now. And to stand up in opposition to this Bill, absolutely is the most ridiculous thing that I've ever heard on this House floor, at least in the area of custody law. We've talked for years and years about the decline in the family, and it is a serious matter. The increase in divorce and that's a tremendously serious matter. We talked more importantly than any of those things about the effect on little children of divorce. And all this Bill says is if divorce comes, if the unpleasantness associated with a break-up of a marriage occurs, that at least one of the factors in custody, at least one of the factors in our statute, ought to be that both parents ought to work towards the common interest of a child in making sure that the other parent and a child get along and relate well to one another, rather than causing artificial divisions between a parent and child. This is a great Bill. It's long overdue. And I sure hope that it gets a substantial number of more 'yes' votes than the 60 that sometimes Bills in this area get. Vote..."

Speaker Giglio: "The Gentleman from Jefferson, Representative Hicks. Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. You know, as a divorced person with a child and a child that has come and lived with me for five years, certainly I think that the willingness of the parent to try to encourage the involvement of the divorced parent is very, very difficult when we see many times that families break up. When they

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break up, they's certainly animosity between the two parents. We don't want to see that taken into fact with that child. This Bill simply says that in determining the custody of that child that you're going to look at who's going to best facilitate the close relationship with the opposite parent. I think it's a very fine piece of legislation. I encourage an 'aye' vote."

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

Lang: "Thank you, Mr. Speaker, Members of the House. I rise in support of this legislation. It's long overdue and it's excellent legislation. The previous speaker talked about that the only factor we should consider is the best interest of the child. The most...one of the most important factors determine what the best interests of the child is is how the parents treat the child, how the parents treat each other. What the parent tells the child about the other parent. And that's the key issue here. There are so many divorces where the parents fight each other through the children. And through this type of legislation, we might be able to put a stop to that. If one parent is ripping the other parent to the child, it's not good for the child. And we need to be fostering that kind of relationship, and we need to be causing parents, even in a divorce situation, to understand that what's best for the child is for them to calm down and for them not to use the child as a tool between them. This type of legislation will do that and I very strongly urge a 'green' vote."

Speaker Giglio: "The Gentl...The Lady from Cook, Representative Parcells."

Parcells: "Thank you, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this Bill. I think any Judge would welcome this. It is very

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distasteful to a Judge not to be able to consider this, and according to the law now, he can't consider this. And if he sees something going on where he sees a mother, for instance, is going to try to keep her children from father, or vice versa, a father that's going to keep his children from mother, and not have a friendly relationship, he would like to be able to consider this. And I think it's very important that he be allowed to. He doesn't have to give it any more weight than any of the other things, but it gives him a little more leeway to do this. I've had a personal experience with this. The best thing I ever did was maintain a good relationship, have my children maintain a good relationship with their father. It has paid off enormously in their mental good being and good health by having the love and affection of both parents. And if this does nothing more than encourage that with the parents, it's well worth your 'green' vote."

Speaker Giglio: "The Lady...the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "I rise in opposition to this Bill. While we tend to glorify what can happen in a positive sense, we neglect to look at the opposite side and to see that we're talking here not strictly about trying to promote good relationships between children and both parents, but we are in this case using this as a portion of the decision for who will get child custody. If the person who is receiving child custody realizes that there has been a destructive relationship between the child and the other parent, that evidence may, in fact, be overshadowed in the custody case, because that destructive parent will come in and be the most willing to try to keep a relationship going with both parents. I think that we are in a situation now where the Judge has enough to consider and that we should not

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introduce another factor that will, in fact, promote more destructive child custody arrangements. This is something that is not necessarily in the best interest of the child, and I urge a 'no' vote."

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

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question has been moved. Representative Stange, to close."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a good piece of legislation. We so often forget the child. We so often forget the child in divorce proceedings. We need this Bill. It's long, long overdue. Let's move for its adoption. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 1974 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Representative Sutker, one minute to explain your vote."

Sutker: "Well, I don't think my...my statements need be made, but I wanted to comment that at the Committee Hearings when this matter came up, we indicated that this particular Bill shouldn't be necessary. But it is necessary, because some Judges just don't look at the element that Representative Stange has addressed. I think it's an important Bill. And I urge an 'aye' vote."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 94 voting 'yes', 10 voting 'no', 11 voting 'present'. House Bill 1974, having received the required Constitutional Majority is hereby declared passed. Representative Regan in the Chair."

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Regan: "Thank you very much. I hate to take time out of this busy schedule, but a short introduction for some special children, the Mini Outlaw Midgets. These...a good example of Glasnost, because these children have been invited to Moscow to race their midget auto racers and as well as Kentucky Fried Chicken, I think the Russians are now going to have midget auto races. This group started in 1988. They've raced in city festivals, Rosemont Horizons, small racetracks across the Midwest. On December of '88, a racing delegation from Soviet Union observed the race at Chicagoland Grand Prix and asked us to video tape the main event, send a sports copy, and the result was that they've been invited to race their midget auto races in Moscow. I'd like to now introduce their Manager, Joe Valone, to introduce the little guys and girls."

Valone: "Thank you. This afternoon we've only brought a few of the children with us. Some of them couldn't get out of school. On my right we have Janette Potts from Chicago Heights, Illinois. We have John Zagal from Chicago, Illinois. Jimmy Moore from Dyer, Indiana. Another Zagal, Kevin Zagal, Chicago. And our smallest midget driver, Lisa Zagal. The children will be passing out a flyer that we've made up. I'd appreciate if you read it. I know you are very busy. We thank you for your time."

Regan: "Thank you very much. They'll be Pages all day. Tip them well; they need the money for Moscow."

Speaker Giglio: "House Bill 2043, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2043, a Bill for an Act to amend the Rights of Conscience Act. Third Reading of the Bill."

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

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 2043 corrects an oversight in the freedom of

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conscience, the Right of Conscience Act that's already part of the Illinois Statutes. Current Illinois law does prohibit discrimination against and obtrusive questions of a woman who is refused a medical procedure. For example, an abortion that's contrary to her conscience. What we have found, however, is that the Act does not clearly provide that same protection to a woman whose conscience dictates that abortion is the right choice for her. We've drafted this Bill, the advocates who proposed it to me, after hearing of a woman who was fired from her job in a small business, terminated because of her decision to obtain an abortion. And while we believe that it is quite legitimate for people not to have these questions asked of them if their decision is not to choose an abortion, we believe that kind of right should be available to people whose choice is for abortion as well. As far as we are able to determine, a woman under Illinois present law, a woman who is fired for exercising that choice, a woman who is asked that kind of question during an employment interview, would have no recourse. And the Amendment, as I say, is merely to make sure that all kinds of privacy rights are protected under our Right of Conscience Act. It is a...an issue of privacy, not an issue of pro or anti choice. I would be happy to answer your questions. And I would appreciate your support for a Bill that would provide for all women facing issues of birth or abortion, the same kind of protection against employment and other discrimination in this state."

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

Johnson: "I think everybody ought to... ought to pay attention to what this Bill does. First of all, it covers private as well as public employers. Secondly, it allows for treble

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damages, including pain and suffering under circumstances that are covered by this Bill. And let me just tell you some situations that would be covered by this change in the law, this dramatic, unreasonable, over-reaching, anti right of conscience change that Representative Currie's trying to make. The Baptist Church, whose tenets of their faith, or Assembly of God or Roman Catholic Church, whose tenets of their faith, oppose abortion have a secretary or somebody on the payroll who announces to the congregation that she's had or is about to have an abortion, and because she works for a church whose faith opposes abortion, she's discharged. That lady would have a right to cause of action, including triple damages against the Baptist Church or the Roman Catholic or Assembly of God Church, because they discharged her for following what she calls her right of conscience. Our staff even suggests, and I agree, that the Catholic Church could be liable for triple damages for denying a woman entry into an order of nuns because of a previous abortion. This is a right to life issue, absolutely, and this Bill, not only flies in the face of any semblance of choice on the part of individual employers, in the private or public sector, but it also says that we no longer have the right to make choices as individual employers, as individual housing entities or otherwise, in making decisions in certain areas. Now I agree that the law ought to prohibit discrimination based on race, and it ought to prohibit discrimination based on national origin and so forth. But when somebody then carries that principle to the place of saying you, as an individual church employer or private employer, can't exercise discretion, because somebody chooses to do something that in your opinion as an employer is morally wrong, then we've gone so far in this country that we're

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really arrived at 1984 five years late. This Bill, and I want to tone down some of my comments, because I really like the Sponsor and I know she's well intended, is an outrageous Bill. It goes so far in intruding in the private sector that we really become a statist form of government. This has the absolute ability to infringe on individual's right to conscience who run individual employment entities, who are in church positions, who exercise their right to conscience, to do what they think is right in individual areas of choice, and I think it's an absolute...such an over-reaching concept with such ramifications for the future and such ramifications for mischief in our society, in our government, in our legal system, that it ought to go down with one of the most overwhelming votes of anything that's ever come up in here. It's a terrible Bill and it ought to be overwhelmingly defeated."

Speaker Giglio: "Representative Currie."

Currie: "With the assurance that we can get back to this Bill, may we take the Bill out of the record at this time?"

Speaker Giglio: "Mr. Clerk, take the Bill out of the record."

Currie: "With the assurance?"

Speaker Giglio: "Of course. Alright, on page 1 of the Special Order appears Government Administration. House Bill 38, on page 9 of the Calendar, Anthony Young. Representative Young. Representative Young, House Bill 38... Out of the record. Representative Giorgi, 121. Representative Giorgi in the chamber? Out of the record. Representative Granberg. Representative Giorgi, are you ready? Mr. McCracken, for what purpose do you rise, Sir?"

McCracken: "Can't we finish the call we were on? I mean do we have to continue to jump around? There's only one Republican Bill left on...No, there are a number of Bills

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left on the call, only one of them is Republican, so I'm not asking this for partisan purposes. But can't we just finish the call?"

Speaker Giglio: "Your remarks are well taken, Representative McCracken. We're going to go back to the call. There are a few Republican Bills on this Order; we want to get those out of here and into the Senate."

McCracken: "Touche."

Speaker Giglio: "Representative Giorgi, are you ready, Sir? 121. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 121, a Bill for an Act to amend an Act concerning fees and salaries. Third Reading. This Bill has been read a second time previously. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Giorgi, on Amendment #1. Representative Giorgi, are you ready on the Amendment, Sir?"

Giorgi: "Yes, Sir. I move for the adoption of Amendment #1, which changes the compensation for assistant regional superintendents to 85 percent and a second assistant 75 percent of the superintendent's top salary. I urge the adoption."

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

McCracken: "I'm sorry I couldn't tell what...what you said. What is it?"

Giorgi: "It changes the compensation for assistant regional superintendents to 85 percent and to second assistants to 75 percent. That's...That's been the case for years."

McCracken: "Alright, and one will be paid at 90 percent rather

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than 85 percent?"

Giorgi: "That's the first assistant."

McCracken: "Okay."

Giorgi: "That's been the habit, I think, and it's all contingent on the..."

McCracken: "Okay."

Giorgi: "...superintendents of..."

Speaker Giglio: "Representative Giorgi."

McCracken: "Speaker."

Speaker Giglio: "Representative McCracken."

McCracken: "I'm just trying to figure out what it does. So all this does is affect the...assistants."

Giorgi: "These are all moot if the educational service regional officers don't get a raise."

McCracken: "It is the assistants only."

Giorgi: "Yes, we're taking care of the assistants, cause their salaries is predicate on what the superintendent makes."

McCracken: "Okay."

Speaker Giglio: "Further discussion? The question...is all those in favor of the Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #2 incorporates House Bill 106 into 121. It provides for the salary increases for the regional superintendents of schools and would make salaries for all of them throughout the state."

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

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Pullen: "I think we should realize, Mr. Speaker and Ladies and Gentlemen of the House, that in putting 106 into this Bill, we're taking a Bill that's still alive on the Calendar and putting it into this one, because some people don't like the form in which 106 currently exists. This Bill has a salary increase, not only for the other regional superintendents, but also for Richard Martwick. That's what this Amendment is about, trying to save Richard Martwick's salary increase that this House has voted to remove in House Bill 106, and I believe this Amendment should be defeated."

Speaker Giglio: "The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Would the Sponsor yield, please?"

Speaker Giglio: "He indicates he will."

Olson, M.: "John, is this Amendment similar to what they were seeking, a \$15,000 increase as is originally predicated?"

Matijevich: "Correct."

Olson, M.: "Thank you very much."

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'd just like to reiterate what Representative Pullen has indicated with regard to the regional superintendent's salary. This would also include Cook County, which includes Richard Martwick. I think it would be best if we had a Roll Call vote. Mr. Speaker, I would think it would be best if we had a Roll Call vote on this particular Amendment. I'd like a Roll Call."

Speaker Giglio: "Representative Matijevich, to close."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I...in handling this matter for the Illinois Association of Regional Superintendents of Schools. They haven't had a pay raise in eight years. If they don't get one this year,

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it will be twelve years without a pay raise. This is the form that they want it in. They want it in this form. I'm not...this isn't something I'm doing on my own. I am handling the Bill for the Illinois Association. If you support the Illinois Association of Regional Superintendents of Schools, and I know many of you do, you're going to vote for this, because this is the way they want it. I appreciate your support."

Speaker Giglio: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 59 voting 'yes', 39 voting 'no', 6 voting 'present' and Amendment #2 has been adopted. Are there further Amendments?"

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

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

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise to offer Amendment #3. As Representative Pullen mentioned on the earlier Amendment...or earlier Amendment...Amendment #3 would take Cook County out of the Bill. As you may know, this House debated this issue earlier this Session on House Bill 106 where we agreed to take Cook County out of the Bill. I'm not going to go into the whole song and dance as to why we should take Cook County out of the Bill other than to say that I think that the current occupant of the office does not deserve a pay raise. If he runs for reelection I think that we ought to show our displeasure on that particular point by adopting Amendment #3. And Mr. Speaker, again I would request a Roll Call on Amendment #3."

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

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I believe that...I believe the last vote we had was an indication that, by an overwhelming majority, you favor the Bill in its present form, as requested by the Illinois Association of Regional Superintendent of Schools. If you vote for this Amendment, believe me, you aren't going to get a vote. You aren't going to get a vote, because the numbers are not there. We have worked on this Bill...so if you, again, as I said I'd appreciate a 'no' vote. Otherwise the Bill will not be in the form that the Illinois Association wants. So I would urge a 'no' vote."

Giglio: "Further discussion? Representative Kubik to close." "

Kubik: "Thank you, Mr. Speaker. And with all due respect to the Sponsor, because I know he feels very strongly about this issue and I think it's just simply a case where we have a strong disagreement about a particular issue. We have voted to exempt Cook County out of a lot of other kinds of legislation. I see this as no different. I remind the Members that we did vote on this and overwhelmingly supported this Amendment earlier in the Session. Nothing's changed since then. Nothing at all has changed. So I would think that we ought to adopt this Amendment and again, Mr. Speaker, I request a Roll Call on this Amendment."

Speaker Giglio: "The question is, 'Shall Amendment #3 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this...The Gentleman from...Representative McCracken."

McCracken: "For a verification."

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Speaker Giglio: "Representative Bowman votes 'no'. Representative Laurino votes 'no'. Representative Grace Mary Stern votes 'no'. Wyvetter Younge votes 'no'. Representative Levin votes 'no'. Anybody else? Anybody else? Representative McCracken."

McCracken: "I withdraw the verification."

Speaker Giglio: "Pardon?"

McCracken: "I withdraw the verification request."

Speaker Giglio: "On this question there are 48 'yes', 54 'no', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Granberg. Is Representative Granberg in the Chamber? House Bill 165. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 165"

Speaker Giglio: "Wait a minute, Mr. Clerk. Representative Giorgi, did I miscommunicate with the signal? Did you want to pass this Bill? Did you want to move it to Third? Well, Representative Giorgi, are you giving me an Italian hand signal now? I got in trouble last night. What are you trying to tell me? You want to move it? Forget it? Roll it? Third Reading? Does the Gentleman have leave to hear this Bill on Third Reading by the Attendance Roll Call? Hearing none, leave is granted. Mr. Clerk, read the Bill. House Bill 121, Mr. Clerk."

Clerk O'Brien: "House Bill 121, a Bill for an Act to amend Fees and Salaries Act. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, this is the pay raise for the educational service region officer chiefs and their first deputies and second deputies. Everyone's familiar with what's entailed in the Bill and I urge an 'aye' vote."

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

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

Speaker Giglio: "He indicates he will."

Kubik: "Representative Giorgi, now that we have both assistant superintendents and superintendents in this legislation, what is the cost of this legislation at this point in time, per year? If it should pass?"

Giorgi: "I think there's a fiscal note. Is there a fiscal note there, Mr. Clerk? Mr. Speaker, the fiscal impact is 140,000 dollars per year through '91...to 1991, and a million and a half per year thereafter."

Kubik: "I'm sorry, Representative Giorgi...After '91 it is what?"

Giorgi: "1.5 million. And the note here says it's far less than an expanded state bureaucracy. I don't know what that means."

Kubik: "Okay. So what we're talking about is, after '91, after the new election, after all of the regional superintendents have received a 15,000 dollar pay raise and the assistants have...we're talking about a million and a half dollars, and those funds come from where? Are they State funds?"

Giorgi: "State funds."

Kubik: "So we're taking a million and a half dollars of State funds to pay for this pay raise."

Giorgi: "That's correct. Out of a 20 billion dollar State budget. A million and a half. What is that, one-hundredth of one percent?"

Kubik: "To the Bill, Mr. Speaker."

Speaker Giglio: "Proceed."

Kubik: "Mr. Speaker, Ladies and Gentlemen of the House. I think what we ought to keep in mind is two things. Number one, we just passed an Amendment which has included Cook County into the legislation, so this is a pay raise for all of the

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regional superintendent throughout the State, and what we're saying, Ladies and Gentlemen is, that we're going to pay a million and a half bucks each year for an office which is...which official responsibilities are dubious at best. But we're not going to buy one schoolbook, we're not going to employ one more teacher, we're not going to employ one more principal, but what we're going to do is to pay a million and a half bucks to pay for a bureaucracy which should've been eliminated a long time ago. So, you know, I think we ought to consider very carefully. We passed a tax increase last week. That money's going back to local schools and now we're taking a million and a half bucks and we're going to put it into nothing more than bureaucracy. I think it really...we ought to think carefully before we vote in favor of this legislation. I would urge a 'no' vote on House Bill 121."

Speaker Giglio: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, another way of looking at this is, try to figure out what your superintendents of schools are making. What your principals are making. Presently, the highest paid, and that's in Cook County, the highest paid regional superintendent of schools is 45,000, and it goes down to 36,000. I don't think we ought to punish somebody just because they're elected. I don't think just because somebody is elected that they have to wait eight years, or if this isn't passed, 12 years for a salary increase. You know, I think we sometimes go overboard because a position is elected. How many of you are screaming about the salaries of superintendents in your school districts? How many of you are screaming about your principals salaries? Assistant principals, who are making more than this. Just

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because they're elected, you're going to punish them? I don't think that makes sense. I know in my district, the regional superintendent is a Republican, and she does a hell of a job, and she deserves much more than what she's getting and what she's going to get here. And I...And we had a Republican before her, and he did a good job. I would urge the Members of the House to vote for this Bill, because it is deserved after so many years."

Speaker Giglio: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of the Bill now in the form as it is. The...even if this salary goes into effect, the ESR's will still earn an average of 5,000 dollars less than local superintendents, district superintendents and I believe, as Representative Matijevich said that I feel like this denies the validity of the elective process. And I believe that this office is justified in asking for this request."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, let's take it out of the record momentarily."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Granberg, 165. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 165, a Bill for an Act to amend an Act in relation to certain control share acquisitions. This Bill's been read a second time previously. Amendments #1 and 2 were adopted in Committee."

Speaker Giglio: "Representative Granberg. Sorry. Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

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

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Currie: "Thank you, Mr. Speaker and Members of the House. The underlying Bill, as I'm sure most of the Members of the Chamber are already aware, would substantially restrict takeover opportunities from Illinois corporations. It would restrict the opportunity of somebody to buy shares and offer...tender offers to shareholders of Illinois corporations. Amendment 3 to this Bill would provide that those provisions, the restrictive tender offer provisions, only go into effect when the shareholders themselves vote conciously to...to make those provisions applicable to the individual company. Most states most of the time do permit shareholders to vote on major changes involving the governance of a corporation for the good reason that it is the shareholders, after all, who own the company. I think that on an issue as fundamental as whether the shareholders have the right to accept an offer for their stock, the shareholders should have an opportunity to speak before a company invokes these restrictive tender offer opportunities. It's a straightforward proposition. I think it would make for a great deal better balance in the relationship between shareholders and company managers than exists in House Bill 165 as it came out of Committee. Again it's the shareholders who own the company. The shareholders who ought to be consulted before the company managers decide that the shareholders may not accept a tender offer from somebody else. So it's a straightforward proposition and I'd welcome your support to Amendment 3 to House Bill 165."

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

Granberg: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. In all due respect to Representative Currie, the Bill we have today is a carefully crafted, well-balanced

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approach to a very serious issue here in Illinois. Serious negotiations have taken place for months on this very issue. There are currently, in the Bill, there are seven ways for shareholders to opt out of this legislation. It is balanced. This is one of the few issues that you're going to have an opportunity here to vote with business and labor. It's the product of serious and long negotiations. Essentially what this Amendment would do, would kill this legislation and I would stand in opposition to the Amendment."

Speaker Giglio: "Further discussion? The question is, 'Shall the Amendment be adopted?' Representative Currie to close."

Currie: "May I close, please, Mr. Speaker? I would just say that if we want balance in the Bill, this is the way to achieve it. This is a democracy. Shareholders have rights, too. It's not an onerous provision. In most shareholder election opportunities, 80 percent of shareholders vote. There's no question that the percentage of shareholders participating in an election as significant as this would be more than happy so to participate, and there's also no question that management would continue with an opt in rather than an opt out provision to enjoy a very substantial advantage in extending the restrictive tender offer provisions of the underlying concept in House Bill 165."

Speaker Giglio: "The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed say 'no'. The Amendment fails. Further Amendments?"

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

Speaker Giglio: "Representative Granberg on Amendment #4."

Granberg: "Thank you, Mr. Speaker. Amendment 4 merely makes technical changes to an Amendment that was adopted in

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Committee."

Speaker Giglio: "Any discussion on the Amendment? All those in favor say 'aye, those opposed 'nay'. In the opinion of the chair the 'ayes' have it, the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman asks to hear the Bill on Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 165, a Bill for an Act in relation to certain control share acquisitions in business combinations. Third Reading of the Bill."

Speaker Giglio: "Mr. Clerk, he wants to take the Bill out of the record. What? Mr. Granberg."

Granberg: "Mr. Speaker, I believe there's Amendment #4 filed. There's an additional Amendment, I believe."

Speaker Giglio: "We just...we adopted 4. We defeated 3 and we adopted 4, the technical Amendment."

Granberg: "Mr. Speaker, I apologize. Amendment #2 was the technical Amendment. Amendment #4, they were misnumbered, Amendment #4 is...makes more than technical changes to the legislation. If I could have leave to take it back to Second."

Speaker Giglio: "Does the Gentleman have leave to take it back to Second? Hearing none, leave is granted. The Bill's on Second Reading. Mr. Clerk."

Clerk O'Brien: "Amendment #1 and 2 were adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No written Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, Representative Currie's, lost. Floor Amendment #4, Representative Granberg's, was adopted. No further Amendments."

Speaker Giglio: "Representative Granberg."

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Granberg: "Mr. Speaker, could I take this Bill out of the record just for a moment?"

Speaker Giglio: "Take it out of the record, Mr. Clerk. Alright, we'll go back. Anthony Young in the Chamber? 38. Representative Giorgi on 121. Mr. Clerk, read the Bill. House Bill 591, Representative Matijevich. Take it out of the record, Mr. Clerk. House Bill 1257, Representative Balanoff. 1257. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1257, a Bill for an Act to amend the Illinois Vehicle Code. This Bill's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. Mr. Novak has finally returned to the Chamber. The Amendment #1 that I offered to the Bill would apply to new conversion vans. It would not affect the conversion of used vans to a...what is known as a conversion van. Would require that new conversion vans to be sold through licensed dealers who have a manufacturer's sales and service agreement with both the chassis manufacturer and the van conversion company. Answer any questions you might have and would move for the adoption of Amendment #1 (sic- 2)."

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

Countryman: "Thank you Mr. Speaker, Ladies and Gentlemen. I stand in opposition to this Amendment. If you remember, a few days ago, we had Representative Black present an Amendment which was the same thing. What this Amendment

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does is, it says that you can't buy a van converted and then turn around and sell it and I have a man in my district who operates a business, it's a small business, he buys vans, he employs people, he converts these vans and he sells them. I have a number of other people who buy these vans and they sell them. They might be a Ford van, a Chevy van. Somebody converts them, puts a conversion kit in them and they sell them. What this says unless you're a Ford, Chevy, Dodge dealer, you can't sell a converted Ford, Chevy, Dodge van. I think this is a substantial restraint in trade. I think it'll discourage jobs in Illinois and with all due respect to the Sponsor, I think it's a bad Amendment. I ask for a Roll Call and urge you to vote 'no'."

Speaker Giglio: "Before I continue, let the Chair remind the Body that those of you who have not turned in your requests to not be voted on some of the Bills on the Agreed Bill list, you have 5 minutes to turn the yellow paper in. And then on...at this time there was a yellow sheet of paper turned in, what the Representative forgot to put his name on it. They want to vote 'no' on 377 and 1045. So if that person who just turned this in wants to come up and put his name on it it will be recorded. Gentleman from Madison, Representative Stephens."

Stephens: "I just want to make sure I understand the Amendment. I'm getting mixed signals here. If I understand it, conversion companies could still sell the product, they would just...If they don't have an agreement with the manufacturer, then they would have to ...it would have to be listed as a used vehicle. Is that right, Representative Leverenz?"

Leverenz: "Yes. I would suggest that those of you that have a business, and I probably have one in my district that may

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buy a van new, do a lot of extensive interior work and then turn around and sell it. To get by that technicality, rather than to deal with the C.O. on the automobile, that they would simply title it and then when they move the title from one person to another person, technically, it would be considered a used. This does not eliminate anybody from doing that."

Stephens: "Okay. Well, I understand then and I rise in support of the Amendment. I think this is fair to both sides. We're not putting anybody out of business, we're just making sure that everybody understands the rules."

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

Klemm: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know when we first talked about this type of procedure, on an Amendment I think Representative Black had, there was quite a bit of confusion and I think probably the Amendment was drafted hastily and didn't cover the protection that I think we want for our consumers. In reading this Amendment, it certainly appears clear that a buyer of a converted van certainly has to have some protection that they'll receive the service, they'll receive the warranty work, that will be done and have that commitment by a reliable business person. Well, in trying to allow the free marketplace to work, I think this compromised Amendment which will allow those who convert the vans to be able to sell the vans and yet still give the consumer that protection that we're looking for and yet doesn't curtail the free marketplace; that this Amendment seems to be an excellent piece of compromise and therefore I think we should all support it and I stand in its support."

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

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

Speaker Giglio: "He indicates he will."

McNamara: "In regards to this Amendment I understand that the van can be titled as a used vehicle or will be titled as a used vehicle and then can be sold by anyone, is that correct?"

Leverenz: "That is correct."

McNamara: "If that is the case, what effect may this have on new van warranties? Will the new van warranties on the engine, the chassis, the parts that are not under the conversion, would they still be honored?"

Leverenz: "It does not affect new warranties."

McNamara: "Even...In some warranty languages, when a vehicle is transferred and becomes a used vehicle, it is not applied the same warranty as a new vehicle does. You're saying it does not affect that?"

Leverenz: "That's correct."

McNamara: "Thank you, very much."

Speaker Giglio: "Further discussion? The Gentleman from DuPage, Representative Barger."

Barger: "Would the Sponsor yield for some questions?"

Speaker Giglio: "He indicates he will."

Barger: "Mr. Leverenz, how do you handle the taxation on this, buying the thing new and then reselling it again as used? Do we end up paying double the amount of taxes, or how can that be handled?"

Leverenz: "I'm unfamiliar with...I know what the ROT forms are, the ROT forms. I don't know about the technicality of your question."

Barger: "But you can see where it would end up with the final vehicle that's being sold being double taxed, because it's taxed when it's purchased by the converter and then taxed again when it's purchased by the ultimate consumer."

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Leverenz: "Yes. And I think that there is a portion of the form whereas if that person has a dealer license issued by the Secretary of State, it then goes untaxed as that person handles it and is taxed when that person sells it."

Barger: "Now what would happen if a conversion company in Indiana were to convert vans and then send them over here to be sold?"

Leverenz: "No, I think it would be that the person that is selling it would be.. have to be classified as a new dealer."

Barger: "A new car dealer."

Leverenz: "Correct."

Barger: "Okay. I hope these things you think are right are, because it would make it a lot easier to support it."

Leverenz: "I'm relying on Mr. Churchill's nods yes, and my staffer blowing in my ear to my right."

Barger: "Your staffer's blowing in your ear, might be pleasant, but you can't always tell about a Republican's nodding. Sometimes they nod off just listening to the discussion on the floor. Thank you very much."

Leverenz: "I sometimes resemble that remark."

Speaker Giglio: "Representative Leverenz to close."

Leverenz: "Thank you Mr. Speaker and Members of the Assembly. This is the compromise Amendment. I believe that it has been made clear. I would ask for your 'aye' vote to adopt it."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Somebody want a Roll Call? Roll Call. Mr. Clerk. All those in favor of the Amendment vote 'aye', those opposed vote 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 93

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voting 'yes', 10 voting 'no', one voting 'present'. Vote Representative Shaw 'aye'. There are now 95 voting 'aye' and 10 voting 'no' and one voting 'present' and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1257, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Giglio: "The Representative from Chicago, Representative Balanoff."

Balanoff: "Yes. I'd like to have leave for Representative Leverenz to explain the Bill."

Speaker Giglio: "Representative Leverenz. On House Bill 1257."

Leverenz: "Thank you, Mr. Speaker. I join with Representative Balanoff on his Bill. We've just discussed this Amendment. It provides for the dealership certification on new vans. I'd ask for your 'aye' vote to pass the Bill."

Speaker Giglio: "The question is, 'Shall House Bill 1257 pass?'. All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final action. The Gentleman from DeKalb, Representative Countryman, one minute to explain your vote."

Countryman: "Thank you, Mr. Speaker. I had my light on, you didn't recognize me. I guess the Roll Call won't be much different, but if you want to restrain trade in Illinois, vote 'yes'."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 95 voting 'yes', 13 voting 'no', two voting 'present'. House Bill 1257 having received the required Constitutional Majority is hereby declared passed. Representative Trotter, 2215. Do you want to call this Bill, Sir? Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 2215, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Keane, for what purpose do you seek recognition, Sir?"

Keane: "Withdraw Amendment #2. Is that my Amendment? Oh, I'm sorry."

Speaker Giglio: "Representative Keane, this is House Bill 2215, Representative Trotter. Out of the record? Oh. Representative Santiago. Miguel. Are you ready, Sir?"

Santiago: "Yeah. Hold on a minute."

Speaker Giglio: "Alright. Take your time."

Santiago: "Mr. Speaker. Basically, Amendment #1, what it does... Amendment #2, what it...the main objective is, I have in my community a severe problem that the people in my neighborhood are being ripped off by unscrupulous attorneys."

Speaker Giglio: "Excuse me, Rep...Santiago. Representative Cullerton, for what purpose do you rise? Representative Cullerton."

Cullerton: "On behalf of the unscrupulous attorneys, I'd like to ask if this Amendment is germane."

Speaker Giglio: "Mr. Parliamentarian. While we're looking at the Bill and the Amendment, we'll let Mr. Santiago continue. Everybody has their say in this Body. Representative Santiago."

Santiago: "Well, I'm not here to bash anyone, but I think that this is a good consumer rights, a good consumer protection

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Amendment which is very important to my community. I know it's a controversial Bill because we have lots of attorneys here in this Body...I feel that I'm taking the opportunity to amend the Bill so that we could throw lawyers and doctors in the same bowl and what's good for the doctors, what's good for the nurses, what's good for the teachers has got to be good also for the lawyers. So...And I urge...I know there's a Motion declaring the Amendment... asking that the Amendment's not germane. I will ask for the Parliamentarian to give me a decision on the Amendment before I continue."

Speaker Giglio: "Representative, the Parliamentarian informs the Chair that the Amendment is not germane to the Bill. Are there further Amendments? Are there further Amendments?"

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

Speaker Giglio: "Representative Regan, for what purpose do you seek recognition?"

Regan: "Mr. Speaker, Members of the House. My mother told my sister, marry a doctor or a lawyer or a CPA. It's got to be germane."

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

Ronan: "I want to table #3. It's in improper wording."

Speaker Giglio: "Withdraw. Withdraw Amendment #3, Mr. Clerk. Are there further Amendments?"

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

Speaker Giglio: "Representative Trotter on Amendment #4."

Trotter: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #4 actually becomes the Bill. I got this Bill out of Consumer Protection Committee as a shell Bill because some of the language that we had in our original Bill was duplicative and there was some ideas that

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were, in our Bill that was already being implemented. So I was allowed to get the Bill out. What this Bill started out to do as a very simple Bill is our right to know. Our right to know about those physicians that practice in our community. This Bill asks a very simple question that those physicians who come into our community and desire to practice here in the State of Illinois, that as a prerequisite, must submit disciplinary records if in fact they have practiced here...in another state or another country. If they're from another country and cannot get those records in good faith, they must still make the effort to do so. This Bill asks that nothing more than what we do with any other businesses in our community that are governed and regulated by the Better Business Bureau. We're asking that the Department of Regulations ask for these...ask for these records of these physicians and that they become available to the general public. We ask that the doctors who have not in the past have done a very good job in regulating themselves utilize those two public members that are presently on their school...on their board. Presently they have a board made up of 9 members, seven which are physicians, two which are from the public. Those two members are appointed by the Governor and those appointments are ratified by the Senate. We ask that those two members be allowed to vote on those Committees and on their peer review board. Vote for the public interest. Thirdly, we're asking again a very simple thing. That this information be given to the general public and it be accessible to the general public. And what I ask at this time is that we vote 'aye' for this Amendment and utilize it as the Bill."

Speaker Giglio: "Before we go any further, the time for those of you that wanted to change your votes on the Consent

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Calendar has now been closed. The Clerk will now take those messages up and record them. The Gentleman from Morgan, Representative Ryder on the Amendment."

Ryder: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Ryder: "Thank you. Representative, you propose to have two public members of the Medical Disciplinary Board have voting privileges. Are those members of the Board now...Don't they have public members now?"

Trotter: "No, they do not, Sir. They are..."

Ryder: "They don't have public members?"

Trotter: "No, they do have two public members. It's a 9 member board, 7 of which are physicians. They have two public members, but those...in instances of making a decision, they are not allowed to vote and we're asking that these two public members...they just sit on the board and hear what's going on but do not vote on any kind of actions there."

Ryder: "Are there public members of disciplinary boards for other professions?"

Trotter: "Yes, there are. Some, yes."

Ryder: "Are they allowed to vote?"

Trotter: "Yes. And there are 36..."

Ryder: "For the attorneys, for example?"

Trotter: "I'm not familiar with attorneys, but in 36 states here in these United States, they do have public members and they do vote."

Ryder: "But, in Illinois.."

Trotter: "In Illinois, I'm not familiar if the physicians do or not, Sir. Excuse me, the attorneys do or not."

Ryder: "Okay. I would suggest then in that case, they are not. I would suggest that what you're doing is establishing a precedent for Illinois, according to Illinois boards, would

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that not be correct?"

Trotter: "I'm establishing a precedent for the Medical Practice Act, yes."

Ryder: "I understand you wish to limit it to that. What I'm saying is that you're establishing a precedent for all of these boards by having public members vote. That would be correct, right?"

Trotter: "That can be viewed as such. That can be viewed as such."

Ryder: "I stand in opposition for the Amendment. It appears that what we're trying to do by an Amendment is to establish a statewide precedent so that all disciplinary boards for all professions would then have public members have the ability to make votes, perhaps the deciding votes in these very important, in some cases very complicated decisions. I'm not sure that the public members have the ability either technical or otherwise, to have that kind of influence, and for that reason I would oppose the Bill...or Amendment."

Speaker Giglio: "Further discussion? Representative Ryder."

Ryder: "I was just asking for a Roll Call vote, please."

Speaker Giglio: "Representative Trotter to close."

Trotter: "Thank you very much, Speaker, Members of the House. This isn't an attack on any profession, be it doctors or lawyers. This again, as I stated earlier in my opening remarks, is just a right to know Bill. It's an inherent right that we have knowledge of who is practicing in our communities. We are asking that...we all understand that God...that doctors themselves are not God nor Godlike, and that they do make mistakes and those mistakes should become public knowledge and should be accessible to the public so we can make the decision of who we're going to, who we're going to contract services with. Again, it's no different than a used car salesman. You wouldn't knowingly go to a

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crook or con man to buy your car. If we have a bad doctor in our midst, then the public should know that. We know in the County of Cook that 36 percent of the malpractice suits are generated by two percent of the doctors. Those two percent of doctors generally practice in the black community. Practice in the Hispanic community. Just like we get the bad meat and the stale bread, we get the bad doctors. We want to regulate this in our community and I ask all to vote 'aye' for this Bill."

Speaker Giglio: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye', those opposed 'nay'. The voting is open. This is a Roll Call vote. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Lady from Cook, Representative Davis."

Davis: "I would like to explain my vote, Mr. Speaker."

Speaker Giglio: "Proceed. One minute."

Davis: "I certainly can appreciate the Medical Society's concern for physicians, but I would certainly beg of them to want physicians who can stand up under the scrutiny of the public's eye. Not only do we need it in our community, you should have this in your community. Therefore, I vote 'aye'. We should see more green votes."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 26 'yes' and 82 'no' and 7 'present' and the Amendment fails. Are there further Amendments?"

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

Speaker Giglio: "Representative Trotter."

Trotter: "I would like to take the Bill out of the record, please."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk."

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House Bill 2326, Representative Dunn. Representative Dunn.

House Bill 2326. Mr. Clerk, Read the Bill."

Clerk Leone: "House Bill 2326, a Bill for an Act to amend an Act concerning use of recyclable paper. It's been read a second time previously. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2326, a Bill for an Act concerning the use of recyclable paper. Third Reading of the Bill."

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

Dunn: "The purpose of this legislation, Mr. Speaker, Ladies and Gentlemen of the House is to set State policy with regard to recyclable paper and the legislation provides that all state agencies must use recyclable paper for their printing purposes unless recyclable paper cannot be used to meet their requirements. For example, it was pointed out to me with regard to the Legislative Digest that the glue used to bind the Digest together renders the Digest non-recyclable. We have legislation on the books which was recently adopted that calls for experimentation, but we generate a lot of paper here in the State of Illinois and that legislation that is on the books exempts printing contracts, if I recall correctly and this would set a statewide policy for us here as state agencies and enable us to set an example to outsiders so that we can save the trees and recycle the paper and I ask for an 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, thank you, Mr. Speaker, Members of the House. I'm proud to rise in support of this legislation. I think we're all very cognizant of the fact that we have really a garbage and landfill crisis in our state. Over 35 percent of what we put in our landfills is paper of some sort."

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This Bill will go a long ways towards helping us to resolve that problem and I urge that this Bill be passed."

Speaker Giglio: "Further discussion? The question is, 'Shall House Bill 2326 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'yes', none voting 'no', none voting 'present'. House Bill 2326, having received the required Constitutional Majority is hereby declared passed. Representative Keane. House Bill 2369. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2369, a Bill for an Act to amend an Act concerning various expenses of State employment. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Withdraw Amendment #1. Are there further Amendments?"

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

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

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

Speaker Giglio: "Matijeich, Keane. Representative Keane."

Keane: "Thank you, Mr. Speaker. I'm going to move to adopt Amendment #3. Amendment #3 deletes everything after the enacting clause. It becomes the Bill to provide coverage under the State Employee Group Insurance for retired persons of the various public community colleges. The Employees Group Insurance provides health, life and dental

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insurance to employees and retirees of the State. Currently the only group of people not covered by the State Employee Retirement System that are covered by this benefit program are those formerly employed by the University of Illinois and the cooperative extension service who would be university annuitants except that they were ineligible. Community college employees have been viewed as employees of local units of government and therefor not eligible under the State system. However, since community colleges are under the University Retirement System and not the Downstate Teacher Retirement System, they are in a situation not covered by the health plan. The cost of this provision is estimated to be at two million five hundred and sixty seven thousand. The money is included in the Board of Higher Education's allocations of the monies raised through the surcharge plan passed by the Illinois House of Representatives. I'd be happy to answer any questions and would ask for a...favor of the adoption of the Amendment."

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

McCracken: "Thank you, Mr. Speaker. I rise in opposition to this Bill and I think we should pay attention to it. Community college employees are not...are not employees of the State of Illinois. This is something that they try to do every year. They come in here and they want CMS to pick up the retirees benefits program as a function of state government. The community college retirees are not state employees. CMS, which would be responsible for this and responsible for the payment incurred as a result of this Bill estimates that the minimum cost would be five million dollars a year and that, depending upon the mix of the retirees, could be as high as fifteen million dollars a

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year. CMS does not have its money for this in its budget and the policy of extending benefits of state employees to non-employees is one fraught with danger. I don't see any reason that we should be for this Bill. I understand the attractiveness. I understand people want to be responsive to their community colleges, but let's face up to the facts, they are not state employees, they should not be covered, we should not adopt this Amendment."

Speaker Giglio: "The Gentleman from Lake, Representative Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House, this Amendment incorporates House Bill 190, which was introduced by the Illinois Federation of Teachers and the Illinois Community College Board. The cost estimates of Central Management Services are in error. They based it on 4200 annuitants, rather than the 2232, which would be the figure that they should've used. Also that estimate is based on the full calendar year, rather than the half fiscal year that this will affect for the first year. This is a Bill that passed the Senate by...last year by an overwhelming... I think it was unanimous and then we held it up because of the differences of the cost and determine how to finance it. We think it can be financed this year and thereafter. I would urge the Members of the House to adopt the Amendment and support the retirees from the community college system."

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

Terzich: "Yes. Representative Matijeovich, I think Representative Mautino, we voted and passed on Bill to have group insurance available to local units of government and I believe...didn't it also include school districts as well? Which, I think, that would make them eligible to

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participate in the state employeesgroup insurance plan."

Matijevich: "Yes. This is the only group that has been excluded for group health insurance. The community college system. The only ones."

Terzich: "Well, wouldn't Representative Mautino's Bill allow them, then, to come into the State Group Insurance Plan? All the school districts in the state?"

Matijevich: "Not the community colleges, I don't believe."

Terzich: "Okay. Thank you."

Speaker Giglio: "Further discussion? Representative Keane or Matijevich to close. Representative Matijevich."

Matijevich: "Speaker and Ladies and Gentlemen of the House, I would urge your support of this Amendment. It is bringing fairness to a system that has been excluded, so I would urge your support."

Speaker Giglio: "All those in favor of the Amendment say 'aye', those opposed...in the opinion of the Chair, we'll have a Roll Call. All those in favor vote 'aye', those opposed vote 'no'. The boting is open. The Gentleman from Madison, Representative McPike."

McPike: "I have potential conflict of interest on this and will vote 'present'."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 63 voting 'yes' and 49 voting 'no' and 4 voting 'present'. Representative Mautino. Change his vote to 'aye'. Representative Leverenz to 'aye'. Further changes? Representative Phelps 'aye'. Mr. Clerk, take the record. On this question there are now 66 voting 'yes', 46 voting 'no' and 4 voting 'present' and the Amendment is adopted. Are there further Amendments? Further Amendments, Mr. Clerk?"

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

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Cullerton."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This amends the State Salary and Annuity Withholding Act to include for the purposes of a deduction for the purchase of U.S. Savings Bond any state contractual employee. Appreciate an 'aye' vote."

Speaker Giglio: "Any discussion on the Amendment? All those in favor of the Amendment signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative Weaver. Withdraw?"

Weaver: "Withdraw."

Speaker Giglio: "Withdraw Amendment #5. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2369, a Bill for an Act concerning various expenses of state employment. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Amendment #3 deleted everything that was in the Bill, becomes the Bill, along with Amendment #4. We've just discussed both of those Amendments and I ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? The question is, 'Shall House...the Gentleman from DuPage, Representative McCracken.'"

McCracken: "Yes. Amendment #4 may not have been objectionable by itself, but it certainly does not cure the objections we had to Amendment #3 and I would ask people to vote 'no'."

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Speaker Giglio: "The question is, 'Shall House Bill 2369 pass?'

All those in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 74 voting 'yes', 37 voting 'no', 3 voting 'present' and House Bill 2369 having received the required Constitutional Majority is hereby declared passed. House Bill 2417. Out of the record. House Bill 2600. Out of the record. House Bill 2772, Representative Bowman. House Bill 2772, Sir? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2772, a Bill for an Act to amend certain Acts in relationship to employees of the Illinois Comprehensive Health Insurance Board. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Representative Bowman."

Bowman: "Yes. Mr. Speaker, it'll be necessary to table that Amendment. May I make the Motion from the Floor? Move to table Amendment #1."

Speaker Giglio: "You've heard the Gentleman's Motion. Gentleman have leave? Hearing none, leave is granted, the Amendment's been tabled. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2772, a Bill for an Act to amend certain Acts in relationship to employees of the Illinois Comprehensive Health Insurance Board. Third Reading of the Bill."

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

Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This simply brings the employees of the

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Comprehensive Health Insurance Program under the state systems for benefits. I move for passage of 2772. This is...the issue's been worked out among all parties concerned. I'm not aware of any controversy."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2772 pass?' All those in favor vote 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 116 voting 'yes', none voting 'no', none voting 'present', and House Bill 2772 having received the required Constitutional Majority is hereby declared passed. Representative Anthony Young. Out of the record. House Bill 121, Representative Giorgi. Out of the record. Representative Granberg, 165. Mr. Clerk, read the Bill. Excuse me, Mr. Clerk. Representative Giorgi. Are you ready? Are you ready now, Sir? Representative Giorgi."

Giorgi: "Remind me to give you my used joke book, will you?"

Speaker Giglio: "Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 121, a Bill for an Act to amend an Act concerning fees and salaries. Third Reading of the Bill."

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

Giorgi: "Mr. Speaker, this is the Bill we just debated, two Amendments on. It has to do with the increase in salaries for the educational service region officers and their first and second assistants. Everyone's aware of what's in the bill and I urge an 'aye' vote."

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

Kubik: "Well, for the third time today, Mr. Speaker, we'll address this Bill. I guess the numbers are in place, but again...I know we have to protect Mr. 'Martwick' with this legislation, but I still ask the Members to look at this

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Bill, not for the personalities that it contains, now, but look at the Bill in terms of its cost. We're talking about a million and a half bucks each year that we're giving away in salaries and as I reiterated before, that doesn't go to books, that doesn't go to teachers, that doesn't go to better education. It goes to bureaucracy. So here's a million and a half bucks each year that goes to bureaucracy. Look at this Bill very, very carefully and I urge a 'no' vote."

Speaker Giglio: "The Gentleman from Lake, Representative Matijevich."

Matijevich: "Well again, Mr. Speaker and Ladies and Gentlemen of the House, you know, we have all said that education is our first priority and I think to denigrate those who have a large responsibility as superintendents and assistant superintendents of our regions, I don't think they deserve to be denigrated. I think that for them to wait, if this isn't passed, probably 12 years for an increase that even doesn't give them the salaries like the superintendents and assistant superintendents in the district, I think would be most demoralizing. I would urge an 'aye' vote on this Bill."

Speaker Giglio: "The question is, 'Shall House Bill 121 pass?' All those in favor vote 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Lady from Champaign, Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Mr. Speaker and Members of the House, I simply rise to say that I cannot speak for what happens in one particular metropolitan area of the state, but certainly in our downstate regions this is a very good office that provides good services, particularly to our most rural

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school districts and I am glad the support is there for passage."

Speaker Giglio: "Have all voted who wish? The Gentleman from Champaign, Representative Johnson."

Johnson: "Just to add to Representative Satterthwaite's comments by saying that regional superintendents in our part of the state serve an incredibly valuable function and I think are generally the quality of people that not only deserve this raise, but deserve the accolades that they're getting by the large vote. They do a terrific job. I urge a 'yes' vote."

Speaker Giglio: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 84 voting 'yes', 27 voting 'no', 3 voting 'present'. House Bill 121 having received the required Constitutional Majority is hereby declared passed. Speaker Madigan in the Chair."

Speaker Madigan: "On the Order of Government Administration, Third Reading, there appears House Bill 113. Representative Keane. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 113, a Bill for an Act to amend the Illinois Highway Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Keane."

Keane: "Thank you, Mr. Speaker. House Bill 113 is the Vehicle Bill for the..."

Speaker Madigan: "Turn on Mr. Keane, please."

Keane: "Thank you. House Bill 113 is the Vehicle Bill for the Impact Fee Task Force that's been working to correct some of the problems with existing impact fees...the Impact Fee Law that exists. We've had probably about six or seven meetings. We've had representatives of both Municipal... the Municipal League. We've had the representatives of county government. Both Cook County...I'm sorry, Lake County and DuPage County have been involved. We're making

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progress. It's my intention or my hope to move this Bill over to the Senate to continue to hold the task force meetings and to report out a Bill probably on a Conference Committee report."

Speaker Madigan: "Mr. Hallock."

Hallock: "Does this Bill have any substance to it right now at this point in time?"

Keane: "No."

Hallock: "Well, the word I've gotten, this Bill has recently gotten better, so I urge a 'yes' vote."

Keane: "Thank you."

Speaker Madigan: "Who'd the word come from, Mr. Hallock? Representative Stern?"

Stern: "Mr. Speaker, and Members of the House, I rise in support of this legislation. This is the first time, really, that I've seen the process of negotiating legislation occur, and the way in which this task force on the Impact Fee Bill that I passed last year without anybody's objecting to it at all, has been an eye opener for me. The system really works, and I would congratulate Representative Keane on the job he has done. He has been super. Thank you."

Speaker Madigan: "There are three more people seeking to speak on a Bill which, to my knowledge, is a shell Bill, Mr. Keane?"

Keane: "Yes."

Speaker Madigan: "Yes. Mr. McCracken."

McCracken: "I didn't want to take up the Body's time, but I can't help responding to the last speaker. Representative Stern, the negotiation works for you because you are a Democrat. We have not been a part of the negotiation. The Speaker has gone directly to our county and co-opted our county and forced them to participate. We do not participate. The negotiation process does not work."

Speaker Madigan: "Representative Stern, to express her gratitude

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to the Speaker."

Stern: "Lightning may strike. Just in response, since my name was mentioned in debate. On the contrary, there has been input. Maybe not from you in particular, Mr. McCracken, but I don't believe there was any guard at the door that prevented you from attending these meetings. They were super and there was input from DuPage County and input from Lake County. The monolithic Republican Counties of this vast state and I think it has been truly a bipartisan, well negotiated...Bill."

Speaker Madigan: "Mr. McCracken."

McCracken: "Okay, this will be my last retort. We are the elected Representatives of those people. You are representing your counties in your capacity as Representatives in those negotiations, but we are not, Madame. We are are not representing them. The Speaker has gone directly back to the county and taken the House Republicans out of the picture on this. The negotiations do not work, because not all interested parties are a part of them."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed, by voting 'no'. Have all voted who wish? Have all voted who wish on this shell Bill? The Clerk shall take the record. On this question, there are 66 'ayes', 48 'nos'. This Bill, having received a Constitutional Majority is hereby declared passed. On the Order of Government Administration, Second Reading, there appears House Bill 165, Mr. Granberg. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "The Bill has been read a second time."

Speaker Madigan: "Are there any Amendments? Clerk informs me that we'll be required to bring the Bill down from the fourth floor. Therefore, this matter shall be taken out of

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the record and on page 34 of the Calendar there appears a Motion by Mr. Giglio relative to House Resolution 534. Mr. Giglio."

Giglio: "Thank you, Mr. Speaker. I'd like to have immediate consideration to hear this Resolution."

Speaker Madigan: "Leave is granted."

Giglio: "Ladies and Gentlemen, House Resolution 534 is the Resolution asking that the Department of Conservation conduct a two year study to find out actually what's happening to the fish in Lake Michigan. If you recall yesterday's debate, I made statements in my remark that the Bill...or the Resolution was being drafted. It's been distributed on your desk and it says some of the things that were brought out in the debate yesterday. And I feel it's very, very important. Also the Department of Conservation feels that they don't know the answer and they need at least two years to find out exactly what's going on. The biologists and all the states bordering Lake Michigan feel the same way. They finally have gotten together, they've finally sat down. They're at the table now. There's so much that has to be found out what's happening to all that fish out there and I don't think there's one group of people or there's one item that is responsible that they can really put their finger on to find out exactly what's going on. And Ladies and Gentlemen, I would ask your support for this Resolution, which we feel is very, very important, not only for industry, but for the different fish species in Lake Michigan."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "I would urge...Mr. Speaker and Ladies and Gentlemen of the House, I would urge the adoption of this Resolution. After we had our debate yesterday, in debate I had

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mentioned a gentleman's name by the name of Kirkpatrick who is a leader with the Sports Fishermen and he said that all had agreed, even the charter boat people, to this study and then after this meeting were all...that all were in agreement. The gentleman from the Charter Captains Association, he then went on in his own direction. I said yesterday that the whole issue was as between the Charter Boat Captains Association and the Commercial Fishermen. The Sports Fishermen were dragged into it. They don't want to be into it. They agreed, Mr. Kirkpatrick, last night he said we agree that there should be a study. I would urge adoption of this Resolution."

Speaker Madigan: "Mr. Hallock."

Hallock: "Will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Hallock: "Has Conservation been given an appropriation to pay for this study?"

Giglio: "The Department of Conservation has the appropriation already in this year's budget, Representative. They were going to conduct the study themselves from the hearings that we had two months ago."

Hallock: "So they then won't have to take this out of their current operations?"

Giglio: "Pardon? I didn't hear that."

Hallock: "They will not have to take this out of their current budget. They can...this has actually been already allocated?"

Giglio: "Yes. Yes. They're much in favor in this..."

Hallock: "Well, in that fact, I would rise in support of this Amendment, I think...this Resolution. I think that no matter what this study shows, we do have a problem in Lake Michigan in this area and I think this is a good idea and I urge it be adopted."

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Speaker Madigan: "Mr. Cullerton."

Cullerton: "Well, Mr. Speaker I'm not going to rise in opposition to the Resolution, but I'll just point out that some of the whereases are...I disagree with. When it gets down to the Resolved portion of the resolution, it says that we direct the Department of Conservation to study the fishing practices of the commercial fishermen to determine the effect of gill net fishing on sport fishing. Well, we're going to pass a Bill to ban gill nets. It's going to be signed by the Governor and there won't be any gill nets, so it's going to be difficult for them to study the effect of gill net fishing when it's going to be banned. So, and for that reason I think it's somewhat meaningless, but I guess it's harmless."

Speaker Madigan: "Mr. Myron Olson."

Olson, M.: "Thank you, Mr. Speaker. I join in support of consideration of this Resolution. Having listened to this debate when I sat in Energy and Natural Environment while I was preparing to present a Bill. Hearing the discussion yesterday and being made aware of the various factors happening in the Great Lakes that have no great reference to why their charter boat fishing, gill net fishing but the introduction of species in the lake that are coming in with lake traveling vessels. As a consequence, I think this would be a prudent way to go."

Speaker Madigan: "The question is, 'Shall the Resolution be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 109 'ayes', 3 'nos', one voting 'present'. This Resolution having received sufficient votes is adopted. Back on the Order of Government

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Administration, Second Reading, again there appears House Bill 165, by Mr. Granberg. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 165 has been read a second time previously. Amendments #1, 2 and 4 were adopted."

Speaker Madigan: "Are there any Motions?"

Clerk Leone: "No Motions and no further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 165. A Bill for an Act in relationship to certain control share acquisitions of business combinations. Third Reading of the Bill."

Speaker Madigan: "Mr. Granberg."

Granberg: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. House Bill 165, as amended, will provide that if a person acquires 15 percent or more of a publicly held corporation, that person would become an interested shareholder and would be prohibited for a term of three years from engaging in a business combination with that corporation. The term 'business combination' now, as amended, would include a merger, sale of assets or transfer of stock of that corporation. This Bill has been the subject of serious and long negotiations between both business and labor. It has been agreed to by not only the Chicago Bar Association, the Illinois Retail Merchants Association, the State Chamber of Commerce, The Illinois Manufacturers Association, the AFL-CIO and other interested groups. I'd be happy to answer any questions you might have."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Representative Didrickson."

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

Speaker Madigan: "The Sponsor yields."

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Didrickson: "Representative Granberg, last fall when this came out we hadn't gone through the Committee process and it was very quick and we proceeded, you know, very cautiously then at that time until we got to the Spring Session now. What I was receiving from some constituents in my district were some letters that they had received from Shareholders United. In fact, it was T. Boone Pickens who had alerted everybody in Illinois that that wasn't necessarily good for the shareholders, is this where we wanted to go And in trying to unravel where...whether or not we thought this was in addition to that...who we were doing this for, the thought came out and it was reiterated to me that we're doing this for large corporations and it's not for the shareholders. Can you allay some of those fears that my constituents might have in that regard, since we didn't pick up on Representative Currie's Amendment."

Granberg: "Representative, my mother receives the same newsletters from T. Boone Pickens and we discuss this. T. Boone Pickens is the only registered opponent to this Bill, the only registered opponent. This Bill will not only cover Illinois corporations, it will cover the employees of those corporations, our communities. In towns like Hermon, Missouri where a hostile takeover took place, they put 250 people out of work when they sold off part of that corporation. Devastated the community, just absolutely devastated the community. This helps the shareholders. It gives them information before a hostile takeover takes place. The shareholder will be provided information. It doesn't take them out of the process. You cannot constitutionally prohibit takeovers. This Bill does not do that. But it puts the shareholders on a level playing field with the acquirer of that corporation. It gives them, in the Bill, seven separate provisions to opt out of

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the legislation. They can be...it does not prohibit hostile takeovers. It gives shareholders more information before they make that decision. So I don't think it's detrimental to shareholders at all."

Didrickson: "There were some concerns raised by the Chicago Bar Association, I'm told. Could you reiterate what they were and how we've addressed them?"

Granberg: "The Chicago...one of the policy considerations of the Chicago Bar Association was this was too prohibitive. And at that time, and we can understand where they're coming from, the Chicago Bar Association has now agreed. This amounts to the business combination is the only, essentially, the only item in this Bill. We took out the shareholder...the control share acquisition section of the legislation, which was patterned after the Indiana Statute that was upheld by United States Supreme Court. So, as a result of those negotiations, we are now essentially down to the business combination section of the Bill."

Didrickson: "Okay. And finally, how does this walk in step with or different from what other states have done? You just mentioned to me with regards to Indiana. Generally, how many states have passed this legislation and how do we walk in sync with them?"

Granberg: "Approximately, thirty-four states in this country have some type of anticorporate takeover legislation. Whether it's business combination predominantly or the Indiana Statute. What we think we're doing is becoming competitive with states such as Delaware which leads the country in the number of incorporations. This puts Illinois in step with states like Delaware."

Didrickson: "Is our legislation very similar to their's? Is it..."

Granberg: "Yes."

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Didrickson: "Thank you."

Speaker Madigan: "Question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 113 'ayes', 2 people voting 'no', this Bill having received a Constitutional Majority is hereby declared passed. On the same Order of Government Administration there appears House Bill 38 by Representative Anthony Young. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 38 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "Amendment #1 was adopted in committee. There are no Motions filed. Floor Amendment #2 is being offered by Representative Anthony Young."

Speaker Madigan: "Mr. Young."

Young, A.: "Withdraw Amendment #2."

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

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

Speaker Madigan: "Mr. Young."

Young, A.: "Withdraw Amendment #3."

Speaker Madigan: "Withdraw Amendment #3. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Anthony Young."

Speaker Madigan: "Mr. Young."

Young, A.: "Withdraw Amendment #4."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representatives

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Anthony Young and Loleta Didrickson."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #5 is the compromise Amendment that was drafted jointly with the Governor's Office and has his support and I would move for its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Representative Didrickson."

Didrickson: "I rise in support of the Gentleman's comments. There have been lengthy negotiations on this. The Governor's Office has signed off on this and I would ask for your support."

Speaker Madigan: "Representative Deuchler."

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

Speaker Madigan: "Sponsor yields."

Deuchler: "What is the goal, Representative Young, that is specified in this Amendment?"

Young, A.: "Okay. This Amendment does not change the goals. What it does is it...it satisfies the Governor's concern about whether or not we had enough hearings and evidence on the matter to have sheltered markets in the program. So it one, takes sheltered markets out; and two, it directs the MAFBE Council to continue to hold hearings and gives them the authority to put sheltered markets in for any group once they have enough evidence or have had hearings to their satisfaction, to that past discrimination has in fact taken place and they have evidence to satisfy the Richmond Decision. But, the goal in the underlying Bill stays at 10 percent."

Deuchler: "Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 38, a Bill for an Act to amend Sections of the Minority and Female Business Enterprise Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Young."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Bill that would extend the state's minority and female enterprise program. We have heard hearings on this matter. We have a great deal of evidence. I'd like to put a little of that evidence in the record just now in light of the Richmond Decision. This state started a minority and female program by executive order in 1983. That order was started based on statistics accumulated by CMS that in 1982 minority and female vendors only received 2.2 percent of the total state business. At that same time we have evidence in the record of statistics from the Chicago Urban League showing that in the year 1982 women owned businesses were 10 percent of the businesses in this state, minority owned business were 14.3 percent in this state. Further, in regard to the industries most affected, the construction and transportation industries in 1982, women owned businesses were 15.3 percent of the construction owned businesses, minority owned businesses were 7.6 percent of the businesses. In transportation, women owned businesses were 22 percent...and minorities were 18.9. So we feel that the Governor's program passed, by executive order in 1983 and by the original Bill in 1984, there was evidence that the 10 percent was a reasonable goal in light of the fact that we had over 25 percent of the businesses. Since that time we have clear evidence of the success of the program in the amount of business has risen from 2.2 percent of the total in 1982 to FY87, where it was over...almost 14 percent of the total

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state business and 1,777,000 dollars. Further evidence presented at the hearing included a survey from several hundred women who participate in the program. The contracts awarded to women owned business in 1984, before the Act were only 5 percent. Since the enactment of the legislation, 15 percent of the women contractors in this state received contracts in 1985, 19 percent in 1986, 30 percent in 1987, and 31 percent in 1988."

Speaker Madigan: "Mr. Young. Mr. Young."

Young, A.: "Further evidence of past discrimination..."

Speaker Madigan: "Mr. Young."

Young, A.: "Yes."

Speaker Madigan: "There's no one seeking recognition on this matter. We might be able to proceed to Roll Call if you so wish."

Young, A.: "Alright. I would just like to make it clear that there is an exhaustive record. We want that record to be part of this Bill and any considerations from the Governor's Office, and I would move for the passage of House Bill 38."

Speaker Madigan: "That having being said, Mr. McCracken now seeks recognition."

McCracken: "I didn't want to throw anybody off. I know this is a carefully orchestrated production were in. These percentages and numbers, are those goals for the participation by the favored people under this Bill?"

Young, A.: "The percentages and numbers I was reading were statistics from the past that, I guess are evidence of why the goal we have, which is 10 percent in the state program, was adopted. And also evidence that they were minority and female businesses operating in the state at the time of the adoption of the program that were in fact, existing and qualified to handle that percent of the state business."

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McCracken: "So, you're passing this Bill to conform to the Supreme Court case, is that right?"

Young, A.: "That is correct."

McCracken: "Alright. Well, I...I think I understand the Gentleman's Bill and I understand his reasons for it. It's...I don't know. I just think this is done only to comply with the letter of the Supreme Court case. I don't think there's been discrimination against women. I think women aspirations are changing and they're getting into the marketplace. Because of that change and aspiration, you're seeing a change in the characteristics of the marketplace. Now for Blacks, I certainly can see there is discrimination in the past, but is there purposeful discrimination now? Is there purposeful discrimination directed toward the purpose of excluding Blacks from the construction industry? I don't think there is. I don't accept the assumption that there is. Mere statistics don't prove why things are happening in the marketplace. And you will find if you've got any contacts in this business that people are looking desperately for minority contractors. And there are fin...and they are finding a lot of abuses. Now the abuses result not only from sham minority contractors, but also from White contractors setting to seek or setting up a sham minority contractor organization. But the fact remains that this is also a sham. It is for the purpose of giving lip service to the United States Supreme Court and its decision and nothing more."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 99 'ayes', 15 'nos', this Bill having received a

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Constitutional Majority is hereby declared passed. On the special call of Insurance, House Bill, Second Reading. House Bill 130, Mr. Martinez. Mr. Martinez, you're up. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 130 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "There are no Committee or Floor Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 130, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Hallock."

Hallock: "Yes, Mr. Speaker, I notice that we now have jumped to the Insurance Order, could you indicate where we're going from here? It seems to me that we are now having a separate order of call that is not on the Calendar, and that is Bills that you choose...you choose to call at this time? Where are we going this afternoon?"

Speaker Madigan: "We're going to proceed down this special order of call on insurance and then we'll go to another special call."

Hallock: "So, we're going to stay with insurance until we finish that order?"

Speaker Madigan: "Well, we'll proceed down these numbers."

Hallock: "Well, hopefully, we have some Republican Bills on this order. Thank you."

Speaker Madigan: "There is one. Yes. Mr. Clerk, have you read the Bill a third time?"

Clerk Leone: "The Bill has been read a third time."

Speaker Madigan: "Mr. Martinez on House Bill 130."

Martinez: "Thank you, Mr. Speaker, Members of the General Assembly. This Bill comes out of my concern for the many homeowners and tenants in my district that are being denied

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insurance coverage because their houses or apartments are being heated by space heaters. I had this Bill last year under another number and it cleared the House overwhelmingly and went to the Senate and passed there too. Appar...I don't think...I don't know how it died, that's why I'm back with this right now. In my district I represent most houses that are seventy-five and a hundred years old and a majority of these houses have space heaters. Just as I am sure...Legislator Klemm, Balanoff and Miguel Santiago they...they have older homes like this and some of them probably are still using space heaters. This Bill would benefit individuals in the inner city who are being punished by the insurance companies, by being denied insurance simply because of their only source of heat is from space heaters. I'd like to make it clear that this Bill does not include the new types of so-called heaters that operate on kerosene or electricity and other types of energy. These are, in my opinion, are only supplemental standard heating appliances and are not covered under this Act...this Act. I ask for a favorable vote on this Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 97 'ayes', 13 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 573. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 573 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "Amendment #1 was adopted in committee."

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Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Amendment #2, by Representative Munizzi."

Munizzi: "I ask for the adoption of Floor Amendment #2, please."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 573, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Madigan: "Representative Munizzi."

Munizzi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends the Illinois Insurance Code and prohibits the establishment of the automobile insurance premium rates based solely on zip code. I'd be glad to answer any questions if I can. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Mautino to explain his vote."

Mautino: "Thank you very much..."

Speaker Madigan: "...Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. First, I believe, that this is the Representative's first Bill. Well, let me clarify something that some of you may be concerned about. In committee we removed the provision that provided that the auto rates do not include the zip code provisions. Amendment #2, which said basically that the individuals be

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informed in writing concerning the comprehensive coverage and the costs of premiums. They have to be told what it is with the deductible of 250 and without the deductible. But, may I ask a question of the Sponsor?"

Speaker Madigan: "The Lady yields."

Mautino: "Representative, why is...why is the information needed and important concerning the comprehensive coverage and the notification to individuals?"

Munizzi: "I'm sorry, I didn't hear you. Please forgive me, I'm sorry."

Mautino: "Well, is it important that the consumer be made aware of the deductible in comprehensive coverage?"

Munizzi: "It's a consumer information type Bill that gives them...he's helping me, I'm sorry. I'm sorry. It gives you an option."

Mautino: "I'm glad to hear that. I think with that...with that explanation this could be a very good Bill, yes. Thank you. Thank you."

Munizzi: "Thank you."

Speaker Madigan: "Mr. Regan."

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

Speaker Madigan: "The Lady yields."

Regan: "Representative, is it true that the zip code part of the Bill is removed entirely?"

Munizzi: "Yes, it is."

Regan: "And therefore, the Bill strictly relates to the choice of a 250 or a 500 dollar deductible?"

Munizzi: "Zero or 250."

Regan: "Zero or 250? And it's not to be done in writing. There's an application checkoff?"

Munizzi: "Yes."

Regan: "And they don't have to be notified every renewal date

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that, their choice of deductibles?"

Munizzi: "Every renewal policy they have to be informed of."

Regan: "Every renewal policy, that means whether it's six months or every year..."

Munizzi: "...Yes..."

Regan: "...They have to make that choice again?"

Munizzi: "Yes. Yes."

Regan: "And how do they make that choice?"

Munizzi: "I believe it's in writing with their renewal form."

Regan: "In other words, in order to change it they have to write?"

Munizzi: "Yes it is."

Regan: "Thank you very much. I think it probably doesn't have any problem with the way it's been amended. Although, as a first Bill I have a hesitancy to do anything else but to vote re...green for. Thank you."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 116 voting 'aye', no one voting 'no', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 913, Mr. Cullerton. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 913 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "There are no Committee or Floor Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 913, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Currently, whether podiatrist services are

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reimbursed is dependent upon the particular policy language. This Bill would uniformly include services, regardless of whether or not they're performed by a medical doctor or a podiatrist. So, the Bill that was passed in 1969, which says, 'whenever a policy provides for reimbursement for any service provided by persons licensed under the Illinois Medical Practice Act, those persons are entitled to benefits and to reimbursement on an equal basis for such service.' What this Bill does is to add to that existing statute the words, 'or the Podiatric Medical Practice Act of 1987.' I appreciate an 'aye' vote."

Speaker Madigan: "Mr. Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. To the Bill, this is another mandate of coverage, although most coverage do include podiatrists, some don't. And that's the choice of the employer/employee relationship or a union agreement. Adding to the cost of health insurance in the United States today is a travesty. Very shortly we'll be in a position where almost all groups will be self-insured and then they don't have to listen to any of our mandates. So the things that we think are good and the things that we want covered will eventually not be covered unless they're in a specific self-insured plan. Adding to the cost of health insurance chases the marketplace into self-insurance and it...and eventually loses the benefits those people wish to acquire. I would recommend a 'no' vote."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I mean, simply put, if we keep mandating these plans...these ben...extra benefits into our health cor...costs, it is eventually going to cost us so much money that it is going to create a real crisis in the health care providing and medical expenses in the State of

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Illinois. We are just going to have to start standing up and saying no that if you want this kind of benefit, that they should talk to the employers. Work it out with them. Those that are... have union contracts should collectively bargain for these as a part of the fringe benefit package. That is a reasonable approach. And I think that we should say 'no' to this idea."

Speaker Madigan: "Mr. Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, you know, one of the highest costs that we come in the state is medical insurance. And if you're an employer, as a matter of fact, even if you're an individual you can certainly appreciate the astronomical cost for medical insurance. Many policies that are underwritten and group policies today that are being renewed at substantial increases, probably ranging from a minimum of twenty-five percent and in excess of hundred percent; and one of the big reasons for this has been the mandates by Legislatures. Many policies that are being renewed in the State of Illinois by group insurance carriers, actually stipulate where they try to maintain the rate for one year, have made a notification to the policyholders that if the Legislature mandates any changes in the...their group insurance benefits, that they are subject to a renewal based on the new mandates. And this is exactly what we're doing that if these insurance carriers or medical practitioners so desire to include this in their medical insurance coverage, they certainly would. All we do is keep on telling them who they should cover and who they shouldn't cover. Next thing, you know, we have Christian Scientist practitioners and many others. At the current time many group plans do cover licensed medical practitioners licensed to do business in the State of Illinois and I certainly don't

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think that we should expand this anymore than what it is already. So I would vote 'no' on this Bill."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 67 'ayes', 47 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1362, Mr. Martinez. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 1362...House Bill 1862, has been..."

Speaker Madigan: "Mr. Clerk, the Clerk reports that House Bill 1362 is been placed on the Order of Interim Study. Mr. Clerk, is that your report?"

Clerk Leone: "Has been recommitted to Interim Study."

Speaker Madigan: "Mr. Martinez, is that your understanding? Thank you. House Bill 2142, Mr. Morrow. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 2142 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "Amendment #1 was adopted in committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions or no further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2142, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the amended form, House Bill 2142 would prohibit the...in the Department of Insurance the deputy director, assistant director and the director from gaining employment

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with a private insurance company for two years after leaving the department. The purpose of the Bill is to try to address a possible conflict of interest that has occurred in other states in this union. Over one-half of the insurance commissioners in this country have left their various departments and have been hired by a private insurance agency. I was very alarmed to find out that at one time one of the past presidents of the National Association of Insurance Commissioners announced that he was resigning to work for a private insurance company and still held his title as president of the National Organization of Insurance Commissioners for three months. No one questioned the ethics of it. Whether or not there was a possible conflict of it. And the previous president of this organization did the same. Now, I'm not trying to direct this piece of legislation at the current head of the Department of Insurance. I have nothing but high regards for him. I met with him on this issue. I talked to him on this issue. I let him understand that this Bill was not to be taken as...as a personal vendetta against him. But unfortunately... unfortunately, he will not remain in that agency for his whole career. And we have to take into account or look at the fact that if someone comes in after him, he might not have the same morals or ethnics as the...as...as John Washburn does at this present time; who heads the Department of Insurance. But, rather than looking at what it would prohibit, it does not prohibit anyone in the insurance company from being employed by the Department of Insurance. It does not prohibit anyone from ever being employed by an outside private insurance company. I ask for a green vote on House Bill 2142 and if there is any questions, I'll be glad to answer them."

Speaker Madigan: "Mr. Tate. Mr. Tate."

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Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 2142. If...if people would be rational for a second and...and just stop and think about what...what the Sponsor of this Bill is...or what this Bill would...would require this director the net effect of this director, it would be...be extremely difficult to recruit, encourage good help. And in agencies throughout government and specifically in this case where there's been no improprieties. There's been no irregularities that have...that have ever happened in a department, but if you'll...if you'll reflect back just within the last couple years in NASA. We had the same situation where a regulation happened. We've lost directors. We...we have difficulty recruiting good talent. And as a result, I'm not sure that this is the best approach to this...to what you're ultimately trying to accomplish here. I don't know why you single out just the director of insurance. I don't know what the motivation is. I know it's a...I know insurance...it's kind of...it's kind of great to bash insurance directors and to blame insurance directors for everything that wro...that goes wrong with insurance companies. But, that's not the problem here. The problem is...is making sure that we have good quality, high caliber people that are attracted to that position. If I was a director of insurance and I'm...currently, it's an appointed position, you know, if you pass this Bill; I'd probably quit tomorrow. Because I'm not sure what...what...what opportunities I have when the...when the administration changes so does the director of insurance. This guy's not corrupt. This guy's done nothing illegal. This guy's done nothing wrong. This guy is a well qualified candidate that deserves the job and deserves equal opportunities like all the Members of the

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Illinois General Assembly. You know, if you...if you...if you're suggesting some kind of impropriety, that means that every Bill that we vote on in this House as a Legislative Body, then we should...we should be prohibited by law from ever taking a job after we terminate our employment here, because there could be some suggested impropriety. That's not right. That's not fair. I think you need to think twice about voting for this. I think it's a bad precedent and I think the bottom line is it will really...people will think twice, right now, because it's difficult to attract quality people, talented people, the government positions as it is. And this will make it just a little bit harder."

Speaker Madigan: "Ladies and Gentlemen, this is a very straightforward Bill. We have several people seeking recognition. The Chair would simply suggest that we hear from the Chairman of the Insurance Committee, Mr. Mautino, one other Republican and then proceed to Roll Call. So, Mr. Mautino."

Mautino: "Thank you ver...thank you very much, Mr. Speaker. I respect the Sponsor of this legislation. And I understand his opening comments and his concerns about possible ramifications later. Some of the states that Representative Morrow discussed, were states whereby the commissioner or the director of the Department of Insurance is involved in the rate-making structure. Here in the State of Illinois, we have a free market concept. We do not file in use rate provisions. We do not come before the commissioner with rate requests for increases or decreases. And in those other states that's where some of those problems occurs and basically, that's where the concept for mandating no involvement in the industry after a certain period of years as the director or the commissioner. We also established this with the chairman of the Illinois

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Commerce Commission, who determines rate structures based upon applications made to them. Regrettably, I stand in opposition to the Gentleman's legislation, 2142. I would hope that whatever concerns he has with this principle can be discussed and worked out between he and the department and the director, if there are any. But by and large, it is not a good provision to adopt in the State of Illinois, because the director has no interest in the insurance rates structure and maybe that's the way it should be in this state. And I stand in opposition to his legislation."

Speaker Madigan: "Mr. Pedersen."

Pedersen: "Thank you, Mr. Speaker. I also stand in opposition to House Bill 2142. And I think that one, if a person is appointed by the Governor with the advice and consent of the Senate, he realizes that he may or may not be in that position for a long time as a director. But, let's look at the assistant directors and the deputy directors who have eighteen, twenty-five, thirty years of tenure with the state in that department. You are basically cutting them off from going into the private sector and seeking some type of employment with an insurance company if they wish to do so. We said once or more than that about having professionals in government. I think this Bill would deter that and I hope you will vote 'no' on House Bill 2142. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill, signify by voting 'aye', those opposed by voting 'no'. Mr. Morrow to explain his vote."

Morrow: "Thank you, Mr. Speaker. I felt I should have had the opportunity to close. As one of the Gentleman mentioned previously in debate, this Bill is not aimed at the current director of the insurance department and I hope I'm not going to hurt a colleagues of mine, legislation that we're

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going to be considering in a few moments. But as another person mentioned in debate, that he...that the director currently is not involved in the rate-making. We have a Bill that we will consider, very shortly, that will give the powers to set rates to the director of insurance. So, I urge some green votes up on the board, please. Thank you."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 31 'ayes', 81 'nos', the Bill fails. House Bill 2191, Mr. Ronan. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 2191 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

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

Speaker Madigan: "Mr. Ronan, on Amendment #1."

Ronan: "Thank you, Mr. Speaker. Amendment #1 to House Bill 2191 is an agreed Amendment, we worked out with the insurance department and the two insurance companies in the state that would be affected by this legislation; the captive insurance companies."

Speaker Madigan: "Mr. Tate."

Tate: "On a point of order, Mr. Speaker. If I read my Calendar right, doesn't it say we were on 2142 and just skipped over two Bills to 2191? Did you inadvertently miss those two Bills?"

Speaker Madigan: "No. The Sponsors have told me that they...excuse me. The Sponsors told me that they did not wish to call the Bills at this time."

Tate: "Okay."

Speaker Madigan: "So, Mr. Ronan moves for the Amendment. On the

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Amendment, Mr. Preston."

Preston: "Would the Gentleman yield for a question, Mr. Speaker?"

Ronan: "Yes."

Preston: "What, Representative Ronan, what are the two captive insurance companies that are affected by this? I didn't mean to send Caleb into a frenzy."

Ronan: "Well, you know, I...as soon as my staff, my crack staff comes back with the names, I'll let you know. There are only two companies in the state that are impacted by this though, Representative. The...Representative Preston, the Department of Insurance would be thrilled to give you those two names as...as soon as...I don't think it's in here, John. I don't think the names are in the Bill or the analysis."

Speaker Madigan: "Mr. Ronan..."

Preston: "Is...is one of them the..."

Speaker Madigan: "...Mr. Ronan..."

Preston: "...Does this have anything to do with malpractice insurance?"

Ronan: "None whatsoever."

Preston: "Thank you."

Ronan: "This is a very limited piece of legislation, Representative."

Speaker Madigan: "Those in favor of..."

Ronan: "...Representative, did you..."

Speaker Madigan: "...The Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ronan, on Amendment #2."

Ronan: "Thank you, Mr. Speaker. Amendment #2 establishes an absolute minimum level of 300,000 dollars of capitol and

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surplus for captive insurance companies."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2191, a Bill for an Act to amend the Illinois Insurance Code. Third Reading for the Bill."

Speaker Madigan: "Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. Amendment #2 becomes the Bill. I've explained the Amendment. I move for favorable passage of House Bill 2191."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The...Mr. Cullerton."

Cullerton: "We just wanted to make sure this Bill was read a second time, yesterday."

Speaker Madigan: "It was, Mr. Cullerton."

Cullerton: "Alright."

Speaker Madigan: "Mr. Clerk, was the Bill read a second time?"

Clerk Leone: "The Bill was read a second time, yesterday."

Speaker Madigan: "Was it read a third time, Mr. Clerk?"

Clerk Leone: "The Bill has been read a third time."

Speaker Madigan: "The Clerk shall take the record. On this question there are 113 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 2205 Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 2205, it's been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "There are no Committee or Floor Amendments

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offered."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill. Mr. Cullerton. Mr. Cullerton."

Cullerton: "Mr. Speaker, I believe this Bill is on the agreed list. I don't have to take the time of the House to present it at this time."

Speaker Madigan: "Mr. Cullerton, let me suggest we just do it. It'll take less than a minute. So, Mr. Cullerton on House Bill 2205."

Clerk Leone: "House Bill 2205, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Yes, this provides that a domestic captive insurance company shall be deemed to have met the requirements for an exemption from certain taxes, if it engages in administrative services, corporations having a place of business in this state. Be happy to answer any questions. Appreciate an 'aye' vote."

Speaker Madigan: "Those in favor of the passage of the Bill, signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 'ayes', no one voting 'no', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2578. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 2578 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk Leone: "Amendment #1 was adopted in committee."

Speaker Madigan: "Is there a Motion?"

Clerk Leone: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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Clerk Leone: "No Floor Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2578, a Bill for an Act to amend certain Acts in relationship to AIDS reporting. Third Reading of the Bill."

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill seeks to close a loophole in terms of HIV infection reporting. Though a large percentage of HIV infections are diagnosed through testing by insurance companies, there is nothing in the law now which requires insurance companies to report those infections to the Department of Public Health, or to require physicians to report those infections to the Department of Public Health if they receive notification from an insurance company that their patient is infected. House Bill 2578 would seek to close that loophole and requires insurance companies to inform...first, to counsel a person who is found to be infected with HIV if the test result so indicates, unless the counseling is provided by the applicant's physician or by confidential referral to a public health department. In the vast majority of cases this counseling is being done by the applicant's physician. And requires the depart...the insurance companies to report to the department the cases that they have already identified, if they still have those cases in a data base, without identifiers. It further requires the insurance company to report HIV positive test results to the Department of Public Health after January 1, 1990, unless the results have been reported to a physician, required to report them to the department. And it requires physicians notified by insurance companies, that an applicant for insurance has tested positive for HIV infection..."

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Speaker Madigan: "Mr. McPike in the Chair."

Pullen: "...requires that physician to confidentially report the information to the Department of Public Health, in the manner in which they currently are required to report infections. I urge favorable consideration of House Bill 2578."

Speaker McPike: "The Lady moves for the passage of House Bill 2578 and on that, Representative Dunn."

Dunn: "What...is the Amendment the Bill?"

Pullen: "Essentially, yes."

Dunn: "And it...and what, it requires AIDS cases be reported to the Department of Insurance, is that what it does?"

Pullen: "The Department of Public Health."

Dunn: "And...by what? By zip code and by a certain date?"

Pullen: "For those HIV infection cases that the insurance companies already know about and are maintained in a data base if they are, and most of them are not, but if an insurance company does have this information now, they would be required to report those by April 30 of 1990 to the Department of Public Health for statistical purposes, not by name or address, but down to the zip code. So that the department would have a geographic identification."

Dunn: "Thank you."

Speaker McPike: "Representative Terzich."

Terzich: "Representative Pullen, are you basically stating that companies that have health insurance and so on, send reports to the Department of Insurance?"

Pullen: "No."

Terzich: "When they make applications for insurance?"

Pullen: "This has nothing to do with the Department of Insurance. It is to report HIV infections to the Department of Public Health, unless those infections have been reported to the applicant's physician."

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Terzich: "Well, who is supposed to make these reports to the Department of Health?"

Pullen: "The physician is to make the report to the Department of Public Health if they are notified by the insurance company that their patient has tested positive. If the insurance company has not been able to identify a physician for that applicant, and that applicant is HIV infected, then the...then the insurance company would notify the Department of Public Health so that the person could be followed up."

Terzich: "The...are you talking about a person who is making applications for insurance and has to take a medical and..."

Pullen: "Yes."

Terzich: "...And then the medical...it's shown that they are a carrier...AIDS carrier?"

Pullen: "That's right."

Terzich: "Well, you know, the insurance companies, basically when a person makes a application for insurance, basically all that information is private and confidential, and the only reason that they do that is to whether or not make a determination of whether or not a person's an insurable risk. They are not in a...in a medical area of trying to tell a person whether or not he's physically fit or being noninsurable. And what this simply would do, is you're going to be putting the insurance company in the area of releasing medical information which may or may not be detrimental to the individual applicant and also putting a responsibility upon them. And I...you know, they're not in the medical field and they're not going to make a determination of whether a person's healthy or not, all they make is a determination of whether or not they're an insurable risk. And I would be, you know, against this

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type of legislation."

Speaker McPike: "Representative Stern."

Stern: "Will the Lady yield for a question?"

Speaker McPike: "Yes, she will."

Stern: "I apologize, Representative, I was on the phone when you started and I missed some of the beginning and I just read the synopsis of this Bill. Just a question. When a patient is given this test and turns out to be an HIV positive, is he told? Is the patient told? You may have said this, I don't know...or she, excuse me, or she?"

Pullen: "Would you finish your question again, please? Someone said something as they were going by and I couldn't hear you."

Stern: "Okay, the question is, if an individual is tested and turns out to be HIV positive does the insurance company inform that patient?"

Pullen: "The normal practice is for the insurance company to notify the applicant's physician, so that that physician may properly inform the patient, his patient, and may counsel them and provide appropriate medical treatment. There are a few cases where an insurance company is not able to identify a physician for an applicant or get an applicant to say, 'alright, I'll go see this physician'. And it is those cases that we are seeking to have the insurance company to report to the Department of Public Health. It is..."

Stern: "...But not by name..."

Pullen: "...In the vast majority of cases, 99 percent, they are able to do it through the physician and then the physician would report to the Public Health Department in the same way that they would if they performed the test and got the test result themselves."

Stern: "I thought I heard you say that they...when they report it

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to the Department of Health, they do not report the name."

Pullen: "No, that's..."

Stern: "So therefore, nobody is telling this person?"

Pullen: "No, there are two provisions. One of them says that for those that they already know about now, see, we haven't been collecting any information from insurance companies and in Oregon, which does, they found that 20 to 30 percent of the infections that are reported to the Public Health Department are reported by insurance companies. So we believe that there may be a significant underreporting of infections in this state, because we don't require insurance companies to report, and because physicians are required to report the results of tests that they perform, but not if they're informed...the law is simply silent whether they should report those where they get the information from an insurance company, rather than performing the test themselves..."

Stern: "...Well, the only thing I want..."

Pullen: "...So we believe that there may be a significant number of infected people who have...who know about it and all that, but are not reported to the Department of Public Health. So we don't know that the epidemic is that large. So for those that they know about now, we're asking them to report without identifiers to the Department of Public Health, so that we can catch up on those that they know about, that we don't."

Stern: "Yeah. Well, I guess..."

Speaker McPike: "Representative Stern...Representative Stern, to the Bill."

Stern: "Okay, to the Bill. And...and I just...I may be misrepresenting and I don't wish to do that. My understanding is that there are individuals whose physicians are unavailable or unknown, who are given the

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news that they have...they are HIV positive. The second paragraph...the Amendment, deletes the counseling requirements and it appears to me that an individual can be told, 'Sir or Madam, you have tested HIV positive, Godspeed'. And that's it. I am concerned about this Bill. I am going to vote against it and maybe the Lady can clear it up when she closes. Thank you, Sir."

Speaker McPike: "Representative Shirley Jones."

Jones, S.: "Yes, would the Lady yield?"

Speaker McPike: "Yes, she will."

Jones, S.: "Once the Department of...Department of...Board of Health receive the zip codes...I mean, yeah, the zip codes from the insurance people, will that be, that I can walk into the Board of Health and say how many people at this zip code have AIDS?"

Pullen: "We are trying to encourage the Department of Public Health to publish its statistical data in a geographically identifiable manner so the people can better assess their risks."

Jones, S.: "So that, I'm asking..."

Pullen: "If... for those who are reported through insurance companies, yes."

Jones, S.: "So I can...I can walk off the street and go into the Board of Health and ask within that zip code, how many people have AIDS within that zip code..."

Pullen: "Well, I'm not sure the Board of Health would have the information sitting right there, but you can..."

Jones, S.: "...Well, if the insurance company..."

Pullen: "...you would be able to request it of the Department of Public Health."

Jones, S.: "But if the insurance company gives them...that person, they're gonna get that...the Board of Health will have the number of how many people."

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Pullen: "Well, I don't know whether the Chicago Board of Health would, but the Illinois Department of Public Health would."

Jones, S.: "Okay, thank you."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Satterthwaite: "Representative, did I understand you to say that the Bill will require that some of the statistics be reported without identifiers, that would indicate whether or not this was a duplicate count?"

Pullen: "Well, Ma'am, it would be my preference to have all of this information reported by identifiers, but there are quite a few people who sit over near you who go bananas over that concept, so at this stage we are not requiring identifiers for the reports that come in from the current information now on store in insurance companies."

Satterthwaite: "My concern...one of my concerns with the legislation, however, is that if we continue to have statistics entered into the system, where there is no method for determining whether these are duplicate counts or not, then the data that is provided is absolutely meaningless. We don't know whether the same person has been reported ten times, even in the same zip code, ten times, through the various sources of reporting that are being created. And so it seems to me that we are asking a department to put numbers into a system that have no relevance, cannot be interpreted in any way to be an unduplicated count, and therefore, I see absolutely no necessity or practicality to the kind of reporting that is being required by the Bill."

Speaker McPike: "Representative Pullen to close."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think the Lady's point that was just raised is a

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very interesting one and it certainly identifies a major problem with the Department of Public Health's so-called, surveillance of this epidemic. The Department of Public Health doesn't want identifiers and can't tell now whether their data mean anything. But there is a report form which includes on it, that the department uses, which includes on it, reason for testing. That section has a very short list. If the reason for testing is for an insurance application, and if this Bill passes or if the department otherwise decides to be responsible in getting information from insurance companies, the department can very easily add to the report form a reason for testing checkoff section which says, 'insurance application'; and that is how they can avoid, hopefully, getting duplicate information when we're asking for it without identifiers. I agree that we should be seeking identifiers, but you folks don't agree with that. And so I am simply trying with this Bill, to close an information gap that is existing now in Illinois, and be sure that people who are being tested for insurance purposes do get counseling, do get referred to their physicians and do get reported to the Department of Public Health in terms of the infection in the same manner in which people are currently being reported if they are tested by their private physicians. As I indicated before, in Oregon where this is required, between 20 and 30 percent of the infections that the Department of Public Health there learns about, come via insurance testing. We will not be able to deal with this epidemic until we really know its scope. This Bill is important to insure counseling and referrals, and it is important also for the statistical surveillance of this epidemic so that we can determine just what is going on with the HIV epidemic in Illinois. Let me remind you that

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this is a virus that does not exhibit symptoms immediately. The average length of time from infection to diagnosis is well over 8 years. It is a different kind of disease from what we have dealt with before and we need especially good comprehensive policies in dealing with it. This Bill is a very minor part of that, but I think that it is an important part of filling up the picture and I urge an 'aye' vote."

Speaker McPike: "The question is, 'Shall House Bill 2578 pass?' All those in favor vote 'aye', opposed vote 'no'. Representative Davis, to explain her vote."

Davis: "Yes, Mr. Chairman, Ladies and Gentlemen of the House, I find that in...in a large part of the city, a high rate of mobility. And my concern would be if you're identified as having AIDS at one zip code and you move to another zip code, you know, there's false information being prepared and maybe given out. So therefore, I vote 'no'."

Speaker McPike: "Representative Flinn."

Flinn: "Well, Mr. Speaker, no reflection on this particular Bill, but in the last few Bills that have come up, I feel terribly overloaded with useless information. I think it's high time we got down to go to work here and do what we're supposed to do, instead of listening to people who like to hear themselves talk."

Speaker McPike: "Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 82 'ayes', 23 'nos' and 9 voting 'present', and House Bill 2578 having received the Constitutional Majority is hereby declared passed. ...The Chair have your attention for a minute? Could the Chair have your attention just for a minute? The Speaker is going to buy dinner tonight and the question is, whether it's going to be pizza or chicken. Wait, just a minute, wait. Please, please. We're going to

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have a Roll Call. We're going to have a Roll Call. We're going to have a Roll Call, so all those in favor of pizza will vote 'aye', and all those in favor of chicken will vote 'no'. All those in...pizza is 'aye', pizza is 'aye' and chicken is 'no'. Now listen, we're not going to discuss this for two hours. Have all voted? Have all voted who wish? The Clerk will take the record. Pizza will be served at 7:00 p.m. Next Bill is House Bill 1313, Representative Wyvetter Younge and a Co...hyphenated Sponsor is Representative Saltsman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1313, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. May I have permission to return this Bill to Second..."

Speaker McPike: "The Gentleman ask leave to return to Second Reading. Is there leave granted? No objections, leave is granted. The Bill's on Second. Any Amendments?"

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

Speaker McPike: "Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. Amendment 2 puts the Bill back in its original form and increases the tax rate on foreign fire tax from two to three percent. The Municipal League signed in as a proponent to this Bill and they will get a percentage of this for the operation of the Municipal League."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman ask leave to hear

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the Bill at this time. Any objections? Hearing none, leave is granted. Attendance Roll Call is used. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1313, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Representative Saltsman."

Saltsman: "Yes, this gives the same privilege to municipalities over 50,000 population. The ones under 50,000 population have been awarded for a number of years. And I ask for its passage."

Speaker McPike: "Question is, 'Shall House Bill 1313 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 101 'ayes', 12 'nos', 1 voting 'present', House Bill 1313, having received the Const...Balanoff votes 'aye'. Trotter votes 'aye'. One hundred and three 'ayes'. This Bill, having received the Constitutional Majority is hereby declared passed. House Bill 2062, Representative Ryder. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2062, a Bill for an Act to amend the Health Maintenance Organization Act. Third Reading of the Bill."

Speaker McPike: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. It's not often that Congress comes up with a good idea, but in this case they did. In 1988 they amended the Federal HMO Act to allow a choice for ten percent of the physician's services to be provided and out of plan provisions. Illinois cannot allow that kind of choice without amending the...the Act, which is the purpose and sole content of this Bill. I would ask for favorable consideration."

Speaker McPike: "Any discussion? Question is, 'Shall this Bill

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pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there's 112 'ayes', no 'nays', none voting 'present', House Bill 2062 having received the Constitutional Majority is hereby declared passed. House Bill 2097, Mr. Ryder. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2097, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I discovered in my portfolio of Bills that I was weak on foreign policies, so I have suggested this Bill, which prohibits certain investments under the Insurance Code for those companies and banks that boycott the State of Israel. And I would ask for your favorable consideration."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk, take the record. On this Bill there are 110 'ayes', 1 'no', 4 voting 'present', and House Bill 2097 having received the Constitutional Majority is hereby declared passed. House Bill 2129, Representative Didrickson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2129, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the General Assembly. House Bill 2129 is the mammography Bill. It requires insurance companies to cover mammography exams or screenings for individuals, and I use the term individuals because it's not just women who can be afflicted with this disease. Base line mammogram, between the ages of thirty-five and thirty-nine, between the ages of forty to

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forty-nine; one every two years. And over fifty, one every year. It is the adoption of the American Cancer Society Guidelines. There are a number of supporters and Cosponsors of this legislation. We are looking at one in ten people. Or are women in particular, who are being faced with this devastating disease. There is, through the use of mammography screenings, a way that we can reduce the mortality rate dramatically for individuals in the State of Illinois, between ninety-five to ninety-eight percent by the use of these screenings. They can detect three to eight years before a self-exam, the incidents of a cancerous disease of the breast. And I would be glad to answer any questions."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 114 'ayes', no 'nays', none voting 'present'. House Bill 2129 having received the Constitutional Majority is hereby declared passed. House Bill 2140, Representative Novak. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2140, a Bill for an Act to amend the Insurance Code. Third Reading of the Bill."

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

Black: "I...I'm not sure."

Speaker McPike: "Okay."

Black: "Let me think about it. I'll get back to you."

Speaker McPike: "Representative Novak. Mr. Clerk, have you read the Bill? Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. May I have leave of the Body to take this Bill back..."

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Speaker McPike: "The Gentleman asks leave to return the Bill..."

Novak: "...To Second Reading for purpose of an Amendment..."

Speaker McPike: "...To Second Reading. Is there any objection?"

Representative Black objects. The Gentleman moves to return the Bill to Second Reading for purposes of an Amendment. And on the Gentleman's Motion, Representative Black."

Black: "Well, Mr. Speaker, I just object to the Gentleman's Motion and all due respect to the Sponsor. I think we have plenty of Bills out there and plenty of Amendments. There's plenty of places for him to put this stuff. He doesn't need to take this back to Second. Let's go on with our business as Representative Flinn said earlier."

Speaker McPike: "Further discussion? The Gentleman's Motion is to return it to Second Reading. All those in favor of the Motion vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 66 'ayes', 46 'nos', the Motion carries. The Bill is on Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. You have received correspondence on this subject matter, I'm sure. As Chairman of the Insurance Committee, the insurance industry and the individuals from the UAW, as well as the manufacturers of cars, had come to an agreement. The first time that those three or four entities could agree on language as it pertains to crash parts on vehicles. It has been opposed by most of the associations outside of Illinois. The mail that you've been receiving has come from New York and

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California, Tennessee and Maine. And I think there's a misunderstanding here. The Amendment as proposed, provides for notification on the estimate of something other than original parts used for replacements; only crash parts. Does not include nor is it intended to include, any additional provisions; such as batteries, plugs, shocks, et cetera; strictly the crash parts. Very similar to, as I say, identical to the Tennessee legislation in effect, as well as what's being considered now in Missouri. I happen to see no problem at all with notifying a person on the estimate exactly what is going to be used to repair your car. Some people disagree with that, I happen to think it's a good policy. It's the first time we've had these three type organizations together. But there are...there is one wholesale association here that's opposed to it because of what could occur in the future. It is not the intent, nor would I support legislation that would address the question of those parts not involved in a crash provisions, basically, the body parts. Anything other than that I will oppose in any future years and I'm sure you would too. I ask for adoption of House Amendment #1."

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

Edley: "Thank you, Mr. Chairman. This is just a comment on the Bill. First of all, I have a definite conflict of interest. I'm involved in selling auto parts. But just let me make a...clear up a statement from the previous speaker. I think the thousand jobbers in the State of Illinois are opposed to this legislation as well. It's been my experience, and I don't sell a lot of crash parts, but it's been my experience on a very popular General Motors truck fender that because of the competition, General Motors dropped the price of that truck fender from about 365 dollars in a two year period to around 100

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dollars. If...if...if this kind of legislation will give General Motors and the big car dealers a lock on that business and the consumer will be paying the price. Thank you."

Speaker McPike: "Representative Black."

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

Speaker McPike: "Yes, he will."

Black: "Thank you. Representative, what you're attempting to do here, is this not...is this not basically already required in the Illinois Insurance Code, Section 919.80?"

Mautino: "Yes, Sir, it is."

Black: "Then why do we need this Amendment?"

Mautino: "Well, bas...basically, we're addressing a different Section, okay? And it has to do with improper claims. The Amendment is to clarify, I think, what is necessary as it pertains to these parts. It is under Rule and Reg and is included in the Insurance Act, but not under the claims provisions."

Black: "Well, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Amendment. We've seen this, I think every year for the last four years and those of us that are downstate, you all know what this is. If you what to put your auto parts jobbers out of business, this is the foot in the door that will do that. Now we have lots of auto parts jobbers downstate, in most of our smaller communities. We have fewer and fewer dealers, franchise automobile dealers. Now where you're headed with this Bill is to put those jobbers, independent business men and women in your community, out of business. The Gentleman admits this is already in the Insurance Code. I don't see why it's necessary. Maybe the difference is that what's in the Insurance Code is not anti-competition,

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nor does it create the opportunity for a car maker's monopoly in the replacement parts industry. And I...I don't have any opposition with his crash parts language, but I'm going to tell you something, this question came up a couple of years ago in the Transportation Committee and some of these very so-called crash parts, that are called OEM, are made overseas, and shipped in here under licensing arrangements. I just simply have the greatest respect in the world for the Sponsor of Amendment #1, but I have to represent the people in my district who sent me here and vote 'no' and urge you to vote 'no' on Amendment #1."

Speaker McPike: "Representative Mautino to close."

Mautino: "Thank you, Mr. Speaker. As I pointed out earlier and I will direct my remarks to the previous speaker. I do not support the concept of a proposal that would eliminate wholesalers or employment individuals in any field of endeavor. It is not my intention to do so with this Amendment. For the record, the purpose, and this is in the legislation, page three, line thirty-four beginning, 'for the purpose of this Section, a crash part means a replacement for any of the nonmechanical sheet metal or plastic parts which constitute the exterior of a motor vehicle'. This does not address internal parts or anything else. I think that it goes a long way in establishing what our neighbors have and defines specifically what crash parts we're talking about. And I look for your support."

Speaker McPike: "Question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye', all opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Amendment there are 10 'ayes' and 90 'nos'. The Amendment fails. Further Amendments?"

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

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Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to House Bill 2140 requires two things. First, it requires prior approval by the director of insurance of all insurance policies on all insurance forms, prepared in this state for...from any insurance company. Currently, prior approval of policy form does not mandate it with respect to property and casualty insurance, but the director may disapprove a form and require an insurance company to prepare it once again. Under this Amendment, insurance companies will be required to sup...pre-submit all of their insurance policies to the department for their approval. The second aspect of this Amendment deals with policy simplification. The purpose of this is to establish minimum language and format standards to make all insurance policies easier to read for consumers. The director is mandated to develop a measurement for evaluating the complexity of policies and he can do this in any way, manner, shape or form he wishes to. Now I know that the arguments against this Amendment in the past have been that an insurance policy is a contract and that it has to be written in a certain way but, Ladies and Gentlemen of the House, I can tell you that there are many documents that can be written in various ways. And this is a document that can be written so people can understand them. So that some seventy-five year old lady in one of your districts, who has a homeowner's policy or has a life insurance policy can read it and understand it. That's the purpose for this Amendment. The purpose is so people understand what their insurance policies mean. And I can tell you that when I draft contracts or documents for my clients, and as some of the other lawyers in this room can tell you, they can draft documents in nonlegalese terms. It's possible to draft a

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document that a person, who is not a lawyer, can understand. It's possible to draft a document that a noninsurance person can understand. It's important that our people in the State of Illinois, when they get an insurance policy or an insurance policy form, know what they've purchased, know what their rights and responsibilities are and know what the rights and responsibilities of the insurance companies are. I urge you to consider carefully the purpose of this Bill. The purpose is to protect consumers so that they know what they're getting into, so they don't have to hire a lawyer when they get an insurance policy. It's important that people know what coverage they have and it's important that they get what they pay for. And I urge your 'aye' vote."

Speaker McPike: "And on the Amendment, Representative Tate. Representative McCracken on a point of order."

McCracken: "Thank you, Mr. Speaker. I move that the Chair rule Amendment #2 out of order. It's drawn with...under the assumption that Amendment #1 got onto the Bill. In particular it makes reference to a Section of the Act, which existed only in Amendment #1, which was not adopted. And I move the Chair rule the Amendment out of order."

Speaker McPike: "Representative Lang."

Lang: "We've been looking over this Amendment. It may be that Representative McCracken is correct."

Speaker McPike: "Representative McCracken, could you point out specifically, to the Parliamentarian, what your point of order is?"

McCracken: "Well, first of all, Amendment #2 purports to amend the House Bill as amended. There is no Amendment to the House Bill. In addition, it makes reference to Section 154.6, but 154.6 is not in the original Bill. It's only in Amendment #1."

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Lang: "Mr. Speaker."

Speaker McPike: "Representative McCracken, you are correct. The Amendment is out of order. Further Amendments?"

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

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

Lang: "Withdraw Amendment #3, Mr. Speaker."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Novak, do you want to call the Bill? The Gentleman will hold the Bill on Third Reading. House Bill 2147, Representative Sutker. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2147, a Bill for an Act concerning insurers and insurance. Third Reading of the Bill."

Speaker McPike: "Representative Sutker."

Sutker: "Mr. Speaker, and Ladies and Gentlemen of the House. This is a very serious Bill, I think which affects not only the insurance industry, but the lives of the people of the State of Illinois, and the concerns of businesses as well as residents in our state. Let me call your attention to what the Illinois Antitrust Act provides. It's an Act to prohibit conspiracies, combinations and collusions in restraint of trade. The purpose of the Act is to create a climate for competition, to prevent restraints of trade or oligarchical practices that damage the free flow of trade and commerce in the State of Illinois. The insurance industry is specifically excluded from the antitrust laws of the State of Illinois. It is a blanket and complete exclusion. House Bill 2147, addresses itself to the need to face the problems that the insurance industry has for itself and has a how...how it impacts on all of us. This is an opportunity through this Bill to remove the blanket

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exemption, and provide a limited exemption to the industry that will help the small companies, that will motivate competition, that will increase the benefits available to all elements in the insurance industry. It is a responsible piece of legislation, on which I ask your thoughtful consideration. I would like you to judge it from the terms of the Bill itself, not from any misinformation or disinformation that may been...have been disseminated. Ladies and Gentlemen, this is not a Bill that removes the exemption, this is not a Bill that damages the insurance industry. This is a Bill that provides for the dissemination of data and information and facts among the insurance companies, so that they can retain their viability and credibility. It also provides for an appropriate times and places for pooling of resources, for acting in concert, unless its an unreasonable restraint of trade. This is a Bill that the insurance companies should welcome. Because it addresses itself...it addresses itself to that onerous practice which has developed over the years of price manipulation and price fixing in that interest...industry. Ladies and Gentlemen, if the people in that industry are opposed to rate fixing and price fixing by government, how much more should we be opposed to price fixing and rate fixing by the industry itself? I ask you to consider carefully what is available here, is an opportunity for the industry to gain the credibility which it has lost over the last decades. It's an opportunity for them to really open the doors of competition among all levels in the industry. True, true, Ladies and Gentlemen, true they won't be able to fix prices behind closed doors, true they won't be able to manipulate markets, true they won't be able to divide up geographical territories, true they won't be able to do what...what has been prohibited by

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other industries from doing. Namely, monopolistic practice and oligarchical practice that has created an economic...economic royalist in that industry. I would ask you, Ladies and Gentlemen, to recognize that there is a vacuum in the law today. The federal government has turned its back on the problem and said the state should address it. I assure you, if we do not address it in a responsible and meaningful manner now, it will come back to us in other forms and in other ways in the days ahead. And...by that I mean the regulation will be by government. Hopefully, if you want to avoid the regulation by government you will say resoundingly there should be no...no regulation by the industry itself. Ladies and Gentlemen there are 37 companies on the insurance offices...Insurance Services Offices Board. There are 1500 companies that are a part of the insurance services office. Those 37 companies do 66 percent of the business in the industry. Those 37 companies dominate the industry, and I would urge you, I would urge you to think very carefully on the consequences of a 'no' vote. It's an invitation to all the opponents of the insurance industry..."

Speaker McPike: "Bring your remarks to a close, please, Representative Sutker."

Sutker: "The industry does not want to be reasonable, it does not want to be responsible, and what will occur will be rate fixing by government. I'm sure if you think carefully, you would rather prevent rate fixing by the industry. I'm prepared to answer any questions."

Speaker McPike: "The Gentleman has moved for the passage of the Bill. Representative Parke."

Parke: "Thank you...Ladies, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor of this Bill thinks that because he has put this Bill in that we are going to be able to

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stop what he considers anticonsumer efforts on behalf of the insurance companies. Let me take you back and explain a little bit about the antitrust legislation. The McCarran-Ferguson Act passed in Congress in 1945, gives limited immunity to the insurance industry from some portions of the Sherman Antitrust Act. In brief, McCarran-Ferguson says that where the insurance is governed and regulated by state laws it shall be immune from prosecution under the Sherman Antitrust Act. Okay. It says except of course in cases of boycott, intimidation, coercion, where there is never any immunity. And I would venture to say that if there was any of this that could be proven, it would have been proven in the court of law many years ago that there in fact was coercion, there is not. The Illinois...in Illinois the State Legislature allows the rate regulation laws regarding insurance industry pricing to sunset or lapse in 1971, therefore, there is no law regulating insurance rates in Illinois. May I point out that because of this...this is not a negative this is a positive, because we in fact are able to be in the middle of rates, matter of a fact if you did an average comparison, we are below average because we have no rating and the free marketplace competition dictates what we can do. Therefore, there is no protection under the McCarran-Ferguson Act for the collective use of common rates and premiums. It is absolutely and completely legally...mandated open competition. Who benefits? Study after study shows consumers do. Why? A variety of insurers selling through a variety of market systems selling a variety of coverages at a wide range of prices. That means there's competition, the free marketplace works and it works in Illinois, this legislation is not necessary. Let me also point out that currently there are

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a number of clearing houses for inform...for insurance information. One is called the ISO another one is the AAIS. These groups collect loss data. Then they say that they list ideas on loss information, that is shared with all the insurance companies in Illinois, they can look at the loss information make their own determination of what the rates are and then disseminate those rates wherever they think is appropriate for them to be able to sell their products to the consumers. Also, there are forms that are uniformly used, especially with the smaller companies. Last week, I had the pleasure of meeting with a lot of the Farm Mutual Insurance Companies in Illinois. They are desperate to have this Bill not passed. Matter of fact as you know there was an Amendment introduced by one of the Representatives to delete the small insurance carriers because we know this is gonna be a disaster. Every downstate Legislator who has Farm Mutuals in their districts has got to vote against this because in essence its gonna put those small mutual...Farm Mutuals out of business, because they're not gonna be able to disseminate the information to come up with what they can think as good rates. In addition, there is another group called the Farm Service Bureau, or the Fire Service Bureau which rates flammability of materials. It also determines the builder design and safety. That is the basis that all the insurance companies in Illinois use this information for homeowner policies and commercial fire policies. They're not gonna be able to get that information. That'll be denied to them because of this legislation. I might also point out that the small companies that already have a corner in the market were doing business who may because they think its competitive to open up a new market will not have the resources nor the money to be able to go into new

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markets, they won't be able to because they won't be able to get the information. Ladies and Gentlemen of this House, I think that though this idea may be well intended it in fact is a negative Bill on the insurance industry, on the consumers and on business. Let me point out one important thing about this Bill. If this Amend...if this Bill passes the only people that are gonna benefit by this law are the antitrust lawyers. They are the only one that are gonna benefit. Two or three years we're gonna look back and find out why. If this passes, regulation of property, casualty insurance can only be done by the Attorney General of Illinois; and he will only be able to use one tool, that tool will be litigation, and therefore, the only ones that benefit by this legislation, though well intended by the Sponsor, is the antitrust lawyers. I don't think that's reason enough to subject the taxpayers of Illinois to this ill..."

Speaker McPike: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Some questions of the Sponsor?"

Speaker McPike: "He indicates he'll yield."

Harris: "Representative, if I can. Would you be kind enough, I think some of the points that the previous speaker made, we have heard from some of those lobbying us on this Bill. I think they might be legitimate points. I have questions, and if you would be ans...kind enough to answer some. We have an organization in this state known as the Illinois Insurance Exchange which I understand is unique among the 48 or 50 states in this nation, would indeed the Illinois Insurance Exchange be forced out of business by this law?"

Sutker: "It would not be forced out of business, Representative Harris. As a matter of fact, it would be encouraged, what we are trying to do is disseminate more information to the small companies in that industry. To bring more factors to

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them, to allow them to grow. There is no intention to remove the opportunity to learn, research, and to provide for additional information for each of these companies."

Harris: "Alright, thank you. Just so I'm...I'm sure here, I have the Bill in front of me. The Bill...there is only one Amendment on the Bill currently, is that correct?"

Sutker: "There is only one Amendment."

Harris: "Which deletes everything after line 11 on page 4?"

Sutker: "That's correct, I focused the Bill only on the antitrust exemption, in limiting the exemption, and took out everything else."

Harris: "So that...I understood at one point there was a suggestion that we were going to limit this to companies doing a certain level of premium business. That is now, not accurate. It applies to all insurance companies in this state. Is that correct?"

Sutker: "That's correct because as we read the Bill we determine that small companies will really be benefit...be benefited by the provisions of the Bill as it's written. It is..."

Harris: "Alright, I appreciate it. The charge has been made that insurance companies will not be able to use standardized forms, standardized policies because of this. Is that accurate?"

Sutker: "There is no truth to that, they may continue to use standardized forms, they may continue to avail themselves of the Department of Insurance's facilities where there are hundreds and thousands of forms, specialized as well as standardized."

Harris: "What about instances of what's known as I believe pooling arrangements, where there may be the necessity for several companies to engage in underwriting the premiums for...or underwriting the insurance for a large, either a large automobile plant, such as in Belvidere or a...an

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airplane? Apparently, they do this now on a joint basis, would that type of activity be outlawed?"

Sutker: "That type of joint venture would not be outlawed at all. As a matter of fact, joint ventures are common even in industries which are under the cover of the antitrust law. So that would not be affected. I'm not really concerned about the giants dealing with each other, because your dealing with giants who are negotiating with each other in those circumstances, so I know that they can take care of themselves. But they're not...they're not damaged from proceeding in that manner under this law."

Harris: "Okay, I appreciate your answers. One final question if I may. It's been told to me that if antitrust exemption is repealed, virtually every act of an insurance company could be subject to antitrust legislation...or antitrust litigation under this Bill. Is indeed that accurate?"

Sutker: "I'm sorry....may I have...Mr. Speaker, I can't hear the questions across the room, may I have some quiet please."

Harris: "If antitrust exemption is repealed, this is a charge, if antitrust exemption is repealed, virtually every act of an insurance company could be subject to litigation. In fact that there would be court interpretations on everything of what is and is not permissible."

Sutker: "I don't think there will be anymore litigation then there currently is. As you'll recall the previous speaker indicated they're under antitrust oversight now. If they're under antitrust oversight now, they really shouldn't be concerned about this Bill. The fact is however, it will not change the climate in the judiciary at all, the litigation that has occurred in the past will continue. You are aware I'm sure that there are eight states that have been suing the major insurance companies for antitrust activities, which included price fixing and

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geographic manipulation, those cases are already in court, I don't anticipate there will be any additional ones."

Harris: "Well, I appreciate it. For purposes of legislative intent and how you as the Sponsor of the Bill feel on this, I think your answers have been enlightening and I thank you for your answers."

Speaker McPike: "Representative Flinn."

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

Speaker McPike: "The Gentleman moves the previous question. The question is 'Shall the previous question be put?' All in favor say 'aye' opposed 'no.' The 'ayes' have it and the previous question is put. Representative...well we had two Republicans speak against it and no Democrats speak for it and we're trying to move along. Representative Sutker to close."

Sutker: "Well, maybe I can help you as I close, Representative. The FTC Chairman appointed by President Reagan referred to the antitrust exemptions and I quote 'the antitrust exemptions are anti-consumer, enabling the industry to fix prices, place time limits on its liability and divide customers and they divide territories among themselves. This is Mr. Dan Oliver, Chairman of the FTC. The former Vice President and General Counsel of State Farm Mutual has said the industry should not be in the position of demanding both open competition free from anticompetitive state regulations and immunity from antitrust laws. We must not fall into the same trap of inconsistency that we accuse our opponents of doing. Ladies and Gentlemen, you're dealing with price fixing pure and simple, that's why you've had the kind of pressure that you have had, that's why you have the concerns which you have, if you want to restore public confidence in the insurance industry vote 'yes' for this Bill. If you want to insure more

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stability and more competition in the insurance industry vote 'yes' for this Bill. If you want to prevent price fixing by industry, vote 'yes' for this Bill. If you vote 'no' you're going to get price fixing by the government and none of us at this point are prepared to, well some of us may be, none of you are prepared to do that. Let me suggest further that if you want to restore and encourage smaller companies so that they are not shackled by big and oligarchical companies in their field, this is the way to give them an out. This is an opportunity for them to assert their independence. Ladies and Gentlemen, this Bill is a serious Bill and I would have been prepared to discuss with you...I would have prepared to discuss it with you on many levels later. But the fact is right now, you have an opportunity to encourage that industry to stand on its own feet. You have...you have big companies speaking as if they were the guardians of small companies. If you believe that Ladies and Gentlemen you believe the fox belongs in the chicken coop. Because those big companies, the major ten are not concerned about the 1500 companies that are small companies that are striving to survive. May I offer you this last suggestion? That this Bill is an answer that's responsible and supported by the American Bar Association and supported by major leaders in the industry. I'm not suggesting that it's in final form. I recognize that there can be changes, because the last thing I want to do is to hurt the small companies in the industry. The most important thing we have to do is to remove the domination of those small companies by the major ten. Ladies and Gentlemen, I urge you to consider very seriously that this is an opportunity to have free competition in an industry that has been shackling members of it. This is an opportunity Ladies and Gentlemen to have the level playing

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field that you've always seemed to want, this is an opportunity where small companies can assert their independence and be self...have self determination. The..."

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

Sutker: "The large companies in this industry can take care of themselves, Ladies and Gentlemen. They can fix prices and fix rates, and they can be unhampered by responsibility. It's up to us to protect the small companies who are victimized and shackled by the majors in this industry. And at the same time you will be doing an important task for this state and making a major contribution to the consumers of this state. There is just no question of the fact that this is a responsible Bill that should be considered seriously and responsibly by those who care about the industry. Thank you, Mr. Speaker."

Speaker McPike: "The question is 'Shall this Bill pass?' All those in favor vote 'aye' opposed vote 'no.' Representative Tate, to explain his vote."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First of all, I'd like to say, since you gave him a ten minute close, I'm sure I have five Members that will yield their time to me and give me an opportunity to explain some of the issues. You know that was a great political speech. California, Proposition 103, it's...that made the headlines in the paper throughout the nation, and it's a great issue that if you wanna run political campaigns on, why don't you go out and tell the people of Illinois you're gonna reduce insurance rates? And you know in the same Bill we should probably tell everybody in Illinois we're gonna give them a pay raise too. But if you wanna take a little common sense perspective on this issue, and you want to talk about antitrust exemptions and you look at this exemption, the

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same exemption that we give insurance companies in the state, applies to labor organizations, agricultural cooperatives, public utilities, not for profit corporations, security dealers, the board of trade, motor rail carriers, national banks, S & L's, lawyers, doctors, real estate brokers now, what's the need for this legislation? Well, this proponent argues that by sharing a loss experience data insurers are engaging in price fixing. Price fixing, huh? Well, if insurers are in fact engaging in price fixing, anyone can initiate legal action in this state, either state or federal law, because it prohibits such activities. Currently the Federal law the Mccarren-Ferguson Act, prohibits any insurers engaging in any kind of intimidation, coercion or boycotting, so what would the effect of this legislation do? Well, the net effect of this legislation, it would re..."

Speaker McPike: "Representative Stephens, one minute to explain your vote."

Stephens: "Thank you, Mr. Speaker, may I yield my time to Representative Tate?"

Speaker McPike: "Yes, you may. Repre...I misspoke, Representative Tate, I'm sorry you can't yield your time on explanation of votes only on...in debate. Representative Stephens, one minute to explain your vote."

Stephens: "Well, thank you, Mr. Speaker, the Gentleman I believe asked for a verification..."

Speaker McPike: "Did you want to vote, Mr. Tate? Representative Stephens, proceed."

Stephens: "Well, thank you, Mr. Speaker. This is indeed a bad Bill for downstate Legislators to support, so I rise in opposition on behalf of the farm mutuals and others who are in the business of protecting the citizens of Illinois by way of insurance. This is a Bill whose time has not

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arrived, it's bad for small business, bad for downstate, bad for farmers."

Speaker McPike: "Representative Cullerton, one minute to explain your vote."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In an effort to defeat the Bill, the previous speakers have confused this with the California Proposition or another Bill that automatically cuts rates. This Bill simply removes the insurance company exemption from the antitrust laws. Last year, I sponsored this Bill, I was asked to do so I believe by former Representative Greiman, and I said you gotta be kiddin' me I can't even believe that's not already the law. If you were to do a poll in your...or a survey in your district and you'd pose this question as to whether or not this Bill should pass, most people, ninety percent of the people would say of course it should. So, I think we should think about this in a little simpler way. It's not a complicated subject matter, it's a very...relatively simple. Do you think the insurance companies should have an exemption from the antitrust laws? Of course not. I think a 'no' vote is very hard to explain back in our districts."

Speaker McPike: "Representative Turner, one minute to explain your vote."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. You know insurance prices in Illinois are already subject to both state and federal antitrust laws, so repeal of this antitrust exemption for insurance companies will not change this. The real losers if the insurance...if the exemption is lifted will be the Illinois insurance consumer, both personal and business. Why? Because it would drastically reduce competition by preventing many small insurance companies from continuing

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to sell certain lines of insurance. It...the insurance market will be thrown into a complete disarray if this exemption is eliminated and only a few companies will be able to continue to write certain lines of coverage. My college economics taught me that as the supply is limited and the demand goes up, which we did last year as we...passed out of here the mandatory insurance, so will the price; and I think that ultimately the consumer will lose and for that reason I vote 'no' and encour...do so."

Speaker McPike: "Representative Parcels, one minute to explain your vote."

Parcels: "Thank you, Mr. Speaker. The antitrust argument is no good because of McCarren-Ferguson but I'm not going to go into those details you've all heard about it. What I really wanted to do because Representative Tate was not on the microphone when he asked so I will ask that we have a verification if this appears to get the requisite number of votes."

Speaker McPike: "Representative Ewing, one minute to explain your vote."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I congratulate this Body on the wisdom of the vote that's up there on the Board. This would be a great disservice to a very good industry in this state an industry that doesn't need this kind of treatment and in my opinion is taking an unjustly, undue hit this Session of the General Assembly. They're our whipping boy for no good reason. And I would call to the attention of this Body how wonderful it was before the Federal courts broke up the AT&T system under the guise of antitrust. How we'd all like to go back to a system that worked so well at that time. Let's don't make the same mistake here, let's stay out of it the process is working. We have very affordable insurance, compared to

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other states here in Illinois and it's because we haven't regulated them."

Speaker McPike: "Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Mr. Speaker, I would like to reiterate something Representative Ewing alluded too. I would remind you that just a few years ago, we witnessed the break up of the phone systems in this country, because they were allegedly violating antitrust laws. This was suppose to greatly help consumers in this country and any one who feels that that is true should either talk to your seniors about their phone bills or try to get a telephone repaired in your own town."

Speaker McPike: "Representative Matijevich, one minute to explain your vote."

Matijevich: "Mr. Speaker, Ladies and Gentlemen. If we were blind to what happened right here three years ago, maybe I could understand some of these votes, but some most of us were here. Remember the Illinois Coalition for the insurance crisis? IC, IC remember IC, IC. You know and we all saw at that time what happened, many of us said there is no crisis, this is manufactured. We were right, we were right and the fact of the matter is that they're being sued right now because of the conspiracy. If you vote for this you are saying you're inviting conspiracy right here in Illinois. The antitrust laws are protection for the consumer, a protection for the people, a 'yes'...a 'yes' vote is a protection for the people. If you're voting 'no' you're protecting the insurance companies that's all there is to it. When the Roll Calls come out on this..."

Speaker McPike: "Representative Johnson, one minute to explain your vote."

Johnson: "Let me tell you what the insurance industry wants to

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do. They wanna say that the crisis we have is due to the fact that we give too many awards and so they come in with legislation limiting a brain damaged baby to 250,000 dollars or somebody who has scars over their entire body from a burn to 250,000 dollars. Then they want to say we ought to have a competitive rate system, free enterprise, free enterprise ought to work, we ought to make the market system really work. And then they say in the third breath, that notwithstanding those things the other thing we want to do is to not...we really don't want to have a competitive system, we want to create our own exception so that we're the only one who stands out as being exempt from antitrust regulation, so that they get the best of all three worlds and the only loser is the consumer and the people of the State of Illinois. This is a great Bill and the people who oppose it don't understand or choose not to understand what the insurance industry is doing to people in the State of Illinois. Vote 'yes.'

Speaker McPike: "Representative Shaw, to explain your vote, one minute."

Shaw: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Certainly, I rise and particularly, opposition to this Bill, and I rise in opposition because of the fact that last year we passed mandatory insurance and because of mandatory insurance here we come back with this. What you're gonna do...what this Bill will do, is affect minorities all across the state and the same people that you're reporting to help, you're killing them with this piece of legislation here. There is no uniform rate around this state and until you get uniform rates around this state, this piece of legislation will not help minorities and poor people around this state. You should defeat this Bill, it should not go anywhere and I urge the red votes on

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this Bill."

Speaker McPike: "Representative McCracken, one minute to explain your vote."

McCracken: "This is the story today, IPAC discriminates against minorities. This is an IPAC Bill. They could care less about the merits. This is an attempt to embarrass people who don't agree with their tenants and precepts I am glad to see Democrats finally standing up to an IPAC Bill, this is a bunch of garbage. It's already against the law to fix prices for insurance companies. The exact evils, these people claim to want to outlaw are already against the law. This is an IPAC Bill, and its backfiring on them, they're discriminating against minorities."

Speaker McPike: "Representative Regan, one minute to explain your vote."

Regan: "Thank you, Member...Speaker, Members of the House. First of all the exemption to the AntiTrust Bill is narrow and limited. Others have exemptions as well, including unions, agricultural associations, utilities, religious organizations, banks, and by the way the last one here is attorneys have a...a exclusion to the AntiTrust Bill too. It's narrow, I'll tell you how narrow it is. It allows them not to fix rate prices, but they can share information on losses in a geographical area. So that the smaller companies can share in this risk information, creates competition because there's more small companies, the big companies don't use that risk. They're big enough to get there own rate information. They take that rate from the losses, then they add their investment credits, then they add the cost of doing their individual business and they come up with a premium, the premium is what you pay and some companies have large differences in premiums. Consumer Report, 1988, two cars, one male 17, top ten

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companies in Illinois..."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 52 'ayes' 57 'nos' 5 voting 'present.' This Bill...Representative Sutker."

Sutker: "I want the Roll Call first."

Speaker McPike: "52 'ayes' 57 'nos' 5 voting 'present.' This Bill having failed to receive...Representative Regan for what reason do you rise."

Regan: "I guess I haven't begged on the House floor before many times, but I wonder if you could give me an opportunity to vote 'no' on this issue since I was not allowed to speak in the debate."

Speaker McPike: "Representative you can vote, you've explained your vote and you certainly are welcome to vote."

Regan: "Yes, would you please allow me to, please."

Speaker McPike: "Yes, just tell us how you want to vote."

Regan: "I'd like to vote 'no' on this issue."

Speaker McPike: "Mr. Regan votes 'no.' There are 52 'ayes' and 58 'nos' 5 voting 'present', and this Bill having failed to receive the Constitutional Majority is hereby declared lost. On the order of...returning to the order of government administration, Second Reading, appears House Bill 2417, Representative Giorgi. Mr. Clerk, has the Bill been read a Second time?"

Clerk O'Brien: "House Bill 2417, this Bill has been read a Second time previously. No Committee Amendments."

Speaker McPike: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #...Floor Amendment #2 and...2 lost and 3 was withdrawn. Floor Amendment #4, offered by Representative Giorgi."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, I ask leave of the House to table Amendment

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#4."

Speaker McPike: "Representative Giorgi, withdraws Amendment #4. Further Amendments?"

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

Speaker McPike: "Speaker Madigan, Amendment #5."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House. As a further accommodation to my good friend, Representative Churchill who has provided inspiration to me throughout this Session of the General Assembly, I have provided for the drafting of this Amendment, which would provide for the increase in the State Motor Fuel Tax, and I see Mr. Olson is on the rise and apparently requesting a caucus and the Democrats would also request a caucus if Mr. Giglio would so permit."

Speaker McPike: "Representative Giglio, how much time do you need for caucus?"

Giglio: "Oh, probably about an hour."

Speaker McPike: "Representative Olson, is that sufficient? The House will now recess for approximately one hour. The Republicans will have a Caucus in Room 118 immediately, and the Democrats will have a Caucus in Room 114 immediately."

Speaker Laurino: "Mr. Clerk; for messages."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has passed Bills of the following title, passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills #900, 901, 907, 912, 918, 920, 922, 924, 942, 943, 959, 965, 966, 971, 983, 991, 999, 1000, 1004, 1015, 1016, 1032, 1041, 1042, 1047, 1057, 1065, 1080 and 1081. Passed by the Senate May 25, 1987, (sic, 1989) Linda Hawker, Secretary."

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Speaker Laurino: "Mr. Clerk, Senate Bills , First Reading."

Clerk O'Brien: "Senate Bill 959, Satterthwaite, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 901, Mautino and Piel, a Bill for an Act to confirm the validity of the procedures and policies of the commission of banks and trust companies. First Reading of the Bill. Senate Bill 924, McCracken and Cullerton, a Bill for an Act relating to adopted children. First Reading of the Bill. Senate Bill 1065, Hicks and McCracken, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill and Senate Bill 726, Levin and Countryman, a Bill for an Act to amend the School Code. First Reading of the Bill.

Speaker Laurino: "I'd like to make an announcement. All those Bills that were on the Agreed Bill list, having received the Constitutional Majority are hereby declared passed. For the information of the Members of the House, copies of the Roll Calls are at the well next to the Speaker's... next to the Clerk's microphone for your review. The House will come to Order. House will come to order. Mr. Madigan is recognized on Amendment #5 to House Bill 2417."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #5 to House Bill 2417 embodies the Governor's tax plan for increases in the motor fuel tax. In addition, it provides for increase in bonding authority for road construction and maintenance and in addition provides support for mass transportation in northeastern Illinois. I offer this Amendment because I think we all learned last week that it's very healthy and helpful to the legislative process to bring these matters before the legislature, discuss them openly, debate them openly and vote on these questions. Some people may say, 'Well, why now?' I say, 'Why not now?' We're midway through the Session. We do

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have several weeks remaining in the Session. There'll be many more opportunities for people to vote on questions, but we can vote today just as easily as we can vote any other time. I think the proposal is self-explanatory. Mr. Speaker, thank you for entertaining this proposal."

Speaker Laurino: "Very welcome. Mr. Madigan. Is there any discussion? Representative Ronan."

Ronan: "Thank you, Mr. Speaker, Members of the House. I rise to support this Amendment, because I hope that we seriously pay attention to what we're doing here today, just as we did the last time that we had a revenue increase matter that we dealt with in the General Assembly. The transportation needs of this State are significant, they've been clearly documented and if we don't move ahead with action during this Session were short changing the people of the State of Illinois. The specific examples are very clear on what the needs are here in the State. If we don't pass a gas tax increase, the Kennedy Expressway which needs to be overhauled from the downtown area out to O'Hare Airport, will take seven years to complete. That's seven years of traffic congesting the northwest side of the City of Chicago. With the tax increase that can be done in a three year period. Right now in the City of Chicago they have identified 38 million dollars in projects that need to be done this year. The problem is the City of Chicago doesn't have the matching funds to initiate those projects. If we don't have a gas tax increase, those projects will stay on the drawing board, and the streets of the city will continue to be congested. The Department of Transportation's identified a thousand bridges that are in need of repair. We've had situations in other states, New York and Tennessee, where bridges have collapsed, and there's been a loss of life because those states did not

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act in a timely fashion. The time for action is now, on a gas tax increase. By 1993, there are going to be 4,000 miles of road in this state out of our 17,000 mile road network that will be in dire need of repair. Those needs can be met with a gas tax increase this year, but if we don't act, again the infrastructure will continue to deteriorate. The General Assembly has an opportunity today to vote on this issue but we also have five more weeks to negotiate a settlement. I assume that this legislation's not going to pass today, because I don't think the ground work was done to make it pass, but I would hope for the next five weeks we will continue to discuss this issue. I'm proud that I voted for that income tax increase last week, because we have not done what's right for local education and we haven't done what's right for local government. That tax plan moves us ahead in that direction. It's now time to do something for transportation and it's also time for the folks from the City of Chicago and from the ring county area, the billion dollar short fall over at the RTA is going to...is going to clearly come out, in increased fares and service cutbacks. So for transportation as a overall public policy issue, we need to act this Session. I applaud the Speaker for putting this program up. I hope that my colleagues join with me in supporting it, and I think we have to continue to negotiate over the next five weeks, so that if this plan goes down we don't drop the ball and...and short change the people for the next four years. Thank you very much."

Speaker Laurino: "Further discussion? Representative Stange."

Stange: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this proposal is the biggest hoax for 1988. The last 60 days... 1989, that's right. The last 60 days, the last 60 days gasoline prices has gone up 60 cents...30

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cents a gallon. The last sixty days, 30 cents a gallon. Illinois right now is the highest state in the country on gas tax. We're talking 32 cents a gallon in Cook County, 31.8, 32.4 in Cook County, 26.8 downstate Illinois and 37 cents in the City of Chicago if this tax goes through."

Speaker Laurino: "Excuse me, Mr. Stange. Excuse me, Mr. Stange. Mr. Greco, smoking is not permitted on the House floor. Thank you, Sir. Proceed, Representative Stange."

Stange: "The inflation rate the last 30 days has been eight percent, mostly because of the gasoline increases throughout the country. The average American uses his car to go to work on a daily basis. With this tax increase it's gonna hurt the average person. Last week, we passed in the House a 760 million plus income tax. The residents in my district in DuPage County and part of Chicago, property taxes have doubled and tripled the last two years. The people of the State of Illinois are tired of any more taxes whatsoever. Let's look at State government to help the average...average person. The person on a fixed income, the one...People that have worked all their lives for property, for their homes, cannot afford to live in this State any more if taxes continually, continually, continually go up. We're looking at an income tax increase, a gas tax increase, and two or three supposedly other new increases in the tax program this year. If we want to attract business in the State of Illinois and keep the business we have already, we have to put a stop to this now, in 1989. I'd urge my fellow Legislators to vote 'no' on this Bill."

Speaker Laurino: "Further discussion? Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I agree wholeheartedly with the former speaker. Not only is it an outrage that we would propose a tax increase on our people

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when they are already experiencing extremely high gas prices, I think it is an outrage that we allow this government and the U.S. government to sit back and not act as an advocate on behalf of our citizens when they know we are being ripped off. We are being ripped off because of the Exxon spill. Remember that great cartoon that we recently saw in the newspaper where the guy comes up in the gas station, and he says to the gas station attendant, 'Amazing how that Exxon spill even raised the price of wiper blades!' That's how the American people feel, that's how the Illinois people feel. They feel as if they are being ripped off, and Illinois government ought to stand up for them. They shouldn't come around and add a gas tax on top of it. In addition to that, I think this Legislature ought to make this Department of Transportation and this Administration more accountable for its gas tax money to begin with. There is entirely too much diversion of gas tax money for salaries for judges, for state police, for the Secretary of State's office. Before we consider any kind of a tax increase, we ought to end those diversions. Secondly, of the...did you know this...Of the fifty states in the nation, the cost per mile of building roads in this State is higher than any other state. We should be asking 'Why?' Thirdly, Representative Ewing and I have proposed, at the instigation of the Taxpayers' Federation of Illinois a proposal for the change in the formula for the administration of the gas tax. It is bitterly opposed by the Department of Transportation. Why? It doesn't change one dime in where the money goes, but it simplifies the formula. Why would they oppose such a formula change? Could it be it helps them hide some things that they don't want us to know? That they don't want the citizens of Illinois to know? That they don't want local governments

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to know how they get their money and what share they're going to get? What could possibly be the reason? Last but not least, I think we need to be reminded that just a few short months ago, this Department of Transportation and this Administration proposed, not a six cent gas increase...six cent gas increase, they proposed a nine and a half cent gas increase. If they needed nine and a half cents two years ago, less than two years ago, why do we need six cents today? Perhaps if we wait a little longer we'll need even less. I oppose this Amendment."

Speaker Laurino: "Further discussion? Representative Santiago."

Santiago: "Mr. Speaker, with all due respect to the proponent of the Amendment, I feel that this is...that this is an outrage tax. I think six cents to the gasoline tax is going to hurt the little people in the neighborhoods. We already had in Cook County about two months ago a six cent tax increase. This last week we had an income tax. Next week they're gonna ask us for a cigarette tax. The following week, they're gonna ask us to vote on a software tax. I think enough is enough. We should send out a message that we're tired of raising taxes and I think we should hold our Administration accountable. We should start cutting and saving some money and not throwing money away. Illinois already has the highest gasoline tax in the nation, why, why add another burden to the people out in the neighborhood, the ones that could least afford it. In the City of Chicago already we're paying about a dollar forty a gallon for a gallon of premium gasoline. I think it's enough and I am proposing that we should have, instead of more tax increases, we should start thinking of a tax freeze for the rest of the year. Thank you, very much."

Speaker Laurino: "Further discussion? Representative Hoffman."

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

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House. The first speaker after the real Speaker...on this issue, pointed out that there was no question in his mind but what this issue had to be addressed this Session and I concur with that. This issue does need to be addressed this Session. The only question is 'When during this Session should this be addressed?' and the Gentleman has already said he didn't expect this to pass today. Because we have not had enough time to flush this out, to seriously start looking at the five year plans that were delivered to our offices, to get an appreciation of the fact that, in 1983, we got 700 million dollars from the Federal government and today we're gonna be lucky to get 450 million. With those cuts and with the increase in inflation, we're going to be able to do with the resources we have now 50 percent less than we did in 1983, or the five year period following that. Unless we get a tax increase we are not going to be able to do what we have done in the past. I would like to point out to you that in 1983, when we passed this tax, the last time we increased it, regular unleaded self-service gasoline downstate was a dollar and twenty five cents. Today it's a dollar ten. So the issue of the level of gasoline prices is a relative issue, not an absolute. I don't think there's any question in many Members minds that, in fact, our bridges are crumbling, our roads maintenance has not been able to keep up and in congested urban areas we need to do an awful lot of improvement. And so, in recognition of the time in which we find ourselves, the fact that we have thirty more days to go, this is one of a number of major issues that need to be settled and resolved and the fact that we need to look at the entire needs of the State. And as all of you know who have spent any time here, this is when we begin to focus on the major issues, the major concerns of

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the people in this State. With very few exceptions, what we've done today, or done in this Session up to today, are things that were important to some people and to some special groups, but we're now starting to talk about those issues which affect the people in their entirety here in the State of Illinois. We have had an opportunity today to stand up...those who chose to do so...and explain where they stand on the issue right now. The fact of the matter is, that there is much more to learn. We now are beginning to focus on this issue. Many of you, when you go back to your offices after the late Session today or when you go in tomorrow morning, you're gonna rummage around through all that paper blizzard that has fallen upon you in your office and find that five year plan that Secretary Baise has provided. And you're gonna start looking at how it affects you and your district and you're going to start looking at it, you're going to say, 'This looks pretty good, but I think there are some other things that I might need, in my district.' And then you might just make a phone call and invite somebody over to talk with you about your specific needs. And there's a lot of enlightenment that can take place in those kinds of situations. You become more wise, you become more intelligent, you have a better feeling of the needs of the people in your district. And so today we start on this issue. We begin to focus on the issue and I would encourage all of the people who are involved, who are participating in this discussion and I...not to leave anyone out, there are 118 of us here who have very definite opinions...to participate in this process and to help us come to the kind of resolution that we need to come to, for the good of the people of the State of Illinois. Thank you."

Speaker Laurino: "Is there further discussion? Representative

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Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I was interested to listen to the dialogue that Representative Santiago shared with us about how he thinks that it's time to say 'no' to taxes. I might respectfully remind him that he, along with 60 Members of his side voted for a tax increase just last week. That in fact I bet if we checked, your name was on that for a 'yes' vote for a 20 percent tax increase that we perpetrated on the citizens of Illinois. And it's also interesting for us to point out that this tax increase for gas is presented by the Democratic leader of the House. It is obvious also from the dialogue of some of the Members on that side that this will not pass today, and it's also obvious to all of the people here, including the press, that this is nothing more than a political ploy."

Speaker Laurino: "Further discussion? Representative McCracken."

McCracken: "Inquiry of the Chair. Does this require 71 votes to pass, as it increases bond authorization?"

Speaker Laurino: "This, this is an Amend..."

McCracken: "Yeah, well, but does...will the Bill if this Amendment gets on? So it'll require 71 votes?"

Speaker Laurino: "Correct."

McCracken: "Alright, well..."

Speaker Laurino: "Final passage. Not the Amendment, Mr. McCracken."

McCracken: "Well, okay. I don't pretend to know why or the reason for making this Motion today. Whether the Gentleman wants it to pass and send it over to the Senate for a vote or not, but if it takes 71 votes it won't get done with Democratic votes only, unlike the income tax increase from last week. I can tell you that this was sprung on us. We knew of it only when the general public knew of it, and if

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you were serious about passing the Bill, you would have come over here and talked to some Republicans to see if they were interested. Now, it could be that the purpose of calling the Amendment and voting on the Bill, if it gets on, is to say that the Governor's had his day. That the people have spoken and it's a dead issue, or it... maybe it's gonna pass, maybe he's got four Republicans hiding away somewhere and it's gonna shoot over to the Senate and then we'll have to deal with it there. But if you wanna get 71 votes in this chamber, you don't have to be a rocket scientist to know that you have to talk to the other side of the aisle to get it done, and I can assure you that has not happened. So we're left with the conclusion that this is not for the purpose of passing the Bill, it should not be considered a vote on the merits. It is an opening gambit. I don't know why. I mean, I'm sure there are good reasons but I don't know what they are. But I can tell you safely that it's not on the issues. We're not talking about a gas tax with this Amendment, we're not talking about a gas tax on the vote of the Bill, we're talking about political posturing, and what Representative Hoffman said is correct. This political posturing is only the beginning. Either you don't want the tax increase at all, Sir, and if you don't, you shouldn't Sponsor the Amendment, or you want it, in which event you would've come over and solicited a few votes. Since that wasn't done, I can only conclude it's not on the merits. And it's only the first round. So let's not be fooled, let the press not be fooled. This is not the Governor's program, because if it were the Governor's program it would have been a Republican Bill and a Republican Amendment. If the Democrats want to co-op the issue and control it, then fine. Let them pass it."

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Speaker Laurino: "Further discussion? Representative Kulas."

Kulas: "Thank you, Mr. Speaker. It just amazes me to hear some of the arguments from the previous speakers, against this Amendment. One of our biggest complaints down in the General Assembly here is that we wait till the midnight hour on June 30th and then everything comes down at once, and it's shoved down our throat and we have to vote for it, no matter what. Well, here is your chance to vote for a gasoline tax. I personally believe that the State of Illinois needs a gasoline tax. When I watched 'Sixty Minutes' about three or four weeks ago and I saw what the State of New York was going through, that same thing can happen here, and that's why I'm here tonight and I'm gonna support this Amendment. I think the time is right and it's not going to be shoved down your throat June 30th. Vote for it now and get it out, let it go to the Senate."

Speaker Laurino: "Further discussion? Representative Homer."

Homer: "Thank you, Mr. Speaker, and Ladies and Gentlemen. For the past two years as I've attended meetings of constituent groups from throughout my district, along with other Members on the other side of the aisle who share common areas, continually I felt badgered by the Republican response to those constituent groups, be they educators or others that somehow the Democratic Majority had been depriving the people of the State of Illinois a chance to have their Legislators vote on these issues. We come down here and we hear nothing else but that somehow the Speaker and the Majority is preventing us from voting on these issues. So, a couple of weeks ago, a modest income tax proposal was advanced to help schools and local government. I supported that, as I told those groups I would, if it met the criteria that I felt was needed in a fair Bill. Now today, we're confronted with another choice, of whether or

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not we're for the Governor's proposed gasoline tax increase. I'm happy to have the chance today to vote 'no' because I don't think the case has been made. I think we all know that the Governor wants the program so that it can be used in an election year to expand the Public Works projects, to cut ribbons and to feather the nest of contractors in this State who feather his nest. I think the people of our district deserve to know how we stand on the question. I'll be happy to vote 'no.' I predicted before this debate began that the Republicans would do exactly what they're doing, trying to dodge the issue, trying to lurk in the shadows. I think the vote should be a clear indication to the Governor and to the people how we feel on these issues. I'm taking these votes seriously, and I think it's a shame, in light of what you've been telling those constituents about how Democrats have been blocking these votes, that you now want to lurk in the shadows on these issues and try to pretend that this isn't a real vote. You've been demanding a real vote, it's being afforded to you today. Let's cast the vote that's in the interest of our constituents and quit being hypocritical and hiding and lurking behind phony excuses as to why you either oppose the Bill or aren't ready to vote on it."

Speaker Laurino: "Further discussion? Representative Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Just a few comments and observations. First of all, we all know it's May 25th, not June 25th. I've been in this Body for some years now, I'm in my fifteenth year and I think only ten people in this Body have been here longer than I have and during that period of time I have seen very few tax increases or even other important political decisions made in which both sides did not sit down at the table and talk about it and try and work out the solution. That has

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not taken place in this instance, nor did it take place earlier when we voted on the income tax increase. This evening some of the Speaker's leaders, his very trusted leaders and supporters are getting up and saying they're against this tax increase. Now, if the Speaker wanted to pass this tax increase his trusted leaders, his supporters, would be with him. They wouldn't be talking against his position. I certainly question his sincerity in calling this tonight, when he can't even put his leaders on it, let alone the followers. And Ladies and Gentlemen, another point which needs to be made, parochial for me because I have a very rural district. But if the Speaker wanted to have support from downstate Legislators with rural districts, he wouldn't be changing the mix on how these funds are going to be distributed so drastically from what it has been. When we in rural districts, if we're going to support a gas tax increase, have got to take care of the roads in our district which are crumbling and falling apart also, the county and the township roads. Ladies and Gentlemen, I'm afraid the Speaker isn't serious about this Bill and I hope that whatever the vote is, and I can assure you that it will probably be heavily against this, that we'll sit down and try and work this out as an important issue facing the State of Illinois now, and we have a month to do it. Let's all get to work and quit the charades."

Speaker Laurino: "Further discussion? Representative Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not sure what we're doing today on this gas tax issue, so I'm gonna take the opportunity to just put another perspective sense if it doesn't pass today, it certainly won't go away. If there are gonna be discussions, I never have the opportunity or privilege to participate in those discussions, so I'll put my opinion

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before the Body today. I think one issue that has only been touched on lightly that would have to play a serious parts of discussion of a gas tax, is just the administration of the road fund and how the Department of Transportation goes about doing it's business in this state. Minorities and women certainly drive vehicles in this state. We contribute heavily to the existing gas tax and we would contribute heavily to any increase and therefore we would have a right not just to benefit from the roads that are built, as all the citizens do, but also to built some, to build some. To benefit not just from the contracts, but from the jobs that are created by the road program by all of the millions of dollars that are currently in the road fund, and from any new dollars that come into the fund. The Department of Transportation has a long history of either not being fair to minorities and women, or only being fair when they are forced to. The Dan Ryan Expressway immediately comes to mind. That was a very sorry situation in terms of minority and women contractors. A very sorry situation in terms of minorities and women being able to just work and gain some employment on that expressway. It was such a sorry situation that there was a grievance, or a suit filed with the Federal Office of Contract Compliance. It's just one of many where the goals for employment just have not been met, where the Department's own record shows that and there just has not been demonstrated a sincere effort on the part of the Department to include minorities and women in all phases of the road program and I hope that becomes a issue on the table if this gas tax doesn't pass today. And until it is an issue on the table, I'll oppose it."

Speaker Laurino: "Further discussion? Representative Ropp."

Ropp: "Thank you Mr. Speaker, and Members of the House. It's a

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real pleasure I think to begin to discuss issues before the last week of the legislative Session, and I think this is a start. I think the real tragedy is though, that we're not considering it in somewhat of a cooperative mood, and I have noticed that down through the years that the best kinds of legislation that come out of this chamber is when both parties work together on real key issues that help the State of Illinois and certainly from a downstaters standpoint, we need good downstate roads so that we can move commodities to market, and people into our cities and into our business. The biggest thing that I'm also very much concerned about is that in this particular package we have not really dealt with the needs of townships and county roads like we should. I had a Bill in to do that, to address that issue and certainly the Members on the other side of the aisle said no, we do not want to support that at that time. These are things that we need to discuss as we approach this very important measure of providing adequate funds for the transportation system throughout our State. I, too, stand and commend the Secretary of Transportation for the outstanding work that they have done. But as of today, even according to our...the Comptroller and others, we have asome 59 million dollar plus balance over recent years, and I think that we need to, Mr. Speaker and others on that side of the aisle, sit down and discuss what is totally needed rather than to, as we have had to do in the last week or so, here is a package take it or leave it. Well, we don't necessarily want to leave it, but we're glad that we can at least begin to talk about it and hope that we can move in that direction, if this Bill should fail."

Speaker Laurino: "Further discussion? Representative Balanoff."

Balanoff: "Yes, Mr. Speaker. I rise to move the previous

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question."

Speaker Laurino: "We have one more speaker that wishes to have her views heard, Representative Balanoff, would you withdraw your Motion? Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I think this has been a very interesting discussion, it's obviously been a very partisan discussion. We've had Democrats asking and questioning our administration of the road fund. We've had Democrats questioning and I chafe a little bit at this, with regards to why it costs so much to build roads in the State of Illinois? Well, I might suggest that my Democrat friends and colleagues on the other side of the aisle think about those Bills that we have been voting on and that you have been Sponsoring over this last week and this last Session. The expansion of the prevailing wage, the expansion of minimum wage, the expansion of mandated health care benefits, the expansion of wage benefits for part-time employees and I think the list probably goes on and on and on, and so I might just suggest to you that all of those good ideas and all those good Bills all add up to big dollars and big costs when we go to build our roads. And I would just like to offer that Republican response to my Democratic colleagues on the other side of the aisle tonight."

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

Madigan: "Thank you, Mr. Speaker, and Ladies and Gentlemen. Let me respond to some of the comments which came from the other side of the aisle. One of the Republican Members commented that this ought to be done under Republican Sponsorship with a Republican Bill. And let me refresh your memory that over recent memory, this administration has not produced any Bills proposing tax increases. They

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have not produced any Republican Sponsors for any tax Bills, and so if you plan to sit around and wait for this administration to take some courageous action, please do not hold your breath because we do want to keep you here. Another Member complained about the distribution of money in the rural areas, and let me suggest to that person that this Bill simply reflects the Governor's plan. If you disagree with any aspect of this Amendment, please take your disagreement to the Governor's office, because this is where the plan came from. I want to commend another of the Members for his opinion that it is good to have an early discussion on these questions because there is nothing to be...there is no harm to come from an early discussion of a question such as this. One of the other Members seemed to say that we really aren't prepared yet to discuss this, to debate this question, to vote on it, because we really don't know what the highway plan is. Well, I can understand why those of you on that side of the aisle would not know what the highway plan is, because it's my understanding, and of course correct me if I'm wrong, that the Secretary of Transportation has been prohibited from talking to you. That's what I've been told. Now the Secretary came to my office and asked, do I have your permission to talk to the Democratic Members? And I said to the Secretary, you must think you're in a different country. This still is America, exercise your rights as an American citizen. We believe in free speech. But he seemed to indicate, and I've been told by others that there is a prohibition against talking to any of you. So maybe our action today will open the doors and the Secretary can come in with his charts, his graphs, and his plans and tell you what is being proposed by the Governor's road program. This is a deviation from past practice. You all know over

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the last several years that when there would be consideration given to tax plans the usual procedure would be for agents from the Governor's office to walk around with the Bills in their briefcases. They would go into an office, close the door and for some people, the Bill would come out of the briefcase and there would be an explanation as to what was being proposed. But for the vast majority of Members, the vast majority of the public, the Bill would stay inside the briefcase and that all of us would learn with about three days left in the Session, what the Governor really wanted in terms of a tax plan. This is a deviation from that practice. I think it's healthy to debate these questions, to vote on these questions, to find out precisely where people are on these questions and that's the reason why I have filed this Amendment and that is why I am offering the Amendment at this time. And again Mr. Speaker, I want to thank you for entertaining this question."

Speaker Laurino: "Again, you're welcome. All those in favor of voting for Amendment #5 to House Bill 2417, indic...vote 'aye', those opposed vote 'nay.' The board is open. Representative Daniels? Explain your vote, Sir."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I purposely sat and listened carefully to the Speaker of the House as he presents yet another tax increase for the people of Illinois, joined by what appears to be very few of his Members. Now, yesterday I had an interesting experience because as I left the Hilton Hotel after that great meeting of the gridiron, I took a wrong turn, and you know what happened? I found my car was being aimed towards Effingham. And as I got closer, it said taxes, taxes, and I stopped that car and I said, 'My God, a conversion might take place in Effingham', and I turned around and I came

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back. Well, I don't know where the conversions are going on right now, but I gotta tell ya, we on this side of the aisle are somewhat surprised. Because just Sunday, the Speaker of the House sat on City Desk in the City of Chicago talking to Dick Kay that he didn't understand the need for a gas tax. Well, Ladies and Gentlemen of the House, and of the press and of Illinois, speaking on behalf of Republican Legislators, no tax will be increased on this state or on the citizens of this state unless a strong case is made proven and an explanation of the need for it is made clearly, and not a single Republican will be on that tax. Now when that day comes, when it is clear, when it is clear, we will be part of that process to discuss the need. But we all know on this side of the aisle that when you want something over there, your Speaker comes out with his notebook, walks up and down the aisle to make sure the votes are there. And what has happened today? Nothing. He's put the Bill up, he's called it his tax on roads to take from the people of Illinois, and yet he hasn't been willing to explain the reasons. His vote itself is not on there. Four 'yes' votes determines, I believe, the fact that this is not a sincere effort on his part."

Speaker Laurino: "Further discussion? Or explanation of votes? Representative Giorgi."

Giorgi: "Mr. Speaker, I've been around here about as long as Ewing has and I don't ever remember there was a right day for a tax increase or to vote for a tax increase. In fact, I don't ever remember if there was a right day to vote for a pay increase, but I couldn't help noting last week when we passed the state income tax, right after the income tax was passed or sent to the Senate with 60 votes, I noted we passed two Bills that spent the money, and the Republicans were jumping over each other to spend the money. And I

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daresay if we put the Motor Fuel Tax Bill on the board tonight, they'd be jumping on Bills to pass the motor fuel tax money, and I don't think...I don't think that needs a reflection or the retrospection that Hoffman was talking about, an internal study that had to be done by Ewing and some of the others. This is a tax program put forth by Baise, and I...all of you have had Baise's report like I've had it for the last month and there are a lot of projects that won't be done unless Baise gets the money. And I think that...I don't think the Republicans will ever be able to focus on the program or on the expenditure of the funds, if they aren't allowed to talk to Baise. I think that's a scandal. I think that's scandalous in the State of Illinois, that full-blooded able bodied Americans are not allowed to talk to their department. I think that's horrendous, it's a heinous thought, I hate to even entertain that any further. But I will support this because, in my district, 20 million dollars in projects are in jeopardy if we don't do something about getting some motor fuel taxes spent on the appurtenances that we need to make economic recovery a real deal."

Speaker Laurino: "Have all voted who wished? Have all voted who wished? Representative Parcels, for what reason do you rise?"

Parcels: "Thank you, Mr. Speaker, I just wanted to clear up one item here. I just...I just wanted to clear up one item having nothing to do with the board and that is that Secretary Baise has been allowed to speak to us. I have spoken to him, others have and we didn't have to have indepth until we got through this report. This report is enormous. Once we've read the report, then we would talk to him. This is very early in the Session. We didn't expect this today, so we haven't been rushing to him or he

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into our office, but I can guarantee you there has been no ban on our Secretary speaking to us."

Speaker Laurino: "Have all voted who wish? Clerk will take the record. On this question there are 7 voting 'aye' 64 voting 'nay' 45 voting 'present'. And the Amendment fails. Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 2417. A Bill for an Act to amend Sections of the Motor Fuel Tax Law, Third Reading of the Bill."

Speaker Laurino: "Representative Giorgi."

Representative Giorgi: "This is still a Bill that makes some corrections, very minor, some added corrections and I urge the adoption of the Bill."

Speaker Laurino: "For the edification of some of the Members, there are some papers handed out with the Senate Bills that have come over that need Sponsors. They should be on your desks. Would you please look them over and fill them out if you have a desire to be a Sponsor and bring them up to the Clerk? Thank you. Representative Giorgi."

Giorgi: "Roll Call."

Speaker Laurino: "The Gentleman has moved the passage of House Bill 2417, and on that Motion is there any discussion? Representative McCracken."

McCracken: "Do I take this to mean that you are interested in talking about this issue further? I mean, if we've taken the vote and it's a done issue, why do we need the shell? Let's kill the Bill and put it in storage and drop the issue and move on to other business."

Speaker Laurino: "Representative Giorgi."

Giorgi: "Representative McCracken, I put my money where my mouth is."

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Speaker Laurino: "Further discussion? Representative Stephens.
Representative Giorgi."

Giorgi: "Mr. Speaker, you might disregard me as a leader, but I'm
Dean of the House, so I get some privileges other people
don't get."

Speaker Laurino: "Well, you were a little slow, I thought you
were through."

Giorgi: "In as much as McCracken's insulted, maybe he wants to
handle the tax Bill himself, I'll table this Bill."

Speaker Laurino: "You've heard the Gentleman's Motion. The
Motion is that House Bill 2417 be tabled. All those in
favor indicate by saying 'aye'. 'Nays.' 'Ayes' have it,
the Bill is tabled. Representative...House Bill 2600,
Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2600, a Bill for an Act to amend the
Use Tax Act. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Amendments?"

Clerk O'Brien: "Amendment #1 was adopted in Committee."

Speaker Laurino: "Any Floor Amendments?"

Clerk O'Brien: "No Motions relating to Committee Amendment #1.
Floor Amendment #2, offered by Representative
Satterthwaite."

Speaker Laurino: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, Amendment
#2 is an Amendment that would reserve a small portion of
the money coming from a computer software tax for
education. However, realizing that there are other
Amendments on their way that would erase this Amendment
even if it were to pass, I will at this point withdraw
Amendment #2."

Speaker Laurino: "The Lady moves for the passage of Amendment #2
to House Bill 2600...Oh, you withdrew it. I'm sorry.
Amendment #2 is withdrawn. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Currie? Withdraw? Withdraw Amendment #3, Mr. Clerk. Further Amendments?"

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

Speaker Laurino: "Amendment #4, Mr. Matijevich. Withdraw Amendment #4, Mr. Clerk. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Keane, Mautino, Brunsvold and DeJaegher."

Speaker Laurino: "Representative Keane. House Bill #5...Or, Amendment #5. Representative Mautino, are you going to handle that Amendment?"

Mautino: "Yes Sir, Mr. Speaker. I'm most happy to handle this Amendment."

Speaker Laurino: "Proceed, Sir."

Mautino: "Ladies and Gentlemen, Amendment #5 to House Bill 2600 addresses the question that we have been discussing and has been presented to every Member of this House floor on both sides of the aisle since April fifth, 1989. We are keeping with the spirit of submitting to you proposals that address projects and programs and also provide for the funding of those programs. In House...In Amendment #5 to House Bill 2600 we do the following: We provide for a ten million dollar provision to the Civic Center account for the purposes of a bond sale in the amount of a hundred million dollars to fund the 72 million dollars worth of civic centers submitted by the Department of Commerce and Community Affairs. The additional 28 million dollars of that hundred million dollar authorization is provided into the Metro Fair and Expo Fund Rehab improvement and repair, which is McCormick Place, in the amount of 28 million dollars. That encompasses the hundred million dollars for

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the civic center proposal. Another ten million dollars is provided for bonding authorization for the Department of Conservation for the expansion of PC2, which was enacted originally in 1984, provided for the upgrading of our facilities throughout the State of Illinois, included but not limited to the State Parks, the expansion of sites such as Shelbyville, Giant City, Marquette, Starved Rock and others. And that brings in a hundred million dollars in that bond authorization as well. The investment tax credit that is the #1 issue of importance to the business community of this state is reestablished for a seven year period. This provision is one which originally would have sunset this year. At the request and with the support of the business community and the manufacturers, specifically, Caterpillar, Reynolds and others, we have established the seven year extension on the investment tax credit. We have as well provided for a provision that establishes a 90 percent job retention. If, in fact, the employer and manufacturer provides for a 40 million dollar expansion within those enterprise zones covered. All of this 200 million dollar program is to be funded by the tax on software...computer software for resale in the State of Illinois. I think everybody understands the issue. They know the situation. We have never provided a capital project that did not provide for the funding. In all my years here in the General Assembly, if we've provided those capital programs I've also provided a way to fund them. This Amendment is supported by the Illinois Manufacturer's Association as well as most other groups. I don't believe you have had any opposition of any degree to this question and I ask for its adoption. I'll be happy to answer any questions."

Speaker Laurino: "Representative Mautino moves for the passage of

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Amendment #5 to House Bill 2600. On that question is there any discussion? Representative Wojcik."

Wojcik: "Yes, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Laurino: "He indicates he will."

Wojcik: "Representative, in our long deliberations there was a time when we had spoke about the chamber and their opposition to the computer software tax. Can you tell me the position that they're in tonight?"

Mautino: "Kay, I have not received any official opposition from the chamber. Members of the chamber who are also members of other business groups, such as manufacturers and many chamber Members are in support of this proposal specifically because the investment tax credit is included as a third leg in the stool here and as well the provisions for the 90 percent job retention if you invest the 40 million dollars in your plant."

Wojcik: "Alright. But they have not, more or less, signed off on this."

Mautino: "I have received no official notification either way."

Wojcik: "My next question is, in view of the fact that there was further negotiations on this and there was supposed to be some questions answered, I question why the Bill has been brought up this evening."

Mautino: "Well, Representative Wojcik, here's the problem I've got: This is Thursday. The Bill is on Second Reading. I have until tomorrow. I met with your Leader. I discussed in detail where this came from, what it was all about. I've discussed it with Members on both sides of the aisle. I have basically 36 hours...about. And anything can happen tomorrow. I've got to move this Bill from Second to Third before Friday, the 26th. I don't know how else I can do it other than the way I'm providing it, cause you're talking

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about a 200 million program. And I'm doing it up front enough, because everybody received a packet of what the projects were, what civic centers were involved and you've had this for over a month. It's nothing new to any Member on this House floor. We've done it aboveboard, straightforward, and I think it's an excellent program and project that affects all of the State of Illinois in a positive fashion."

Wojcik: "Representative, do you have a fiscal note regarding the tax credits? What it would cost?"

Mautino: "I have the statement from Mr. Mandeville. It has been filed. I also have one from Economic and Fiscal and the Department of Revenue. They have been filed. They're there for your evaluation. I will tell you that the funding that has been submitted to me by Mr. Mandeville, the Bureau of the Budget, establishes the income at 24 million dollars, of which we are earmarking twenty. So therefore, there is no additional cost to the proposal. From the State Mandates Fiscal...State Mandates Act fiscal note from local governments, CMS, Department of Commerce and Community Affairs... they say it will create an annual increase of 34 million dollars. So, it looks to me like it's a plus factor and therefore I can't tell you anything other than the fact that the funds will provide for the cash flow to pay the bonds off."

Wojcik: "Another question I have is, is there anything earmarked in this Bill for McCormick Place?"

Mautino: "Yes, Ma'am. The Convention Account...the Convention Center Account under the Department of Commerce and Community Affairs has established 72 million dollars. The other 28 million dollars of the 100 million that will be raised is to be included into what is called the Metro Fair and Expo Fund Rehab Improvement and Repair, which is

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McCormick Place. Therefore we, outstate or downstate, obtain 172 million dollars and the City of Chicago and Cook receives 28 million. I think it's an excellent program for downstate Illinois, one we can't pass up. I think that Schaumburg is in for 20 or 21 million dollars for their civic center of that package."

Wojcik: "Twenty million. To the Bill...or to the Amendment, Mr. Speaker. Reluctantly, I rise in opposition to this Amendment. Originally, when we started out with our concept and our presentation on convention centers, we started with a revenue neutral proposal. Revenue neutral. With the General Revenue Fund growing the way it is and currently having approximately 450 million dollars in the cash flow for the revenue growth, it was the feeling that we would not have to place an additional tax or burden on the taxpayers of Illinois. Again, yes, I do have a convention center in this Amendment and I am reluctantly rising in opposition, but I cannot support a tax when there is sufficient revenue in the General Revenue Fund to support this proposal. So I would ask that you look at this and ask that you cast a negative vote."

Speaker Laurino: "Further discussion? Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I'm very disturbed at the remarks of the last Representative. We have been working on this Bill for a long time. We've discussed it, we've worked back and forth, we've been in Mandeville's office talking about the plan, the Governor's sent letters saying that he cannot support and will not sign legislation that doesn't have a funding source. Flat out, I will not sign it. So we worked to try to find that source. And we worked on both sides of the aisle trying to put together a package of civic centers and DCCA did a survey and it just happened to

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be that it came out about even with money on Democrats, Republican sides. However, there are a few more Members on the Republican side that have more projects than the Democrats have on this Bill in the civic center part. So I'm a little amazed at the stance that the Lady has taken in opposition to this Bill. This is a good Bill for downstate. It literally touches every Senatorial District downstate. Everyone has something in this program. In the civic center portion or the conservation program. I think it's important that we pass this Amendment, adopt this Amendment and pass this Bill tomorrow. The Senate, I believe, will pass it also and the Governor will sign it. And I'm asking for the support of the civic center Representatives on that side of the aisle that have projects in this program. We worked this together. We've gone across the aisle and talked to the Republicans, worked with them and now they're not supporting the program."

Speaker Laurino: "Further Discussion? Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker and Members of the General Assembly. I don't have to tell you that Zeke Giorgi has here, but it's very seldom that you see a Bill drafted in the nature that this particular Amendment addresses itself to. It does not only address itself to civic center construction, it addresses itself to business. It addresses itself to tourism, it addresses itself to the needs of the Conservation Department. Rock Island County where I reside has a metropolitan area of 167,000 people, one of the largest areas in the State of Illinois, it does not have a facility such as this. If you're concerned about the well being of the State of Illinois, then you should be considering with this piece of legislation. We have an ultimatum in our area: Either the State of Illinois provides the money to build a facility in that

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area or a counterpart in the State Iowa, in Davenport, will build a facility such as this. A great deal of effort has been put into this project in that area. Land has already been acquired. Buildings are being demolished. Three million dollars of up front money has been provided and in addition to that, the City of Moline, and I think many of you know where the City of Moline, has imposed a sales tax on themselves for funding of a civic center when and if this becomes a reality. It's a tragic situation when you feel that you have a consortium or basically working with the opposite side of the aisle and a question was asked, 'Why now? Why now?' And as a supporter of the Amendment stated, 'We have a 36 hour period of time to see if we can get this Bill out of this particular House.' I don't think it's going to create a burden on the individual taxpayer. That is not going to be the case. And as he stated before many, many business organizations throughout the State of Illinois are supportive of this concept and for that reason, hopefully, that you will join us in supporting of this Amendment."

Speaker Laurino: "Further questions? Representative Didrickson."

Didrickson: "Thank you Mr. Speaker, Members of the House. I, too, find it very interesting that my colleagues on the other side of the aisle once again can't understand why there might be some concern about pushing or ramrodding a program through prematurely. You've mentioned the fact that this is for downstate projects. This is for conservation programs. This is for civic centers. And you've searched and searched all over and you finally found the appropriate funding source and I think it's very curious that appropriate funding source came right out of my backyard. The computer software tax. I might suggest to you that we all ought to be dialoguing a little bit

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longer on this whole proposal so that we can bring many more of us into the proposal. I don't happen to have a conservation park in my district. I don't happen to have a civic center on the board, but I do know that the computer software tax is going to fund your programs. I'm willing to talk, but I think we ought to talk about some fairness. It's a little bit early on this. I might even suggest that in your search when you found that computer software tax, that perhaps we ought to think about appropriate taxes for appropriate projects. I might suggest to you that the Governor's research and development and technology proposals might be the appropriate programs and proposals for that funding source. So I think it's a little bit early and I think that there's time to talk and I'd like to join in on that dialogue."

Speaker Laurino: "Further questions? Representative Mays. Put Representative Mays on, please."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I think the previous Lady's remarks just spoken probably reflect why I personally have a problem with this Bill. With this particular Amendment. What started off as a simple, good thing for a lot of people, Republican and Democrat has grown. Sometimes planned and sometimes other. It is for this reason that I believe we must, for those people that have worked on this, I hope we can continue. But I think we just have to say let's get back to the table. Let's figure out what really needs to be and then let's do it, so I'm planning to vote 'present'."

Speaker Laurino: "Further discussion? Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker. Probably the company that's going to be paying the most tax of all is in my district, their national headquarters. They have agreed to support this program. They need investment tax credit very bad."

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They deserve it. They have closed down factories in other parts of the nation and brought over 4,000 jobs back to the State of Illinois. Not minimum wage jobs, but jobs where our employees are very well paid and very well subsidized for the fine work that they do. Now if the largest employer in the State of Illinois can afford this, anybody can. Another thing of it is, I have no state parks in my district. I'm planning on voting for this. But...In the rest of Peoria County where the two Republican districts are at, there are state parks in there that will be funded from this program. I urge your support for this Bill. If it's good enough for the largest industrial employer in the State of Illinois, it's good enough for everyone else. Let's move with the program."

Speaker Laurino: "Mr. Mautino moves that House...Amendment #5 to House Bill 26 (sic, 2600) be adopted. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Capparelli."

Speaker Laurino: "Representative Capparelli, Amendment #6."

Capparelli: "Thank you, Mr. Speaker. Amendment #6 would add one more element for the funding of civic centers. At the present time civic centers are financed by population. This is for Rosemont. They only have a population of 3,000. We're asking that if a facility has 400,000 square feet or more they would be able to get more funds. I ask you for your support."

Speaker Laurino: "Representative Mautino."

Mautino: "Parliamentary inquiry. Mr. Speaker, in light of the fact that Amendment #5 was adopted, I believe Amendment 6 is not in proper form."

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Speaker Laurino: "Are you asking if it's germane? In the opinion of the Chair the Amendment is germane, Representative Mautino. Representative Capparelli moves for the adoption of Amendment #6 to House Bill 2600. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 2600, a Bill for an Act concerning state bonds and taxes. Third Reading of the Bill."

Mautino: "Mr. Speaker, I'd like to have...I'd like to make a comment and allow my colleagues on the other side of the aisle to evaluate where they are and I plead with you to talk to your business interests who want the investment tax credit that's in this proposal. I'd like to have you talk to the people who were involved in those civic centers and your state park people. I think that you should receive some input from the people you represent."

Speaker Laurino: "Mr. Mautino? For what purpose does Representative Daniels arise?"

Daniels: "Is the Gentleman calling the Bill or is he using this as a forum to make his political speeches?"

Speaker Laurino: "I think he was trying to explain something. Representative Mautino."

Mautino: "I certainly, Representative Daniels, do not want to embarrass my colleagues on the House on either side of the aisle. We have individuals who have a lot of projects and programs and I wouldn't like to see them placed in a very difficult position. I'd like to give them time to get input back home real quick and have the opportunity to call this Bill at a time certain tomorrow. And have the

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opportunity to think about it, to evaluate what they'd be giving up, because I do not intend to make this a partisan issue. I don't want 60 Democratic votes only on this Bill. This crosses party lines. It was never set to be a partisan issue. Projects on both Republican and Democratic sides. I will not accept a partisan issue on this issue with this tax and with this projects and programs. So I'd like to ask at a time certain we establish a Third Reading call on House Bill 2600 tomorrow, Mr. Speaker."

Speaker Laurino: "House Bill 2600 will be taken out of the record. Special Order of Business. On page 5, Housing, Second Reading, House Bill 2047, Representative Keane. Representative Keane. Is the Gentleman in the chamber? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2047, a Bill for an Act to amend the Township Law. This Bill's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Laurino: "Representative Keane."

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

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

Clerk O'Brien: "House Bill 2047, a Bill for an Act to amend Sections of the Township Law. Third Reading of the Bill."

Speaker Laurino: "Representative Keane."

Keane: "Thank you, Mr. Speaker. Thank you, thank you. Thank you, Mr. Speaker. House Bill...Amendment 1 became the Bill. It's a very simple Bill, it passed out on the Short Debate Roll Call. It deals with senior citizen housing. The Bill allows municipalities of over 15,000 population contiguous to Chicago the power to maintain, operate and finance senior citizen housing to provide decent, safe and sanitary housing for elderly. The senior housing is defined in the Bill as meaning 50 percent of the tenants are intended to be of age 55 or older. It allows the municipality to

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borrow money or guarantee the repayment upon the adoption of an ordinance declaring its intention. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Laurino: "Representative Keane moves passage of House Bill 2047 and on that question is there any discussion? Seeing none, the question shall be, 'Shall House Bill 2047 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. Vote is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 95 'aye' votes, 15 'nay' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 2194, Representative Lou Jones. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2194, a Bill for an Act to amend Sections of the Housing Authorities Act. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Are there any Floor Amendments or Motions?"

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

Speaker Laurino: "Representative Young on Amendment #1 to House Bill 2194."

Young: "Withdraw Amendment #1."

Speaker Laurino: "Withdraw Amendment #1. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Young."

Young: "Withdraw Amendment #2."

Speaker Laurino: "Withdraw Amendment #2, Mr. Clerk. Further Amendments?"

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

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Speaker Laurino: "Amendment #3, Mr. Young.

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #3 will become the Bill and what the Bill would do, quite simply, would be give the Chicago Housing Authority the authority to create its own police department that would have authority only over CHA grounds. It sets up a program in conjunction with the Chicago Police Department. I'd be happy to answer any questions and I move for its adoption."

Speaker Laurino: "Representative moves for the adoption of Amendment #3 to House Bill 2194. Is there any discussion? Seeing none, all those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, Amendment #3 is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 2194, a Bill for an Act to amend Sections of the Housing Authorities Act. Third Reading of the Bill."

Speaker Laurino: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. We've just discussed the Amendment and the Amendment is the Bill and I move for a favorable vote."

Speaker Laurino: "The Lady moves adoption of... The Lady has moved the passage of House Bill 2194, and on that Motion are there any questions? Representative Robert Olson."

Olson, R.: "Will the speaker yield? Or excuse me, will the Sponsor yield?"

Speaker Laurino: "She indicates she will."

Jones, L.: "Yes."

Olson, R.: "This Amendment #3 then includes Amendment #1, does it not?"

Jones, L.: "No."

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Olson, R.: "It doesn't include the police force?"

Jones, L.: "There's technical changes, but it's basically the same as Amendment #1, but with technical changes. With corrections in spelling and I think the effective date."

Olson, R.: "It includes the special police force?"

Jones, L.: "Correct."

Olson, R.: "What are some of the powers of this police force?"

Jones, L.: "In Chicago we have special police force like the CTA has their own police force, the University of Chicago, a lot of universities downstate. Hospitals in Chicago have their own special police force and this is what sets up the CHA."

Olson, R.: "On this police force for the Chicago Housing Authority, does it have the blessing of the city's police force?"

Jones, L.: "Yes, it does. In fact there will be hearings over the summer, but not even stating that, the superintendent of police in Chicago, also the Vince Lane, the Chairman and also the Mayor is involved in this and they all are sided onto this."

Olson, R.: "And the funding comes out of the Housing Authority's budget?"

Jones, L.: "Federal government. Nothing comes from the state."

Olson, R.: "Federal government funds this?"

Jones, L.: "Federal government."

Olson, R.: "In its entirety?"

Jones, L.: "Yes."

Olson, R.: "Thank you."

Jones, L.: "Thank you."

Speaker Laurino: "Further questions? Representative Black."

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

Jones, L.: "Yes."

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Speaker Laurino: "She indicates she will."

Black: "Thank you. Let me just follow up on the previous questions. Now, let me make sure everyone understands here that basically Amendment #3 is the Bill, and as you said, with the exception of some technical changes, Amendment #3 is identical to what was Amendment #1, correct?"

Jones, L.: "Yes. There was some spelling changes and also the effective date."

Black: "Okay. Thank you very much. Alright. Now, as the previous person made clear, this authorizes the Chicago Housing Authority to establish a police force that has full police powers. That's correct, you said that? Alright. Now, the Bill also..."

Jones, L.: "On CHA property only."

Black: "Right. On Chicago Housing Authority property only. It also, if I read this correctly, it does indemnify the Chicago Housing Authority for any failure on their part to protect or provide security or prevent a crime or to capture a criminal. So we are doing some indemnification, is that correct?"

Jones, L.: "Yes. The Authority is."

Black: "Alright. Alright. You mentioned...Hello...You mentioned the fact that...I heard you say something about the Chicago Police Department. I guess what I...Is the Chicago Police Department in favor of this Bill?"

Jones, L.: "Yes, they are."

Black: "They are. Unequivocally?"

Jones, L.: "Yes."

Black: "Alright. And you mentioned that the funding for the police force will come from federal housing funds."

Jones, L.: "Federal funds only. Nothing from the state."

Black: "Alright. Alright. I have no further questions, thank you very much for your cooperation."

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Jones, L.: "Thank you, Representative."

Speaker Laurino: "Representative McAuliffe."

McAuliffe: "Could I ask the Lady a question?"

Jones, L.: "Yes."

McAuliffe: "Will this police force have full police powers in the whole City of Chicago, or only on CHA property?"

Jones, L.: "CHA property only."

McAuliffe: "Well, the first Amendment that I saw today said the contrary. Is this a different Amendment?"

Jones, L.: "It's on CHA property only."

McAuliffe: "Thank you very much."

Speaker Laurino: "Further questions? Representative Barger."

Barger: "Thank you, Mr. Speaker. I have some questions for the Lady also. Are there provisions made for a lockup or a methodology for transporting prisoners to the authorities that would be necessary to handle them? How would that be handled, and by whom?"

Jones, L.: "Earlier I mentioned that over the summer there would be hearings, intense hearings with the police department and the City of Chicago. Now some of those developments do have those facilities already."

Barger: "Oh. Okay, fine. And that would...then...I know in some of the other communities, in the communities in DuPage County, the ultimate place that they wind up is in the county jail and the transportation there is supplied by the sheriff's office. I would assume that would be the way it would be in your area. The sheriff would come and pick up the prisoners at your lockup and take them in to the county jail?"

Jones, L.: "Either that or they'll take them directly there themselves."

Barger: "Take them there themselves. Then that would put your Chicago Housing Authority Police, which have jurisdiction

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only within the confines of the housing development on the streets of the City of Chicago, without the authority necessary to perform the function that they're doing. Performing."

Jones, L.: "Just for the purpose of transferring the prisoner."

Barger: "Right."

Jones, L.: "I mean they don't have...their jurisdiction is only on CHA property only."

Barger: "Then the transportation would have to be provided, I would think by either the City Police Department or by the Sheriff's office. Transporting them from the CHA property to the county jail."

Jones, L.: "Wait a minute. I was just informed it's the same as the State Police. They use it...that's the same way that they do it."

Barger: "Okay. Now then, this police department that you're establishing would be there to protect the paramedics when the paramedics come out on the runs that they have to your area?"

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

Barger: "Mr. Hallock, would you move your head, please, I can't see the Lady. Thank you."

Speaker Laurino: "Will you give the Lady some..."

Barger: "You know this is relatively important. We have had major problems with the need for policing authority when the paramedics go to some of the projects and the paramedics are debased because they don't perform their services and they are not performing them because they don't have the protection. This I think is a great idea and these people would then provide the protection necessary for the paramedics so that they could perform their function in a proper fashion."

Jones, L.: "Absolutely. Absolutely."

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Barger: "It's a great idea. Okay, fine. It's going to be a pleasure to support you on this. Thank you."

Jones, L.: "Thank you."

Speaker Laurino: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I stand in support of this wonderful piece of legislation. In Cabrini-Green, which happens to be in my district, we presently have a police station within that development and the kind of security force that we have now has proven to be inadequate and over the summer we plan to have hearings and consultation with the Chicago Police Department and other concerned groups as well as the Mayor's office to try to come up with the kind of a police force that all of us can be proud of, will maintain safety, not only for the paramedics, but for the residents themselves who richly deserve proper protection. So I would ask that this Body stand with me and stand with Representative Jones and pass this meaningful piece of legislation."

Speaker Laurino: "Representative Klemm. May I suggest...the Chair would like to suggest that if you have an explanation of your vote, hold that for later. If you have questions of the Sponsor, please indicate that you'd like to be heard now."

Klemm: "Thank you, Mr. Speaker. Just a short question of the Sponsor, if I may?"

Speaker Laurino: "She indicates she will."

Klemm: "Representative, I was curious about any...If there's any indemnity for the housing authority for any claims of lawsuits that may be brought against them. Let's say there was a wrongful action or somebody was apprehended, arrested on false arrest, if you will. Somebody was injured, will there be insurance coverages? Sometimes we have pledged the faith of the city behind some of that. Does the

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housing authority have to provide some bond or some sort of indemnity toward people that are wrongfully arrested in some respect?"

Jones, L.: "Just only if they've failed to provide adequate police protection."

Klemm: "Well, that protects the police department for doing nothing, basically. I mean, they can't be held accountable for failure to do any of that. I'm talking about... let's say they see a trespasser and they shoot the person. Okay? I mean, it happens, and they find out that the person was going out with their garbage or something else, and they sue, then the housing authority, is that who would stand behind it or does the City of Chicago or the State of Illinois get brought into it?"

Jones, L.: "Just the housing authority."

Klemm: "It would be solely the housing authority?"

Jones, L.: "Housing authority."

Klemm: "Where does it say that in the legislation?"

Jones, L.: "The Bill does not state that, but let me read this here in the analysis."

Klemm: "What are you reading from?"

Jones, L.: "From the Amendment analysis."

Klemm: "Could you read from the Amendment, cause that's really what we're voting on and not the analysis. I mean, the analysis is fine, but could you point out where it says that?"

Jones, L.: "Just one second, Representative."

Klemm: "Well, you can look it over and maybe explain in your closing, cause I don't want to take time of the House, but I'm concerned that the City of Chicago or the State of Illinois ends up getting dragged into settlements or large dollar claims of lawsuit settlements that we're not prepared for. And I know this isn't solely for the City of

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Chicago, but pretty much so, and I just wanted that protection, that what actions they take, we won't be dragged in here next session with a Bill trying to have some sort of bail out, if you will, for some wrong actions taken by the police department."

Speaker Laurino: "Representative Kubik."

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

Speaker Laurino: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Lady to close. Representative Lou Jones."

Jones, L.: "Thank you, Mr. Speaker. I just ask for a favorable vote."

Speaker Laurino: "The Lady moves that House Bill 2194...heard the Lady's Motion for final passage...passage of House Bill 2194. All those in favor vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 108 'aye' votes, 3 'nay' and 5 voting 'present', having received the required Constitutional Majority is hereby declared passed. Order of Housing on Third Reading, page 19 on your Calendar. House Bill 174, Representative Shaw. Is Representative Shaw in his seat? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 174."

Speaker Laurino: "Out of the record. The Chair would like to inform the Members that from...proceeding from now on, we'd have the Sponsor speak in favor of his Bill, obviously, and then if anyone speaks in opposition, one opposition. We have an agreement with the Minority party. Keep in mind that we're going to try to go right to Roll Call and get rid of...handle some of these Bills. We've got an

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extraordinary amount of Bills to be heard. If we continue to stand up and explain our votes in the fashion that we have we are not going to hear many of them, so let's give each and every one of us the due concern that we need. Alright, Representative Shaw on House Bill 525. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 525. A Bill for an Act in relation to the maintenance of certain property. Third Reading of the Bill."

Speaker Laurino: "Representative Shaw."

Shaw: "Yeah. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. All...this is an agreed Amendment and all this Amendment does is require that people who are getting...the realtors who are getting paid from HUD to maintain the properties that they're getting paid for. To take care of. Such as board ups and that type of thing. This is an agreed Amendment. The relatives is in agreement with the Bill and I ask for an 'aye' vote on the Bill."

Speaker Laurino: "Is there any opposition? Seeing none, the Gentleman has moved for passage of House Bill 525. On that question, is there any discussion? All in favor will vote 'aye', opposed will vote 'nay'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 111 'aye' votes, 0 'nay' and 4 voting 'present' is hereby declared passed. House Bill 1000. Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1000, a Bill for an Act in relation to home ownership. Third Reading of the Bill."

Speaker Laurino: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, House Bill 1000 provides a state program which is aimed at making it easier for eligible home buyers to save for a down

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payment..."

Speaker Laurino: "Representative Breslin, hold on for a second."

Breslin: "Okay. Okay. I guess the Bill hasn't been amended yet.

I'd like to bring the Bill back to Second for the purposes of an Amendment."

Speaker Laurino: "Does the Lady have leave? Leave being granted, Mr. Clerk, Second Reading on House Bill 1000. Proceed, Representative Breslin."

Clerk O'Brien: "Floor Amendment #1, offered by Speaker Madigan and Breslin."

Breslin: "Ladies and Gentlemen, Amendment #1 becomes the Bill and it does exactly what I began to tell you it did. It creates a state program which is aimed at making it easier for eligible home buyers to save for a down payment for that first dream home. The legislation will create four different investment plans in order to accomplish that goal for Illinois citizens. Two would be state administered mutual funds. A third would be a pooled investment program under the direction of the State Treasurer and the fourth would be the home bond plan through the Illinois Housing Development Authority, designed to meet the needs of citizens in all tax brackets. Participants will be able to start their accounts with a minimum payment of 250 dollars, so the plan is to make this eligible to the average citizen. The program will allow for subsequent monthly payments and payroll deductions if the employer wishes to participate. The Treasurer's office will oversee the administrative duties of the HOME plan and IDA will be permitted to issue HOME as part of its ongoing financing program. Once a home buyer has met the eligibility requirements, which calls for regular payments over at least three years, two incentive programs will be available. First of all, home buyers will receive a waiver

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of the state portion of the real estate transfer tax when they buy their home and secondly they will be given priority consideration in the IDA low interest mortgage programs. That is substantially the program, Ladies and Gentlemen. I am happy to answer any questions."

Speaker Laurino: "Anybody stand in...the Lady moves for adoption of Amendment #1 to House Bill 1000. Is there any opposition? Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Would the Lady yield for some questions?"

Speaker Laurino: "She indicates she will."

Parcels: "Representative, I think this sounds like a great idea, but I see...I've read it quickly and it seems to me there's a lot of loopholes. Number one is, who pays the federal tax? Can we automatically exempt them from federal tax, and if we don't, do they pay the federal tax on that money or does the bank or does the state? Who pays the federal tax?"

Breslin: "I'm under the impression that bonds of the state are federal tax exempt. Automatically. So that shouldn't be a problem."

Parcels: "Are the bonds, too?"

Breslin: "That's what I said was the bonds."

Parcels: "When you purchase the low denomination bonds, are they also? They are exempt from the federal tax?"

Breslin: "They are federal tax exempt."

Parcels: "Okay. We can do that right here at the state. I mean, I know we can exempt them from state taxes, I didn't know we could exempt them from federal tax."

Breslin: "We aren't doing it. That is the current state of federal law."

Parcels: "Oh. Very good. Secondly, do you have to be an Illinois resident to buy part of these 50 million dollar

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bonds?"

Breslin: "The qualifications to participate is that you just have to be eighteen years of age or older and not be the owner of a residential piece of property within the last two years. So it doesn't...it isn't specifically limited to Illinois residents."

Parcells: "Alright. Well then, I have a little problem, cause somebody from out of state could come in and buy these bonds. Furthermore, let's say a wealthy family living on the Gold Coast in Chicago who were renting their home, they didn't own it, could use this as an investment tool to avoid paying state and federal taxes."

Breslin: "They could, but they couldn't get the incentive package unless they bought a home in Illinois. And our object is to not only allow Illinois citizens the ability to save for a down payment, but also to get the advantage of expansion of our home building market, creating more jobs, et cetera. So..."

Parcells: "Well, that's what the incentive is, but that comes at the end of the program. As I read it on page 3, lines 20, they can pull this money out. So in fact, I could put in 10,000 dollars today and twice a year I could keep putting in 10,000 dollars, if I was wealthy and twice a year I could pull it out. And then I haven't paid any taxes on it and I can use it as a tax dodge."

Breslin: "Well, it isn't really a tax dodge under the current state law. The object is to gain...be able to pool investments for people who can't do it on their own and then reap a larger interest rate because of that pooled investment. And the more people that put their money into the program, the better it is for everybody, so why should we exclude people who have money to invest? It just hurts all the other investors."

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Parcells: "Well, except that there's...there's 50 million dollars as a cap, so if a number of wealthy people went in here to make a tax free investment, they might keep the very people out who wanted to get into it, that you're really intending to help."

Breslin: "That's only a cap on the bond program. There's no cap on the other programs and quite frankly Representative, the bond program is probably the least attractive of the investments. So I don't consider that a problem."

Parcells: "And you don't think the fact that they can pull the money out twice a year, they could just use this as a savings account with paying no taxes."

Breslin: "They're going to pay their taxes."

Parcells: "Well no, you said it was state and federal tax exempt."

Breslin: "That's just for the bonds, and the bonds are specifically exempt for a state transfer and inheritance taxes."

Parcells: "Well, there are four different investment instruments, I thought."

Breslin: "There are."

Parcells: "And so if I bought one that I could get rid of in six months, or even in three months, or in nine months, I have paid no tax on the profits of that and then I could pull it out, couldn't I?"

Breslin: "Oh, but there are penalties for early withdrawal, so that should prohibit..."

Parcells: "Well, I have to give two weeks notice, but there wasn't a penalty other than that. If I give two weeks notice..."

Breslin: "And you can't do it until after the passage of six months. So you're going to have to participate for at least six months."

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Parcells: "I'd have to be in it six months and then I can make two withdrawals. I could give you two weeks notice and then I could pull it out. It's not...I'm not trying to object to the idea, I think the idea is wonderful. I'm trying to point out some things that I hope you would clear up in the Senate if the Bill passes, because I think we could have a program here that is cheating the state out of the tax funds that wealthy people in the whole United States could use."

Breslin: "But Representative, wealthy people can already invest in tax exempt municipal bonds. I mean, we're not offering them..."

Parcells: "State tax exempt?"

Breslin: "Sure."

Parcells: "I thought most of our tax exempts, you do pay...you turn back for your state taxes. You do, then, pay state tax on them?"

Breslin: "Not state general obligation bonds. I would, of course, be willing to work with you and your staff to improve this if you can convince us that that's correct. I have to say at this point, I don't think I'm convinced, but I would certainly sit down with you and work on it in the future if you like."

Parcells: "Well, I like the idea. The underlying idea, I think is a good one. I think we've rushed into it a little too fast. I would hope we could clear it up. It just says this is a state sponsored tax exempt financial service for persons desiring to save for a down payment of a home. But they don't have to save for a down payment of a home and if they do, incidently, they don't pay any transfer tax. Now we were just talking in another Bill about doubling transfer tax and now we're going to let these people off the hook. So we're going to have some people paying double

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and some not paying at all."

Breslin: "Oh, no. You're incorrect. I think you're confused on this. You only get this incentive if you go through with the program and you buy a home in Illinois. So, there is no loss to Illinois citizens because of that incentive. We have reaped the benefit of the program if they complete the program and invest in a home in Illinois."

Parcells: "And I like that part of it. That part of it I can support, but I could see other people using it, as I believe we've read in the newspapers they're using the college fund and it's not all going for college fund people and I think that it could be inappropriately used here to avoid taxes. And I just think maybe some of that language could be cleared up so that we're not...The people who have no intention of buying a home at the end of this thing are taking advantage of this program. Thank you."

Speaker Laurino: "You've all heard the Lady's Motion. She moves the Amendment #1 to House Bill 1000. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and Amendment #1 is adopted. Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "House Bill 1000. A Bill for an Act in relation to home ownership. Third Reading of the Bill."

Speaker Laurino: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, you have just heard in the discussion of the Amendment what the program does and how it will operate. I think you should know that a ten percent down payment for a typical starter home demands a qualifying income over 20 percent higher than the current typical median income for people in Illinois. In addition to that, our statistics indicate

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that the average first time home owner in Illinois has risen from the age of 28 to 31, indicating that it's harder and harder to own a home and save for a home in Illinois. Last but not least, we believe that this program will stimulate the housing market and could be the... reverse the trend that has developed over the past decade where we've had fewer and fewer new housing starts and could create as much as 15,000 new construction jobs annually. Annually. This Bill has the support of the realtors, the home builders and the Bankers Association. I think it should have your support also. Thank you."

Speaker Laurino: "The Lady's moved passage of House Bill 1000 and on that question is there any discussion? Seeing none...Representative Parcels."

Parcels: "Thank you, Mr. Speaker. I won't take but a minute. I would just reiterate. I think it's a fine idea. It has a lot of merit. I hope that the Sponsor of the Bill will be willing to work on some of the details, cause I think it was basically a good plan, but it definitely has some loopholes that we could avoid and we wouldn't have to raise taxes in other ways in order to allow these people to have tax free bonds here. And I hope you'll be willing to work on that before the Bill becomes law."

Speaker Laurino: "The question is, 'Shall House Bill 1000 pass?' All those in favor will indicate by voting 'aye', those opposed will vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Turner."

Turner: "Thank you, Mr. Speaker. I rise in support of this Bill, but I also ask all of those green lights that are up there that's voting for this Bill which is going to help moderate and upper and middle income people afford and be able to

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buy new housing in this state, keep in mind that in the next 24 hours we'll be voting on a Bill to help low and very low income people and I hope that we get just as many green votes. Thank you."

Speaker Laurino: "This Bill having received 116 'ayes', 0 voting 'nay' and 0 voting 'present' is hereby declared passed. That's Speaker Madigan's first Bill today. House Bill 1079, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1079, a Bill for an Act to amend an Act creating the Department of Children and Family Services. Third Reading of the Bill."

Speaker Laurino: "Representative Bowman."

Bowman: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House. It came to my attention that there were approximately 1,000 children in Cook County and I don't know how many throughout the state, but presumably nearly an equal amount that were in foster homes for one reason only. And that is because the income of their biological family was insufficient to provide adequate housing so that the Department of Children and Family Services could not return these foster children to their natural parents because of inadequate housing, which of course would constitute neglect under the Illinois law. So that the department had no choice but to keep these children in foster care. Well that, Ladies and Gentlemen, is not only a shame and it is not only a scandal but it just doesn't make economic sense. Because if we could provide some additional housing supplement, housing support to their natural families that would be approximately equal to the amount of money that we pay for foster care, we could reunite these families sooner and the result would be more humane for everybody. So I'm offering this legislation which provides a housing subsidy of 300 dollars a month per

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family for a period of three years to those families in which the only barrier to reunification of children and parents is inadequate housing. This Bill is cost effective because at the present time we pay 250 dollars a month for each child in foster care. So if one child was reunited with his or her family there would be a net cost to the state of 50 dollars a month. But if the family had involved two children and there were two children in foster care, then the state would actually save 200 dollars a month for that reunited family. So, while we don't know exactly what the average family size is, that is being divided through foster care placements, my feeling is that it is probably closer to two than to one, and so I personally feel that this program would save the state money over the long pull. Therefore, I urge that this Assembly vote in favor of House Bill 1079 as being a cost effective, humane solution to the foster care placement problem throughout the state affecting at least 1,000 children in Cook County alone."

Speaker Laurino: "The Gentleman moves for the passage of House Bill 1079 and on that question is there any discussion or opposition? Representative Tate. Or Black. Which one of you Gentlemen would prefer to..."

Tate: "I'll do it. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to House Bill 1079. Well, the Gentleman certainly has laudable objectives and I don't think any Member of this General Assembly would stand here and say that they would be in favor of separating a family, a poor family because of lack of a rental subsidy. However, if all the Members would look very close at this Bill, currently poor people have the opportunity to go to the Department of Public Aid and receive financial assistance for housing. However, what the problem is, is

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if you move that responsibility to the Department of Children and Family Services, Public Aid is federally reimbursed. The Department of Children and Family Services would not be reimbursed for federal funds, and as a result, the fiscal impact on this Bill would be an increase of 1.4 million dollars. We have a system right now, the DCFS and the Department of Public Aid are working on to make the current system better and it currently works. This would be a new additional mandate that would increase the DCFS caseload, which is an already overloaded caseload. So I guess you have to ask yourself...I mean, if you've ever sat and talked to a child care worker, they have problems of child abuse, they have domestic family problems and this is one additional problem that we currently already have a system that you can go to the Department of Public Aid and be reimbursed. So, I don't have any problem with the objective of the Bill. However, we have a system that works now, I think if the Members are concerned about the fiscal impact of this, then I would suggest to you, leave it at Public Aid, don't overburden DCFS and vote 'no' on this Bill."

Speaker Laurino: "The Gentleman's Motion is for the passage of House Bill 1079. All those in favor vote 'aye', those opposed vote 'nay'. Vote is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bowman."

Bowman: "Yes. I didn't get a chance to close on this and so if I could explain my vote at this time. I just want to point out that the present system makes no sense. The present system, in fact, doesn't work. What we have is at least 1,000 children who are in foster care for one reason only. And that is because of inadequate housing that their natural parents are forced to live in. If we can pay 250

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dollars a child to keep one child in foster care, it makes a whole lot more sense to pay the family...the natural family, 300 dollars a month to return that child and all their children to their family. If the family has two children and the two children come back from foster care and are reunited with their natural family the state is going to save 200 dollars a month on that family. So it makes no sense to keep children in foster care when they can be reunited with their natural parents and at a cost saving to the state."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 42 'aye', 56 'nay', 18 voting 'present' fails. Representative Giglio in the Chair."

Speaker Giglio: "Representative Cullerton. Mr. Clerk, House Bill 1394. Read the Bill."

Clerk O'Brien: "House Bill 1394, a Bill for an Act in relation to purchase of certain housing. Third Reading of the Bill."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill came out of the Housing Committee with no negative votes. It provides that a group consisting of a majority of the tenants in federally subsidized housing may offer to purchase the building if the owner intends to dispose of the property. It provides for a procedural...procedures and time limits for the purchase and for the determination of the purchase price if there is a failure to agree on a purchase price. In Committee it was recommended by Representative Olson that I amend the Bill to change from nine months to six months the amount of time that an owner of the subsidized housing has to inform the tenants and I accepted that Amendment in the Committee. I know of no opposition. I'd be happy to

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answer any questions. Appreciate your support."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Mr. Speaker. I sat in the Committee and I heard this Bill and this is a very good program and I suggest that we all support Mr. Cullerton in this effort. Thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall House Bill 1394 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no' and none voting 'present'. House Bill 1394 having received the required Constitutional Majority is hereby declared passed. Ladies and Gentlemen, the pizza that you so overwhelmingly wanted tonight is now being served in the Speaker's conference room in the back here for Members only. You may enjoy the pizza, hopefully. Representative Breslin, 2282. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2282, a Bill for an Act to amend the Housing Development Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from LaSalle, Representative Breslin."

Breslin: "Thank You, Mr. Speaker. Ladies and Gentlemen, this Bill has taken on two Amendments. As amended, it provides that municipalities with populations between 10,000 and 25,000 may, by resolution, exercise the powers and duties of a housing authority, but they are specifically denied the ability to create a housing authority. A housing authority, therefore, would then not be allowed to be excluded from those communities if you have a housing authority on the county level. This is a compromise that I think meets the needs of people that want local housing

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authorities but don't want to exclude county housing authorities from promoting affordable housing in their communities. So I urge passage of House Bill 2282."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2282 pass?' Excuse me, Representative McCracken."

McCracken: "Yes. We see that many cities would be affected in the absence of the Amendment, but what is the significance of it? I don't...I don't...I mean, you explained it, but what is the significance?"

Breslin: "Okay. The significance is that, currently, county housing authorities tell me that they have some small communities that wish to exclude housing authority programs from their community. They can effectively do this...Are you listening, Representative McCracken? They can effectively do this if they establish their own housing authority, and then do nothing with it. So this Bill would prevent them from creating a housing authority that could exclude the county housing authority, but at the same time gives them the authority to develop housing projects on their own, in addition to what the county housing authority might be doing."

McCracken: "Alright. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 2282 pass?'

All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. The Gentleman from McLean, Representative Ropp. Have all voted who wish? 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' and none voting 'present'. House Bill 2282 having received the Constitutional Majority is hereby declared passed. Mr. Clerk, let the record reflect Representative Balanoff wants to vote 'aye' on this Bill.

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Did I...this Bill having received the Constitutional Majority is hereby declared passed. Representative Williams. House Bill 2491, Sir? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2491, a Bill for an Act to add Sections to the Illinois Housing Development Act. Third Reading of the Bill."

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

Williams: "Thank you, Mr. Speaker. House Bill 2491 is principally a shell Bill. What it is we're trying...we're in negotiation with labor and different entities to try to frame some form of training program for access to the apprenticeship trades and right now we're in negotiations with the unions, community colleges and others. It's principally a shell Bill and it's going to be changed substantially in the Senate and I would hope so by agreement."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2491 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'yes', none voting 'no' and 8 voting 'present'. House Bill 2491 having received the required Constitutional Majority is hereby declared passed. Representative Jones. Shirley Jones, House Bill 2548. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2548, a Bill for an Act in relation to prevention of homelessness. Third Reading of the Bill."

Speaker Giglio: "The Lady from Cook, Representative Shirley Jones."

Jones, S.: "Thank you, Mr. Speaker and Ladies and Gentlemen of

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the General Assembly. House Bill 2548, the Homeless Prevention Act requires the Department of Public Aid to establish a program to provide one time grants to households in times of crisis to prevent homeless."

Speaker Giglio: "Any discussion? The Lady from Cook, Representative Wojcik."

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

Speaker Giglio: "She indicates she will."

Wojcik: "Representative, you state in this Bill that you're going to establish a homeless prevention program and you're providing grants to households in time of crisis?"

Jones, S.: "Yes."

Wojcik: "Could you tell me what crisis we're speaking of? What would this encumber?"

Jones, S.: "It would deal with people who had lost their houses because of convictions...evictions. Loss of employment, medical disabilities, loss of...Emergencies of any type of...public benefits."

Wojcik: "Representative, I find...It's difficult to hear you. Could you speak a little louder, please?"

Jones, S.: "Can you hear me now?"

Wojcik: "Yes."

Jones, S.: "This will help people that would be lost of employment, medical disability and also loss of public benefits such as public aid."

Wojcik: "Representative, my question is, you say loss of employment. Are these people not subject to applying for workers comp or something like that?"

Jones, S.: "No, because they wouldn't qualify. Most of the people that I'm talking about lost employment are usually part time employment people that don't have no type of benefits or can't get any..."

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Wojcik: "But these part time employers are homeowners and apartment dwellers?"

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

Wojcik: "These part time employers are homeowners or apartment renters?"

Jones, S.: "I'm talking about people that's in apartments."

Wojcik: "People that are in apartments. But you're saying that they're not working?"

Jones, S.: "Right."

Wojcik: "Are they on public aid?"

Jones, S.: "These are people that have got cut off public aid."

Wojcik: "Cut off public aid and you're coming back and asking the state then to cover their rentals or their mortgage payments or et cetera?"

Jones, S.: "They're...people that's on public aid, half of them are homeless because of general assistance do not pay them but 154 dollars a month and they cannot afford to get an apartment or even a room. Because the rooms are so high now that their rent once a week is like 75 dollars a week for one room and they can't afford to pay for them, so this is why you got so many homeless people on the street."

Wojcik: "Well, when we talk of homeless, and you're saying that they're without jobs, there's a dual attitude here. Are they homeless, homeless, or are they those...I mean, is it clearly defined who would be accountable to receiving this type of grant? Define homeless. Is it homeless who has not had a home, or is it homeless who is homeless because they can't afford to pay their rent? I can't understand this proposal, since it's a new Act."

Jones, S.: "Okay. The people who qualify for this program will be disabled household members who is at least 65 years of age, families with minor children who are danger or removed from the family because of lack of suitable housing, single

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parents and others with children."

Wojcik: "Representative, this is not your first Bill, is it?"

Jones, S.: "No, it's not."

Wojcik: "Alright. Then I would like to speak..."

Jones, S.: "But this is just as important as my first one."

Wojcik: "Come on."

Speaker Giglio: "Proceed."

Wojcik: "I would like to speak to the Bill. I believe that the Sponsor is well intended. However, there are too many questions that cannot be answered regarding this proposal. And one of the things I think we would have to be concerned with is, is this a double grant? If they have been taken off of public aid or they're no longer collecting public aid, then there has to be some reason for this. If they're not...if they're getting the general assistance and it is not enough, there's no answers in that area either. If this proposal started as planned, it would cost approximately 14 million dollars annually. Therefore, I think that while it's well intended, further study should be created to find out exactly what and who would be needing this homeless program and define it more clearly, so I urge a 'no' vote."

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

Young: "Well, thank you Mr. Speaker, Ladies and Gentlemen of the House. I'll let the Representative Cullerton, or 'Cullert' as the board says, talk about the program a little more. The one thing I would like to point out is that there is in the public aid budget right now, that passed out of the House, 1.5 million for the Homeless Prevention Act. So as we passed the public aid budget, it was passed with this particular program as established in this Bill in mind for the homeless and I defer to Representative 'Cullert' to explain the program a little better."

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Speaker Giglio: "Representative Robert Olson."

Olson, R.: "Thank you. To the Bill. I believe that the current funding is for a current program. One time grants to prevent eviction. The coalition for the homeless in Chicago is seeking funding for five million from this...for this program. It's already been spoken to that the fiscal note said this program would cost from 10 to 14 million dollars a year. I don't think the funding is available. It's not in our appropriation Bills. I cannot support this Bill."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I am the cosponsor of this Bill along with Representative Jones. The reason why I was originally the Sponsor of this Bill, she had a very similar Bill that also came out of Committee, so we combined our Sponsorship. There are answers to the questions, Representative, that were posed. This is modeled after a plan that's been very successful in New Jersey. This plan is not for the homeless, it's for those who would be homeless. That's why it's called the Homeless Prevention Act. And as Representative Young indicated, the Bill provides an implementation that's subject to the appropriations. So the cost is what we decide to appropriate. And that has been indicated as 1.5 million. The purpose and the theory behind the Bill is to prevent people from becoming homeless. So there's criteria here and it's all spelled out in the Bill. Household income must be equal to or less than 100 percent of the federal poverty level. The household itself must be in imminent danger of eviction or currently homeless. The household must document a temporary economic crisis beyond its control and then there's various criteria with regard to what those could

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be. The purpose of the assistance is to pay up to three months of rent arrearage or pay up to two months of rent deposit. So, it's not a program for the homeless per se, it's to... really it's to save us from having people who become homeless. And the program is very successful in New Jersey, that's where the idea came from. The Bill is patterned after that and I don't think it's a... there's just really simply nothing wrong with it. And even if we decided not to appropriate the money, then obviously we wouldn't spend any money, but the department could then look into the way this might work. We right now have similar types of special and emergency assistance that are currently authorized under AFDC. We have special assistance and we have emergency assistance. For example, where a family as a result of a theft or a loss of cash has been deprived of shelter. So we have a very similar type program in other areas. I urge an 'aye' vote."

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

Balanoff: "Mr. Speaker, to the Bill. This Bill provides for a one time only grant for people who are down on their luck and studies have shown that it is more cost effective to keep families in their current setting than moving them to a shelter. So I would urge all fiscal conservatives, like myself to vote 'aye'. Thank you."

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

Satterthwaite: "Mr. Speaker and Members of the House. I too rise in support of this legislation. As you're aware, for someone who loses their home and tries to get into a new apartment, you usually have to make a deposit of at least one month's rent in addition to your first month's payment. Most families living on the...this level of poverty cannot

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accumulate that rent deposit money in order to move to a new location. And so this kind of a program can help those people to get established. People who for some reason, because of illness or for some reason that they are not able at a particular time to be able to meet all their expenditures, but who probably do have some income that can sustain them except for this emergency crisis kind of situation. There are many families in this situation who are, by and large, self sufficient, but it helps them through some crisis time in their life when they can use this helping hand in order to maintain their home, frequently to maintain their children within the local school system and the other kinds of supports that are available to them. And so I would urge a 'yes' vote for this Bill."

Speaker Giglio: "Representative Jones to close."

Jones, S.: "Thank you, Mr. Speaker. I am surprised at some of my Members in the House. We just passed a Bill out of here for houses...for people that can afford houses, and now here we trying to not pass a Bill for the homeless. I don't understand what's going on. So I will ask for a favorable vote for the homeless people. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 2548 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's 63 voting 'yes', 46 voting 'no', 2 voting 'present'. House Bill 2548 having received the Constitutional Majority is hereby declared passed. The next Order of Business will be Election Laws, Second Reading, and on that Order, page 6 of the Calendar appears House Bill 2379. Representative Cullerton. Mr. Clerk, read the Bill."

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Clerk O'Brien: "Read the Bill?"

Clerk O'Brien: "House Bill 2379, a Bill for an Act to amend the Election Code. This Bill's been read a second time previously. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is the first of, I believe, 4 or 5 Bills that were shell Bills. What we're doing is amending by category, roughly by category, election Bills altogether in one Amendment. Now, what I'll do is, I'll refer to the House Bills that have been introduced and just briefly explain what they do. This Amendment contains House Bill 94, which was offered by Representative Tate, providing that when there are not more than 50 registered voters in a precinct who are entitled to vote in a local government or school district election, the election authority is authorized to reassign such votes to one or more polling places in adjacent precincts. House Bill 152, Representative Stern. Amends the Election Code. Provides that all nominating petition sheets filed shall be originals and not photo copies or duplicates. House Bill 170, Representative Wolf. Amends the Election Code. Defines a straight party ticket to include a ballot in which a vote is cast for all candidates of one party and no votes are cast for any other candidate. Also house Bill 276 by Representative Wolf. Providing that each petition signer's or circulator's residence address on a petition for nomination for State Legislator by an established political party, a petition for nomination for any office by a new political party, a petition for nomination for any

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office as an independent candidate or a petition for nomination for any of certain offices as a nonpartisan candidate shall include his or her street address or rural route number as well as his or her city, village or town. House Bill 281, Representative Parke. Permits a candidate seeking office in a district or municipality encompassing two or more counties to be admitted to all polling throughout such district or municipality without regard to the county in which such candidate is registered to vote. House Bill 664 was a Countryman, Olson, Kubik Bill. Specifying the minimum vote requirements for a write-in candidate for nomination for or election to an office at a primary by a party apply only where the number of candidates whose name appears on the party ballot for nomination or for election to that office is entitled to nominate for or elect to the office at the primary. So this Bill only affects primary elections. It does not apply where the number of candidates whose names have been printed on the party's ballot for nomination for or election to the office at the primary equals or exceeds the number of persons the party's entitled to nominate for or elect to the office at the primary. It also includes House Bill 668, Representative Olson and Countryman, prohibiting election authorities from changing the location of a polling place after its location has been published except in the event of a fire, flood or total loss of heat in the polling place or where the election authority notifies all registered voters in the precinct of the change in location by first class mail and sufficiently...in sufficient time for such notice to be received by the registered voters in the precinct at least one day prior to the election. It contains House Bill 687, Representative Mautino's Bill amending the Election Code to provide that whenever a

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person offering to vote in a primary is challenged and is not personally known to the judges of election to have the qualifications required to vote, the person challenging such...challenged shall make and subscribe the affidavit that the person is qualified to vote. House Bill 984 is also included, that was a Daley-DeLeo Bill eliminating the ballot rotation of the names of statewide candidates and downstate Supreme and Appellate Court candidates in the primary election and University of Illinois trustee candidates in the general election. Consequently, such names would be placed on the ballot in the order in which the candidates have filed their nominating petitions. Should two or more candidates file simultaneously, the order of ballot placement shall be determined by lot. It contains House Bill 1345, Representative Hannig. Providing that a candidate defeated in the primary election or caucus is ineligible to be listed on the ballot as an independent candidate in the general or consolidated election. Provides that a candidate defeated in the primary election or caucus or defeated for nomination for office in which candidates are nominated on a non-partisan basis is ineligible to file a declaration of intent to run as a write-in candidate in the general or consolidated election. Provides that a candidate defeated in the primary election or caucus is ineligible to be listed on the ballot as a candidate of another political party in the general or consolidated election. Contains House Bill 1796, Representative Stern, which authorizes the court to order a polling place to remain open up to two hours beyond the legal closing time under certain circumstances. Contains a twelfth Bill, that's House Bill 2054. Was sponsored by then Representative Daley. Providing each poll watcher's credentials shall include a certified statement by the poll

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watcher setting forth his residence address and attesting that he or she is duly registered to vote from that address. So it contains...that's it. It contains twelve Bills. These Bills were looked at by the Election Committee. I believe they...the fact that Representative Countryman is cosponsoring the Amendment indicates its bipartisan nature. I'd be happy to answer any questions and I would appreciate an 'aye' vote on the Amendment."

Speaker Giglio: "Any discussion? Hearing...the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Since this is the first of four agreed Bills, I'd like to get up on behalf of the Republican side of the aisle and say that there are four Bills that we have put out agreed Amendments on. This is one of them. I'd like to thank Representative Stern and Representative Rice in working together with us to incorporate both Republican and Democratic legislation into these Amendments. I think on the whole, they're pretty well balanced. I would urge the adoption of Amendment #1 to House Bill 2379."

Speaker Giglio: "Any further discussion? The question is, all in favor of the Amendment say 'aye', opposed 'nay'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2379, a Bill for an Act to amend Sections of the Election Code. Third reading of the Bill."

Speaker Giglio: "Representative Cullerton."

Cullerton: "Yes. I just explained the Amendment which we've just adopted. I again offer to answer any questions, but I think we all understand what's in the Bill and I'd appreciate an 'aye' vote."

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Speaker Giglio: "The question is, 'Shall...'"

Cullerton: "This is the first election Bill."

Speaker Giglio: "The question is, 'Shall house Bill 2379 pass?'"

All those in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, 115 voting 'yes', one voting 'no' and none voting 'present'. House Bill 2379 having received the Constitutional Majority is hereby declared passed. House Bill 2380, Representative Cullerton. Out of the record. House Bill 2702, Representative Stern. Mr. Clerk, read the Bill. Stern, Sutker, Giorgi, Wolf, Mautino on this order. Mr. Clerk, read the Bill. "

Clerk Leone: "House Bill 2702, a Bill for an Act to amend the Election Code. Second Reading of the Bill. Amendment #1 is being offered by Representative Stern and Kubik."

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

Stern: "Mr. Speaker and Members of the House, this is the second of the package of four agreed Bills, truly bipartisan and truly agreed upon. Some of the material in all of these may sound familiar to you, but it is because it is the way it should have been. Sometimes a certain Chapter omitted certain areas. This Bill includes the following: House Bill 481, which was Anthony Young's, which places registrars in the Public Aid offices. House Bill 483, Representative Young, which places registrars in local Departments of Public Health and House Bill 505, Representative Anthony Young, places registrars in the office of the Secretary of State. In the voter...the voter licensing areas. House Bill 661, a Countryman, Olson...Myron Olson...and Wolf Bill makes uniform the deadline for registrars to get their forms back to the

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election authority. House Bill 685, Representative Giorgi and Myron Olson amends the Election Code and changes the campaign financing reports to a semiannual report which covers contributions and expenditures instead of the way in which it is now. House Bill 686, Giorgi and Countryman, which requires every person trying to get on the ballot to file campaign disclosure reports with the State Board of Elections as well as with the county clerk. House Bill 903, Stern. Lays out the new procedures for contesting an election statewide. At the present time there is no statewide recount procedure in the statute. House Bill 974, Stern. Indicates that if there is a registrar located in a, for instance municipality that covers two or three counties, that individual can register people from all of those areas with the proper forms. House Bill 979, Monique Davis. Indicates that the election authority shall notify every principal and vice-principal that he or she is a registrar and eligible to register youngsters in the schools. House Bill 1750, Didrickson has deputy registrars appointed for two years, not less than two year periods. House Bill 2332...I don't have who was the Sponsor of that. Makes Members of the General Assembly registrars and such others as they designate. That was a Cullerton Bill. House Bill 2633, Daley, Giglio. Places on the primary ballot, the Governor and Lieutenant Governor candidates together so that one vote will cover both candidacies. Those are the Bills laid out in 2702. Mr. Kubik is a cosponsor of that."

Speaker Giglio: "Any discussion? Hearing...the Gentleman from Cook, Representative Kubik."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Again, this particular piece of legislation is a compromise worked out by both sides. I stress, it is a compromise and

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we support it. I want to thank again Representative Stern and particularly on our side of the aisle, Representative Olson for working together to work out these agreed Bills. It's nice to be in a position of passing a few election Bills out of this House after a long, long time. So I would urge the adoption of the Amendment and the Bill."

Speaker Giglio: "The question is...all in favor of the Amendment signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it, the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Stern and Kubik."

Speaker Giglio: "The Lady from Lake, Representative Stern on Amendment #2."

Stern: "Mr. Speaker and Members of the House, Amendment #2 is the most trivial you have ever had to vote on. It simply restores the underlining that fell out of the computer somewhere along the way, to one portion. I move its adoption."

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

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2702, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

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

Stern: "The Amendment that we just adopted, Mr. Speaker and Members of the House, is the Bill. It includes all of those Bills that I ticked off and I hope that I can have your 'aye' vote on this bipartisan product."

Speaker Giglio: "The question is, 'Shall House Bill 2702 pass?'"

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All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. The Gentleman from Lake, Representative Peterson."

Peterson, W.: "Just to ask the Representative if she'd yield for a question on the Bill."

Speaker Giglio: "Go ahead. I didn't see your light."

Peterson, W.: "Representative Stern, the first part of the Bill in Amendment one is the part of House Bill 685 that changes the requirement for post election campaign financing reports? I don't think she's listening, Mr. Speaker. Why don't...."

Stern: "I'm trying. Just a minute."

Peterson, W.: "Representative Stern, the first part of the Bill where you have incorporated the House Bill 685, which deals with the requirement for post election campaign financing..."

Stern: "Yes Sir."

Peterson, W.: "Alright. Does that mean that on the first of January and the first of July then after this Bill becomes effective that we will only have those two campaign reports and that we will file the expenditures and the...whatever income we've had."

Stern: "That's correct."

Peterson, W.: "That's the way it will be, if this Bill becomes effective."

Stern: "Let me just verify that it is the first of January and the first of...is that what it is? Yes. That's correct. That's correct, Representative Peterson."

Peterson, W.: "Thank you."

Speaker Giglio: "The Gentleman from DuPage...DeKalb, Representative Countryman, one minute to explain your vote."

Countryman: "Well, I just wanted to tell the Members how good it

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feels to actually vote on an election Bill down here and I really want to thank the Speaker for working with us this year and the real Speaker standing next to you there. It just feels good to be able to punch green on an election Bill. Thank you very much."

Speaker Giglio: "Have all...feels good to Mr. LaPaille. Have all voted who wish? have all voted who wish? Mr. Clerk, take the record. On this question there are 101 voting 'yes', 12 voting 'no', 3 voting 'present' and House Bill 2702 having received the required Constitutional Majority is hereby declared passed. Representative Sutker on House Bill 2703. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2703, a Bill for an Act to amend the Election Code. Second Reading of the Bill."

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

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

Speaker Giglio: "Oh, I'm sorry. Hold on. I'm sorry. Mr. Clerk, did you read the Bill?"

Clerk Leone: "Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Sutker."

Sutker: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #1 changes the general primary election date from the third Tuesday in March to the Tuesday after the first Monday in September. And it adds a presidential primary on the third Tuesday in May in presidential election years. It is a Bill that will...it's an Amendment that provides for shortening the season in campaigns. It is an Amendment that has the support bipartisan in so many areas of this

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state. It's been supported by the major metropolitan newspapers in the State of Illinois and the community papers as well. It essentially is a very simple Bill, merely changing the dates from March to September for general primaries and it's a continuing...unlike the Senate Bill 1000 presented by President Rock, this is not for one year alone, it's a continuing proviso. I'd be happy to answer to any questions."

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

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Ladies and Gentlemen of the House, I would ask that you'd scrutinize this Amendment very closely before you vote on it. The Amendment, the way it is drafted will have the primary moved back to the first Tuesday after the first Monday in September, which would be the day after Labor Day, which could definitely cause problems to certain people. Second, it...in, I think in 1994 would be the first year, it would conflict with Rosh Hashana. In that type of a situation, according to the Amendment, we would have to push the primary back to the Tuesday before Labor Day, so you'd end up having it August 30th, I think, of that year. Every four years, because of the presidential season, we would have to have it in the third Monday in May. Now, for those of you that live in Chicago, please hear me out. For those of you that live in Chicago, the great majority of leases in the City of Chicago come due on May first. If you have a primary in Chicago on the third Tuesday in May, you are alienating those people from voting. I think the Gentleman has, you know, good merit in his thoughts, but I think the way the Amendment is drafted and written, it would just cause a lot of problems. Also, think about the situation having a late primary like that

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if you have an election contest and also absentee ballots overseas. You'd have some major problems there. Ladies and Gentlemen, I would ask that you would give a resounding 'no' vote to Floor Amendment #1. Thank you."

Speaker Giglio: "The Gentleman from Cook, Representative Roger McAuliffe."

McAuliffe: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. Well, I'd like you to think about this. We get through down here around July first and if the election is in September, instead of going fishing or going on vacation in the summer, you'll have to spend those two summer months campaigning. I don't know about you, but I'd rather be up in Wisconsin or maybe in Florida or Hawaii having a vacation than being home campaigning for the two months, the hottest two months out of the year. So I would be opposed to that Bill just for this reason alone."

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

Black: "Well, thank you very much, Mr. Speaker. I know the previous speaker is certainly accurate, but as for me, I'd much rather vacation in the beautiful State of Illinois. That's what I look forward to when we leave here in July. Yes indeed, a vacation right here in good old Illinois. If I could, Mr. Speaker, ask the Sponsor a question."

Speaker Giglio: "Proceed."

Black: "Thank you very much. Representative, I'm sure that...I apologize, I was talking down in the press well and I ... didn't hear your beginning remarks. I'm sure you pointed out that this is not an agreed Amendment, correct?"

Sutker: "Representative, this is not an agreed Amendment."

Black: "Okay. Thank you. Let me ask you another question. I know this came up..."

Sutker: "This Amendment has problems on both sides of the aisle."

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Black: "Well, thank you very much. An extremely honest answer. I appreciate that. You and I'll vacation in Illinois together in July. The last time I went home, I heard from my county clerks. Do you know whether the County Clerks Association has taken a position on this idea?"

Sutker: "I have been advised, Representative, that the county clerks are neutral on this issue."

Black: "Perhaps...Thank you very much. To the Amendment, Mr. Speaker. Perhaps what the Gentleman says is correct and I know him to be a man of great honor and integrity and the county clerks may very well be neutral as an association. Let me tell you, and I don't want to put any words in the mouth of the county clerk that spoke to me, but I think he was emphatic in saying that if we did this he did not know how in the world they could move quick enough to have a primary in September and still get everything done for the general in November and he asked me to convey his concerns to you and asked me also to convey his, my county clerk's feeling, that you please vote 'no' on amendment #1. Thank you."

Speaker Giglio: "Further discussion? The Gentleman from Lake, Representative Peterson."

Peterson, W.: "Thank you, Mr. Speaker. Will the Representative yield for a question?"

Speaker Giglio: "He indicates he will."

Peterson, W.: "Cal, have you received any input from any of the county clerks as to the time lines? Have you discussed that with anybody? If there's any problem with getting the ballots printed or any changes have they told you or...unofficially or any other way that they could do this?"

Sutker: "Representative, they've indicated..oh, I'm sorry."

Peterson, W.: "Go ahead."

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Sutker: "They've indicated there's no problem. They've been doing this. As a matter of fact, they've done it on municipal elections already. Everything's in place to bring this to fruition as far as the county clerks are concerned. Now, I know the problems...I know the problems that have been suggested. I recognize that there's going to be some pain when you change the dates of primaries from spring till fall, but the fact is, everyone that I know of, including county clerks, have suggested that the election season is just too long. It begins the previous year in December and continues into November of the later year and we're trying to find a formula that will be acceptable to the broad base of political people and also be acceptable to our citizenry. My suggestion is that if you see that county clerks have been doing this on municipal elections and are equipped to continue to do it for the general elections that I'm indicating."

Peterson, W.: "To the Amendment, Mr. Speaker."

Speaker Giglio: "Proceed."

Peterson: "I would like to let all my colleagues from Lake County to know that our county clerk does not support it and she happens to be a Democrat and she's getting bipartisan support, I think today, to vote against this Amendment. I also would like to say that we should look at changing the primary date, but September is not the one we should be looking at and I hope you vote 'no' on Amendment one. Thank you.'

Speaker Giglio: "Representative Klemm."

Klemm: "Well, thank you Mr. Speaker. I think the Sponsor has a good idea in changing the primary date, but I certainly don't support September in the way he has it. I think by doing it as late as it is, it probably becomes an incumbency's continuation act because it will keep most of

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us probably in office because I don't really think you can get a major campaign started, and campaign and do it in less than two months and that's about what this will take. I think the voters deserve changing it from March and having this long delay we have, but certainly September...the way we do it now is certainly a little bit too little time to really have a...mount a credible campaign for those that want to challenge incumbents. And I think that's a healthy thing that we have to stand for election and have our voters look at our record and not shroud it over by a fast campaign. And so in this case, I do stand opposed to that Bill."

Speaker Giglio: "Representative Weaver."

Weaver: "Will the Sponsor yield briefly?"

Giglio: "He indicates he will."

Weaver: "Representative, we've just discovered that there may be another problem involved with moving the primary to September. We've got a page here who's a student at S.I.U. and he's explained a problem that may occur at all college campuses. I have roughly 3,000 students that register at Eastern. There are approximately 4 to 5 thousand that register at S.I.U. and the school does not start until the end of August. The deadline to register for a September primary would not allow them to register to vote. so we may be disenfranchising anywhere from 12 to 15 to 20 thousand students every year if we move the primary to September."

Sutker: "Well, I understand, Representative that students have two year registrations and that its not a yearly process. I also understand that this is done in other states and has been done effectively. Our neighbor state to the north, Wisconsin, has been doing this now for many years. A September primary with a November election. They've been

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very successful in it. As I understand it further, New York has done it and they've been very successful with regard to shortening the campaign season. This is not an attempt to insure incumbents of election, I would like to suggest. It was never intended to bring us all back, as the basis for its pursuit. It was intended to reduce the lengthy primary season, to reduce the cost, to focus our citizenry on elections. Because we bore to death our citizenry. They start being bored in November and they continue to be...of the previous year, and unfortunately they end up being bored in November of the following year and the voter turnout so indicates. We must shorten the season. It...a two month election period is not unconscionable. It is something that I think is realistic, it's been done by others and it can be handled by our county clerks. We are no longer dealing with quills and pens in our county clerks offices. As I understand it, they're computerized now. I suggested that to Representative Stern, who had to confess that even in Lake County, they're computerized. I'm not...I not one who is unmindful of you..."

Weaver: "Okay. Well, thank you...thank you, Representative. I appreciate your response. Mr. Speaker, to the Amendment."

Speaker Giglio: "Proceed."

Weaver: "As much as I would like to see this move, believe me, I would prefer to shorten the campaign season as much as anyone. At a time when we as a country and we as a state have been trying to encourage people to register to vote and to get out and do their patriotic duty to vote in elections, we may be rushing into this so fast that we actually discourage people from voting. I think that perhaps maybe a 'present' vote to give us some time to step back and take a look at this is in order."

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Speaker Giglio: "Representative Young."

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

Speaker Giglio: "The Gentleman has moved the previous question.

All those in favor say 'aye', opposed 'no'. The previous question's been moved. Representative Sutker to close."

Sutker: "Ladies and Gentlemen, you've heard the arguments. I would hope that you would recognize the need for a shorter season between the primary and the general election. I would hope that you would understand there's been a lot of input and a lot of discussion, including discussion with county clerks to make this possible. While they've taken a neutral position, they've been very positive about this approach in their conference with us. I urge an 'aye' vote."

Speaker Giglio: "All those in favor of the Amendment vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 20 voting 'yes' and 91 voting 'no', 2 voting 'present' and the Amendment fails. Are there further Amendments?"

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

Speaker Giglio: "Representative Piel on Amendment #2. Withdraw. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2703, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

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

Sutker: "I'd like to take the Bill out of the record, Mr. Speaker."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. House Bill 2704, Representative Giorgi. Mr. Clerk, read

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the Bill."

Clerk Leone: "House Bill 2704, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by Representatives Giorgi and McPike."

Speaker Giglio: "Representative Giorgi on Amendment #1."

Giorgi: "Mr. Speaker, this is an agreed Amendment and it includes House Bill 266, which was Sieben's Bill, and provides that in any village of fewer than five hun...five thousand inhabitants, in which the village clerk is appointed, the electors may by referendum choose to elect a clerk. And it also includes House Bills 277 by Steczo, codifies current practice by specifically exempting school districts from the ballot placement of lottery provisions of the Election Code. The third inclusion is Breslin's 1432, which redefines the word 'accessible' to mean a site, building or facility be used for registration or voting which meets the standards of the American National Standards Institute, limited to entrance and egress from such sites, buildings and facilities. And number four, it includes Levin's 1664, which exempts certain election authorities from postelection tabulation test requirement till November 1st, 1992 or until they replace their voting systems, which ever comes first. And the Bill is supported by JCAR and the State Board of Elections. And then it...it amends amendatory language in Section 6-70 of the Election Code to permit all three members of the Chicago Board of Election Commissioners to hold outside employment, currently only the chairman may do so. I urge the adoption of the Amendment #1."

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

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Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I only rise to point out that this is another one of the agreed Amendments. I would urge a 'yes' vote on the Amendment. Thank you."

Speaker Giglio: "All those in favor of the Amendment say 'yes', those opposed 'nay'. Opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2704, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move for the adoption, I mean, for the passage of House Bill 2704 as amended."

Speaker Giglio: "Representative Giorgi, has moved...on that question, Representative McNamara."

McNamara: "Thank you. Representative Giorgi, I...I heard in your explanation something about the appointment of clerks. Could you explain that a little bit to me? The appointment of village clerks?"

Giorgi: "Sieben's Bill? Okay, what it allows...it provides that in any village of fewer than 5,000 inhabitants, in which the village clerk is appointed, the electors made by referendum choose to elect the clerk."

McNamara: "Oh, okay, thank you. I misunderstood it."

Giorgi: "Good enough."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2704 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there

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are 105 voting 'yes', 9 voting 'no', none voting 'present'.
And House Bill 2704 having received the Constitutional
Majority is hereby declared passed. House Bill 2705,
Representative Wolf. Representative Olson, are you going
to handle the Bill? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2705, a Bill for an Act to amend the
Election Code. Second Reading of the Bill. There are no
Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, being offered by
Representatives Wolf and Myron Olson."

Speaker Giglio: "Representative Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. Representative Wolf had to go home because of a
death, which he had to make a visitation and he asked me to
handle this as Cosponsor. The first of these ten units in
this Amendment was originally House Bill 76 by
Representative Cowlshaw. It amends the Election Code. It
provides that absentee ballots, which arrive to late on
Election Day to be delivered to the polling place, are to
be time stamped by the election authority upon arrival
before being counted in his office that evening. It also
provides that the signature on the ballot envelope of such
ballots must be compared with the signature on the voters
permanent registration. The second element of this
Amendment amends the Election Code, originally a Stern -
Cowlshaw initiative; requires election authorities to have
absentee ballots available sixty days before the election.
If they can't, then they must provide a special write-in
absentee voter's blank ballot for oversea's voters and
military personnel. The third element of this Amendment is
House Bill...former House Bill 553, a Hicks - Cowlshaw
initiative; which permits a physically incapacitated

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absentee voter to receive assistance in marking his or her ballot if the degree of incapacity requires it. Also permits poll watchers to be present at the office where these are casts. Requires a nursing home manager to notify the guardian or trustees where the nursing home vote will occur. This happens to be a State Board of Elections' Bill. The next element of the Amendment is a Countryman - Olson - Cowlshaw original initiative. It requires election authorities to enclose with each absentee ballot that they mail a document, written and approved by the State Board of Elections, listing the circumstances under which a person's authorized to vote absentee. It also gives some additional information. The additional unit here amends the Election Code, a normal...a nominal McCracken initiative; it provides that a absentee ballot can be returned to the election authority by the voter or by his or her spouse, parent, child, brother or sister or by a delivery company, which has been licensed by the Illinois Commerce Commission. The next element of this Amendment was a Stern initiative. It provides that military personnel and oversea civilians can make application for absentee ballots earlier than one hundred days before the election and such requests would entitle the applicant to receive an absentee ballot for each election during that year. It also makes the same provisions for nonmilitary personnel who might be overseas. Additional unit in this Amendment provides that if a voter who has cast an absentee ballot, subsequently wishes to vote in person, he or she may do so providing that the voter's absentee ballot has been received at the polling place and then subsequently is voided by the election authority. The additional element we have in this Amendment requires that the applications for the renewal of

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disabled person's identification cards must be mailed by the election authority to the card holders, not less than three months prior to their expiration date. It also...further provides that the date of expiration must be made known by the election authority to any such person making an inquiry. We have two left in this major Amendment. One, was a Wolf initiative that said that when there's a vacancy in the Office of the Circuit Clerk, the circuit judges can appoint a clerk pro tem, to serve until the judges appoint a new clerk. This Bill was requested by the conference of chief judges. And the final unit, repeals the provisions whereby sitting judges must declare their desire to seek retention in office not later than the first Monday in December in the odd numbered year. Instead provides that if a judge fails to declare his intent to seek retention, within the three week period preceding the ninety-second day before the primary, nominating...petitions for that vacancy must be filled...filed between seventy-eight and seventy-one days before the primary. I move for the adoption of this Amendment, be happy to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of the Amendment say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2705, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Giglio: "Representative Olson."

Olson, M.: "Thank you again, Mr. Speaker. I wish to commend Speaker Madigan, particularly, Grace Mary Stern, John Cullerton, and all the people on the other side of the

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aisle and our fine minority spokesman, Jack Kubik and our staffer Sherwin Swartz who's done an excellent job of putting this package together. And I move for the passage of House Bill 2705."

Speaker Giglio: "Question is, 'Shall House Bill 2705 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all...have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Speaker Madigan in the Chair. On this question there are 110 voting 'yes', 3 voting 'no' and none voting 'present'. House Bill 2705 having received the Constitutional Majority is hereby declared passed. Speaker Madigan in the Chair."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I was asked earlier in the day for copies of the Memorial Day speeches. So I happen to have extra copies if anybody on the other side of the aisle would like to get Memorial Day speeches."

Speaker Madigan: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, I don't want to extend the elections thing any longer than necessary. I just wanted to say a special thank you to the people who spent a great deal of time on this. The staff on both sides of the aisle who worked nights and weekends to get this together and I think they deserve an 'aye' vote. Thank you very much."

Speaker Madigan: "House Bill 1185, Mr. Kulas. Mr. Clerk, read the Bill. 1185, Mr. Kulas."

Clerk Leone: "House Bill 1185, a Bill for an Act to amend the Municipal Code. Second Reading of the Bill."

Speaker Madigan: "Mr. Kulas."

Clerk Leone: "There are no Committee Amendments. That's

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correction. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

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

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1185, a Bill for an Act to amend the
Municipal Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Kulas."

Kulas: "Thank...thank you, Mr. Speaker, Ladies and Gentlemen of
the House. House Bill 1185 amends the Municipal Code and
it prohibits municipalities from entering into contracts
with individuals or entities which are delinquent in
payment of any tax administered by the Department of
Revenue. It requires a statement of no delinquency from
the contractor. Making a false statement is a Class A
misdemeanor. It voids the contract and allows the
municipality to recover all amounts paid on the contract.
This Bill preempts home rule."

Speaker Madigan: "Those in...those in favor of the passage of the
Bill signify by voting 'aye', those opposed by voting 'no'.
Have all voted who wish? Have all voted who wish? Have
all voted who wish? The Clerk shall take the record. On
this question there are 103 'ayes', 9 people voting 'no',
this Bill having received a Constitutional Majority is
hereby declared passed. House Bill 577, Mr. Cullerton.
Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 577 is on the order of Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Leone: "House Bill 577, a Bill for an Act to amend the
Funeral Directors and Embalmers Licensing Act. Third
Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the
House. This Amendment is a compilation of three Bills

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which were initiated to resolve mutual concerns of the funeral service and cemetery industries. They reflect broad agreement on all matters included in the Amendment. They include single licensure for funeral directors and embalmers. Continuing education for funeral directors and embalmers. And the trusting requirements are also modified, so that it would reduce the trusting requirements for outer burial containers to eighty-five percent from ninety-five percent, but leaves the trusting requirements for all other merchandise under the Act at the current ninety-five percent level. I'd be happy to answer any questions and I would appreciate an 'aye' vote."

Speaker Madigan: "Mr. Cullerton, I'm advised by the Clerk that the Amendment has not been adopted to the Bill..."

Cullerton: "...Okay, so this is Amendment #..."

Speaker Madigan: "...So..."

Cullerton: "...One to House Bill 577..."

Speaker Madigan: "...Mr. Clerk..."

Cullerton: "...I would ask leave to take the Bill back to Second Reading."

Speaker Madigan: "Mr. Clerk, place this Bill on the order of Second Reading. Are there any Amendments?"

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

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Third Reading. Mr. Cullerton has offered the Amendment. The Amendment becomes the Bill. Those in favor of the passage of the Bill...Mr. Hallock."

Hallock: "Yes, I'd like to ask one question, please."

Speaker Madigan: "Sponsor yields."

Hallock: "Is the continuing education requirement, which was contained in House Bill 464, is that in this Bill as

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amended?"

Cullerton: "Funeral directors and embalmers will need to obtain a moderate level of continuing education to assure competency. By 1993, funeral directors and embalmers will need a total of twenty-four hours of continuing education every renewal period."

Hallock: "Thank you very much."

Speaker Madigan: "Mr. Clerk, read the Bill for a third time."

Clerk Leone: "House Bill 577, a Bill for an Act to amend the Funeral Directors and Embalmers Licensing Act. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 112 'ayes', no one voting 'no', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 1803, Mr. Balanoff. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 1803, on page twenty-nine of the Calendar is on the Order of Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Leone: "House Bill 1803, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Balanoff."

Balanoff: "Yes, yes, this...what this Bill would do, in the County of Cook would allow and would...the Pollution Control Board to have to around coke, clay and coal transfer facilities, install windbreaks in sufficient number and of sufficient height to control fugitive dust, blowing dust and I would urge the adoption of this Bill."

Speaker Madigan: "Mr. Hallock."

Hallock: "Will the Sponsor yield?"

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Speaker Madigan: "The Sponsor yields."

Balanoff: "Yes."

Hallock: "You're going to have the EPA install windbreaks?"

Balanoff: "No. What...no, the...the business would have to install the windbreaks and the Pollution Control Board would be the one to tell them how many and of what height."

Hallock: "Which businesses and where?"

Balanoff: "Well, there are... there are... it's at coal and coke transfer...coal trans...coke, coal and clay transfer facilities in Cook County."

Hallock: "And...what's the cost and who pays for it?"

Balanoff: "There...it would be the responsibility of the business."

Hallock: "Well, Mr. Speaker and Members of the House, if I could. This is another really unfair and unnecessary imposition upon business. I think this is unnecessary. There's some doubt and confusion, I would say as to whether or not these windbreaks are even affective in the first place. All and all it's a bad Bill. I urge it be defeated."

Speaker Madigan: "Mr. Pedersen."

Pedersen: "Thank you, Mr. Speaker. Would the..."

Speaker Madigan: "The Sponsor yields..."

Pedersen: "...Sponsor yield? Representative, you say you're, in your run of legislation, that you're leaving the specifications for these windbreaks to the Pollution Control Board. They have no guidelines to go by. Do they have any...do they have any regulations now for any other windbreaks, for landfills or anything else?"

Balanoff: "...These are not for...these are not for windbreaks around landfills. What...what you...When you have a situation where you may have a problem with fugitive dust, blowing dust, like from coal piles or whatever; basically the company now has to come up with a plan. The plan is

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basically accepted and there's always a question of compliance. I have another piece of legislation that follows for administrative citations to control fugitive dust. But the Pollution Control Board would come up and I have had conversations with them and they said that part of the problem with this dust is that the wind blows through the pile and that's what causes the dust. We have a very serious problem on the southeast side, where I come from with this...you know, dust."

Pedersen: "Okay. What I was alluding to, Representative, is actually the I...or the Pollution Control Board has no specification or really no idea of what kind of windbreaks or the size of those windbreaks to put up. So you're going...they're going to do it on an individual basis or they're going to develop standards that will be applicable to every site."

Balanoff: "Well, well, they're...at the sites that would apply in Cook County, they will come up with it. And they're...part of the idea behind this Bill came from the Pollution Control Board. And they are not opponents of this Bill."

Pedersen: "Okay. To the Amend...or rather the Bill..."

Speaker Madigan: "Mr. Pedersen. Mr. Pedersen."

Pedersen: "Ladies and Gentlemen of the House, I think that we're leaving a little bit too much to the Pollution Control Board. They have no specifications for these windbreaks. In addition, this is opposed by the... many of the business areas and I would ask for your negative vote on House Bill 1803."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Williams to explain his vote."

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Williams: "I just rise in support of this. I believe that the Gentleman has a particular problem in his area dealing with this fugitive dust. We should help him to catch these fugitives and I believe that this is a very responsible Bill, considering the areas from which it has affected."

Speaker Madigan: "The Clerk shall take the record. On this question there are 52 'ayes', 63 'nos', the Bill shall be put on the Order of Postponed Consideration. House Bill 757, Mr. Countryman. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 757, on page four of the Calendar, has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

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

Speaker Madigan: "Mr. Countryman on Amendment #1."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 guts the Bill and establishes an Act to establish a joint Legislative Reference Bureau and define the powers and duties thereof. And what it does is it creates a plan for recodification of the Illinois Revised Statutes. The important part about this plan which is similar to plans we've seen in prior years, is that upon completion of the plan the contents of the codified...codified Bills and their organizational scheme shall be in the public domain. I move for its adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no', the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 757, a Bill for an Act in relationship to Illinois Statutory Law. Third Reading of the Bill."

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Speaker Madigan: "Mr. Levin. Are you seeking recognition?"

Levin: "I just had a question at the appropriate time for the Sponsor."

Speaker Madigan: "This is it."

Levin: "Will the Gentleman yield?"

Speaker Madigan: "He yields."

Levin: "With the adoption of Amendment #1 is...is the West issue out of the Bill?"

Countryman: "Yes. They've agreed to this."

Levin: "Okay."

Speaker Madigan: "Mr. Dunn."

Dunn: "I couldn't hear the...is this the agreement? Okay."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 108 voting 'aye', 1 person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 7, Mr. McGann. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 7 has been read a second time previously. There are no Committee or Floor Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 7, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief Act. Third Reading of the Bill."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. House Bill 7 simply gives the persons on circuit breaker, if the person is two years younger than the sixty-fifth year and their spouse passes on, that they would be eligible for those benefits. This comes about because I've had a few constituents have this take place. It's a very low cost

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situation. And it only involves the surviving spouses in the two years of sixty-five and I ask for passage."

Speaker Madigan: "Mr...Representative Frederick. Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield for a question?"

Speaker Madigan: "The Sponsor yields."

Frederick: "Representative McGann, could you tell me how much this will expand the circuit breaker participant?"

McGann: "We have from the Illinois Department of Revenue, they're talking that provide a cost of 36,000 per every hundred people that would be eligible to claim the benefits under House Bill 7. And there aren't that many that are surviving spouse within two years of the sixty-five year."

Frederick: "How many surviving spouses of the circuit breaker program a year are there? Do you know that?"

McGann: "The Department of Revenue was unable to come to a total figure of the number that were involved. But after they looked at the whole thing they came up with this low cost figure of...on it."

Frederick: "I'm sure you realize that we're already in need of a twenty-five million dollar supplemental to take care of the circuit breaker recipients that we have on line right now and while I think your idea's a good one, I just am reluctant..."

McGann: "If I may mention to you, Representative, this is...this is very, very low cost. What it does is that surviving spouse that's left there is off of everything when the spouse that was receiving the circuit breaker dies. Therefore, they have to go on to public aid, whatever. Where this way here, we are giving them the proper living environment under the circuit breaker, for those two years. Doesn't bother that many people. It doesn't cost that

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many dollars. And it should be available in order for protectin', because unforeseen, if the person had lived, they would have received that amount."

Frederick: "Yes, yes."

McGann: "This is what was explained to me by the Department of Revenue and that's why they have no opposition to the Bill."

Frederick: "Well, I...I really appreciate your point of view. I guess I reluctantly have to say, I'm going to have to vote 'no', because I am worried about where we are right now in circuit breaker and thank you."

McGann: "Well, this would not occur in any kind of cost to the state to, speak of."

Speaker Madigan: "The Chair suggest that we now proceed to Roll Call. Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Mr. Klemm to explain his vote. Have all voted who wish? Have all voted who wish? Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I just want to caution you. We have about 100,000 seniors that haven't gotten their circuit breaker because we needed a supplemental appropriation to do that. And certainly if this is adding to the cost, you know we have some concern. I surely hope the Sponsor will work with the Appropriations II chairman to see if we can get a supplemental to take care of 100,000 seniors who deserve this type of a relief. Thank you."

Speaker Madigan: "Mr. Mays."

Mays: "Thank you very much, Mr. Madigan...Mr. Speaker. I want to expand on what Representative Klemm just said. There's over 100,000 claims waiting to be paid. Seventy-four thousand of which have already been processed. This circuit breaker program has expanded far beyond our capabilities or our projections to pay and it's getting

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worse with Bills like this. I think we ought to focus on making good on what we already owe and then talk about expanding it."

Speaker Madigan: "The Clerk shall take the record. On this question there are 90 'ayes', 17 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 263, Mr. Giorgi. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 263 has not been read a second time."

Speaker Madigan: "Read the Bill."

Clerk Leone: "House Bill 263, a Bill for an Act to amend the Sanitary District Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Klemm on Amendment #1. Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. House Amendment #1 simply requires that...that if the sanitation district establishes a special service tax area, that that ordinance be recorded and that the transact...it would be recorded, the recorder of deeds, and that the transaction would not be effective until that recorded entry is made. The purpose for that is so that taxing districts will have on public record allow the taxpayers that know that in fact there is a special assessment for this special tax and a special service area on the record and would have to be met. And I ask for its adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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Speaker Madigan: "Mr. Giorgi on Amendment #2."

Giorgi: "Mr. Speaker, Amendment #1 and Amendment #2 were written after an extensive hearing in the Executive Committee. And Amendment #1 was at the request of Representative Klemm and Amendment #2 was at the request of Representative Parcells. And what it does, Amendment #2 goes into elaborate detail on how a special service area is created and the safeguards for posting notices and levying taxes to pay for the improvements in a sanitary district."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments? Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill. Mr. Giorgi, our constitutional expert Mr. Leone, informs me that the Bill was read for the first...for the second time today. So, the Bill can be placed on the Order of Third Reading but will have to wait until tomorrow to call the matter on Third Reading. We all owe a debt of gratitude to the constitutional expertise of Mr. Leone. Mr. Giorgi."

Giorgi: "I exceed to the wizard."

Speaker Madigan: "We'll put him on the same shelf with 'Rodeno' and 'Siricka'."

Giorgi: "Right."

Speaker Madigan: "House Bill 1180, Mr. Shaw. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 1180 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

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

Speaker Madigan: "Mr. Shaw on Amendment #1."

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Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen. Amendment #1 is just a technical Amendment to clean up some of the language in the Bill. I move for its adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1180, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Shaw."

Shaw: "House Bill 1180, this is a Bill that...to amend the Criminal Code, creating the death penalty... for drug pushers..."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 87 'ayes', 16 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 2739, Mr. Wennlund. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "The Bill has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

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

Speaker Madigan: "Mr. Wennlund, Amendment #1."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill, commonly known as a J.U.L.I.E. Bill, requires all excavators to make one phone call before they dig in Illinois. It's a Bill that's been long opposed by the contractors. This Bill has the support of the

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Contractors Association, the underground contractors, the home builders, all of the utilities, everybody. This Bill would require all those who have underground utilities to belong to an organization called J.U.L.I.E., which is a one-call state system. It'll provide statewide one-call systems for all underground excavation, and I ask for a favorable adoption of Amendment #1."

Speaker Madigan: "Those in favor of the Amendment vote 'aye', those opposed vote 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments...Floor Amendment #2 is being offered by Representative Steczo, Brunsvold and Barger."

Speaker Madigan: "Withdraw Amendment #2. Are there any further Amendments? Mr. Clerk, wipe out that Roll Call. We're on Amendment #1. We're on Amendment #1, offered by Mr. Wennlund. Those in favor of the Amendments...for what purpose does, Representative Wojcik, seek recognition?"

Wojcik: "I would like to know if Amendment #1 preempts home rule? Or exempts home rule?"

Speaker Madigan: "Mr. Wennlund."

Wojcik: "Preempts home rule?"

Wennlund: "Correct."

Wojcik: "Thank you."

Speaker Madigan: "Mr. Van Duyne."

Van Duyne: "Mr...Mr. Speaker, I know Mr. Shaw and I don't really count in this chamber, but our switches don't even work anymore. Do you suppose they rusted up?"

Speaker Madigan: "Mr. Van Duyne, we are not on Roll Call at this time."

Van Duyne: "Well, but they didn't work the last time either."

Speaker Madigan: "Well, that's because there was a mechanical error here in the system. Please sit down. Everything will be okay. Please sit down."

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Van Dwyne: "Now listen, Mr. Speaker, my wife is listening and she don't like to hear you talk to me like that."

Speaker Madigan: "We'll ask her. Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Steczo on Amendment #3."

Steczko: "Mr. Speaker, I defer to Representative Barger."

Speaker Madigan: "Mr. Barger on Amendment #3."

Barger: "Thank you, Mr. Speaker. Amendment #3 excludes municipalities, counties, sanitary districts and other governmental units from mandatory membership in J.U.L.I.E.. And instead, it provides that such local governments may pass ordinances requiring J.U.L.I.E. notification by any person, nongovernmental agent...entity, prior to making emerge...nonemergency excavations. It excludes municipalities, counties, sanitary districts and other governmental unities (sic - entities) from mandatory notification of J.U.L.I.E. prior to making nonemergency excavations. It excludes municipally owned underground facilities from being subject to J.U.L.I.E. notifications. And the advantages of this Amendment is, it allows municipalities to continue to participate with or to join J.U.L.I.E. on a voluntary basis. It removes the mandatory increase cost to local government, which would occur, through the per char call charges to J.U.L.I.E. It retains a one-call system for all underground facilities not owned by a municipality, county, et cetera, and would preserve

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the present notification of municipal underground water, sewer and other lines or facilities through the municipal building permit process. Et cetera, et cetera, et cetera and I move adoption."

Speaker Madigan: "Mr. Wennlund on the Amendment."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a hostile Amendment that destroys the entire purpose of the one-call system in the State of Illinois. This system has been proposed since 1969. Everybody's been on board. They have never opposed it. The origin of this Amendment and the opposition is for Mr. Bill Grahams from the Northwest Municipal League. He has a paranoia about interference with his franchise rights. This Amendment ought to be defeated. I ask for a 'no' vote on this Amendment. Thank you."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'nos' have it, the Amendment fails. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is just a technical Amendment..."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. Mr. Barger."

Barger: "Mr. Speaker, the Amendment that I had offered was a good sound, solid Amendment based on the sovereign authority of local governments. And the fact that J.U.L.I.E., in order to get much of this information will have to go to the local municipality. You did not allow me a rebuttal before you ran the Roll Call, and I think that it was in the best interest of good government to pass that particular Amendment, and that anything that we do on this Bill as far

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as we go from now on, is going to be contrary to the best interest of the communities of the State of Illinois in the state as a whole, and I would suggest voting against the Bill."

Speaker Madigan: "We now...we are now on the question of Amendment #4. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2739, a Bill for an Act relating to prevention of negligent or unsafe excavation or demolition operations. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Van Duyne."

Van Duyne: "With all due respect Mr. Speaker, I have flipped my switch this way, that way, and whatever, and it still doesn't work. I have turned...Mr. Speaker, I have at the illustration of Mr. Laurino..."

Speaker Madigan: "...Mr. Clerk, Mr. Clerk, Mr. Clerk."

Van Duyne: "Turned my key and it still don't work."

Speaker Madigan: "How is Mr. Van Duyne recorded, Mr. Clerk? Mr. Clerk?"

Clerk Leone: "Representative Van Duyne was voting 'aye'."

Van Duyne: "Well my light...my light does not work, Mr. Speaker. I'm sorry."

Speaker Madigan: "He took it off, he took it off."

Van Duyne: "Okay, I turned it left, it don't work. I turn it to the right it don't work. Well, Mr. Speaker, let me just say it doesn't work at my desk."

Speaker Madigan: "There are now 81 'aye' votes for the Bill. The

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Clerk shall take the record. On this question, there are 81 'ayes', 29 'nos'. This Bill having received a Constitutional Majority, is hereby declared passed. House Bill 938, Mr. Richmond. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 938 is on the Order of Third Reading."

Speaker Madigan: "Excuse me, Mr. Clerk, has the Bill been read a second time?"

Clerk Leone: "House Bill 938 is on the Order of Third Reading. It has been read a second time."

Speaker Madigan: "Read the Bill a third time."

Clerk Leone: "House Bill 938, a Bill for an Act to amend an Act in relationship to wine manufacturers. Third Reading of the Bill."

Speaker Madigan: "Mr. Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Very quickly, this Bill would benefit the seven or eight small wineries we have in the State of Illinois and would put them in a position to be more competitive with wineries in similar status in other states. We've amended it to enter a great number of the problems that have been presented from the Beer Distributors and so forth. There may be another tune-up, needed maybe in the Senate, which I agree to and I'd ask for your support."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you very much, Mr. Speaker. To my good friend, Bruce Richmond, I'm sorry but it isn't the Beer Distributors that are opposed to the Bill, you have individual spirit and wine distributors that have some concerns. First of all, the Amendment took all the taxing provisions. In other words, you can now make wine without paying any taxes in this state, and I think that's unfair and certainly should not be our policy. Those taxing

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provisions should be maintained. Secondly, it allows for a winery to sell direct to anyone in any classification, whether a restaurant or whoever without having the checks and balances and the paper trail of the wholesale three-tier system. I'm not certain that you would like to do this. It also establishes twice the amount of gallons that can be produced without any taxation. If there were a winery operating in the State of Illinois that brought this type of concern to us, I think there would be a way to probably address those concerns. Since this is not a viable entity, it's not operating in the State of Illinois, I think it's premature to eliminate the taxing provisions because by this Amendment, you're eliminating it from all those like Nauvoo, et cetera that are also in that...in that industry. I recommend a 'present' vote or a 'no' vote on this legislation."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Richmond to explain his vote."

Richmond: "Yes, thank you, Mr. Speaker. In all deference to the previous speaker, the things that he's objecting to have been removed with one exception and I explained that to him, and that will be removed in the Senate. We're not trying to waive any tax...excise taxes on winery. That's...that's been removed by Amendment and I would...I would ask you to let me put this Bill in the Senate and I think we'll have no problem with it."

Speaker Madigan: "Mr. Klemm. Mr. Klemm to explain his vote."

Klemm: "I wanted to make a Parliamentary inquiry after the vote."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Mr. Flinn to explain his vote."

Flinn: "Well, Mr. Speaker, I don't think Mr. Mautino was

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listening to Mr. Richmond when he explained his vote. The part he objected to has been removed from the Bill with one exception, and that's agreed to be done in the Senate. I think it would be a terrible mistake made on Mr. Richmond's Bill. And I think we ought to vote it out because it's been taken care of."

Speaker Madigan: "The Clerk shall take the record. On this question there are 72 'ayes', 29 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 74...Oh, I'm...Mr. Klemm. Mr. Klemm. House Bill 748, Mr. Mautino. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 748 is on the Order of Third Reading."

Speaker Madigan: "Mr. Mautino. Mr. Mautino, 748. Mr. Mautino, 748."

Mautino: "Yes, thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 748 was brought to our committee and obtained, I think, about 20 or 25 Cosponsors. It pertains to the registered clinical, it changes from...excuse me. The legislation requires that an insured who is receiving treatment for a mental or emotional disorder, is intent to have his or her coverage, cover charges reimbursed by the insured, if he selects a licensed clinical social worker to perform the treatment. That term licensed clinical social worker is defined in the Clinical Social Work Practice Act. There are many individuals who agree with this philosophy. It provides for a lower cost of assistance and insurance, and I move for it's passage."

Speaker Madigan: "Mr. Terzich."

Terzich: "Yes, this is another mandate on the medical practice area, and it's another expansion of insurance coverage. And always keep in mind someone's going to pay for it. And the people that are going to pay for it are those who have

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the health insurance policies, and it's just going up if the clinical psychologists or whatever they call them or social psychologists or whatever they are, if they were to be covered they would be covered right now. Not to take anything away from their job, but its certainly isn't going to lower anybody's cost. It's just going to increase the cost of medical care and I would urge a 'no' vote."

Speaker Madigan: "The Chair would suggest that the Bill is rather straight forward. Mr. Mautino has spoken for the Bill. Mr. Terzich has spoken against the Bill. There are five other people seeking recognition. I simply suggest, we go to Roll Call. Those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 43 'ayes', 59 'nos'. The Bill fails. House Bill 1433, Mr. McNamara. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 1433 has been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

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

Speaker Madigan: "Mr. McNamara on Amendment #1."

McNamara: "Thank you, Mr. Speaker. Amendment #1 is a technical Amendment that tightens up the language of the Bill."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1433, a Bill for an Act to amend an Act to prevent the punishment and desecration, mutilation or improper use of the flag."

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Speaker Madigan: "Mr. McNamara."

McNamara: "Thank you, Mr. Speaker. This Bill simply includes in the law the deliberate placing of a flag on the floor is also guilty of an offense. I urge for its approval."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 97 'ayes', 3 people voting 'no', this Bill having received a Constitutional Majority...is the scoreboard still open, Mr. Clerk? Can you open the board and record Mr. Williams as 'no'. Record Mr. Morrow as 'no'. Mr...Mr. Morrow would like to be recorded as 'present'. Have all voted who wish? This is the flag on the floor issue. Have all voted who wish? Record Mr. Santiago as 'yes'. Have all voted who wish? The Clerk shall take the record. On this question there are 96 'ayes', 4 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 700, Mr. Hultgren. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 700 is on the Order of Third Reading, has been read a second time."

Speaker Madigan: "Read the Bill."

Clerk Leone: "House Bill 700, a Bill for an Act concerning funding of scholarships. Third Reading of the Bill."

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Thank you, Mr. Speaker. May we take this Bill back to Second Reading for purposes of an Amendment?"

Speaker Madigan: "Place the Bill on the order of Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker Madigan: "Mr. McCracken."

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McCracken: "This was on Postponed Consideration, can it be returned? Parliamentary inquiry, can be returned for an Amendment? I think it just has to be voted on, doesn't it?"

Speaker Madigan: "The Clerk tells me that his records indicate it was on Third Reading. All I'm trying to do is help this Republican Sponsor. I don't know about you."

Hultgren: "Mr. Speaker, Mr. Speaker, I believe the Clerk is correct."

Speaker Madigan: "Sure. And your Leader is wrong. Mr. Leone, any Amendments?"

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

Speaker Madigan: "Mr. Hultgren."

Hultgren: "Yes, House Amendment #3 removes the substance from the Bill, and makes a technical change. This turned out to be a little bit more controversial than we thought. And we need to continue to do some work on it. So, we'd like to send it over to the Senate as a shell Bill and hopefully can come to some agreement before the end of the Session."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, the previous Amendments on this Bill went down resoundingly with seventy some votes in opposition. I suggest that this is not a time for us to be moving a controversial Bill over to the Senate as a shell and I would suggest that the same seventy some people who voted against the previous Amendments, vote against this."

Speaker Madigan: "Mr. Dunn."

Dunn: "I echo the remarks of the previous speaker. This Bill should be defeated here and now."

Speaker Madigan: "The question is on the Amendment. Those in favor of this Amendment to make this a shell Bill vote

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'aye' and those opposed vote 'no'. Those in favor of the Amendment will vote 'aye'. Have all voted who wish? The Clerk shall take the record. On this question there are 64 'ayes', 34 'nos'. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Hultgren."

Hultgren: "...Amendment. Withdraw the Amendment."

Speaker Madigan: "Withdraw the Amendment. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 700, a Bill for an Act concerning funding of scholarships. Third Reading of the Bill."

Speaker Madigan: "The Bill is now on the Order of Third Reading. The Bill has basically been presented. Mr. Edley. Mr. Edley, on the shell Bill."

Edley: "On the Bill?"

Speaker Madigan: "On the shell Bill, yes, Sir."

Edley: "Yes. I've got a question of the Sponsor."

Speaker Madigan: "Sponsor yields."

Edley: "Representative Hultgren, are you going to continue with your... with the thrust of this Bill to increase scholarships for...for private colleges...students?"

Hultgren: "No...the...what I...what I would hope to do is to find a method to increase access to higher education for Illinois students. A concept which I have worked on with other Members of the House. There were several Bills that addressed the issue of access to higher education in the Higher Education Committee. I believe two out of the three did not get out of committee, but I will continue to work with the Sponsor of those Bills, Representatives Keane,

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Representative Countryman. And hopefully, we can come to some agreement that would improve access to higher education for Illinois students."

Edley: "To the Bill."

Speaker Madigan: "To the Bill."

Edley: "This Bill, as originally presented here which the Sponsor, I know, knew the substance of, provided substantial increases for private college students at the expense of public college students. It was not a good Bill. Our public colleges are in a financial distress and I would urge a 'no' vote on this shell Bill."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill can do nothing except mischief in the future as far as I can see. We do not want something that is going to take money away from our higher education institutions. Although I am sure the Gentleman has a laudable purpose in mind. The real problem is funding, not any other way are we limiting access to higher education scholarships. And for that reason, I suggest that we should defeat the Bill now and not worry about it later."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Mr. Countryman to explain his vote."

Countryman: "Well...well, thank you, Mr. Speaker. My name was used in debate. I don't think this is a good concept. I don't know what I can do to work with this Gentleman to work out this problem. The problem is that our state universities are underfunded. The kids can't get classes that they're supposed to get now. We can't deal in the area of private tuition scholarships until we solve the problems with our state universities. And when we do that then we can come back to the table and talk to the

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Representative. But right now...I urge a 'no' vote."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 36 'ayes', 48 'nos', the Bill fails. The next Bill is House Bill 3. Mr. Clerk, has this Bill been read a second time?"

Clerk Leone: "House Bill 3 is on the Order of Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Leone: "House Bill #3, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Preston. Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3 amends the School Code to require schools throughout Illinois, elementary and high schools, to include in their curriculum a course of instr...a unit of instruction as defined by the local school board on the events taking place in Europe between 1933 and 1945, commonly known as the period of the Holocaust during the second World War. There have been studies that have been taken in the United States and in the State of Illinois to indicate, unfortunately, that as many as sixty percent of high school graduates have never heard nor can they place the name of Adolph Hitler. In my neighborhood last week, there was a meeting at a local synagogue for...or, excuse me, at a local church for a meeting that was taking place for racial equality and teaching people how to treat one another properly. And at that meeting there was an infiltration by a group of skin heads, neo-Nazis, who went to the meeting, caused a disturbance, fights broke out, the police were called. This has happened at other areas within Chicago and elsewhere in the State of Illinois. I think it is fundamentally important that we remember that in our lifetimes there were millions, some eleven million

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people that were systematically slaughtered in Europe by what was at the time the ...Country"

Speaker Madigan: "Mr. Preston, could you conclude, please."

Preston: "Considered the most civilized. We've heard this debated before, and I would be glad to answer any questions and urge your 'aye' vote."

Speaker Madigan: "Mr. Johnson."

Johnson: "Representative Preston, can you...can you tell me one school district, the name of one school district in the entire State of Illinois today, that doesn't include in its curriculum a...more than a passing mention of the events that you make reference to."

Preston: "Yes, Representative, I was astonished to learn during the committee hearings that many, many school districts throughout the state do not cover the second World War at all. And that some Members, frankly who are history teachers on your side of the aisle, were the ones who brought that to my attention."

Johnson: "So...so, your Bill requires them to teach about World War II?"

Preston: "That is correct."

Johnson: "That's not the way I read the analysis."

Preston: "Well, the...it requires the teaching of World War II, which would include in it the events that took place in Europe, known as the Holocaust. The events that took place in Europe from '33 to '45."

Johnson: "Does your Bill make...mandate teaching in the schools where the millions of people that were wiped out systematically by Mr. Stalin in Russia?"

Preston: "To the extent...during World War II and that period?"

Johnson: "Well, no, just generally..."

Preston: "...No, this Bill does not touch upon that, though I agree with you that that...that is certainly part of world

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history. It... Representative, it boggles the imagination that a high school student can graduate with a diploma and not have...not be able to place the name, Adolph Hitler. Especially, when we have seen in Europe and in this country and in this state, an arise of neo-Nazism."

Johnson: "Does the Bill address the question of how that subject matter is to treated? What if you had isolated areas in the state where wrong thinking people were running the school system and treated that...that period...that twelve year period of history in a light differently than you and I would think it should be treated? Does your Bill tell...tell... tell you how the school districts have to treat the subject?"

Preston: "Absolutely not, Representative. That's left to the individual school district to determine how much time that they will spend and what the curriculum will entail."

Johnson: "What other...what other areas are there? I know we mandate nearly everything that the school districts have to do, but what other areas..."

Speaker Madigan: "...Mr...Mr. Johnson. Mr. Johnson, could I respectfully ask that we move along with the Bill. I don't...I don't wish to infringe upon your right to question the Sponsor."

Johnson: "...No...that's alright. You can respectfully ask and I'll respectfully accede to your request."

Speaker Madigan: "Sure, thank you. Mr. Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I...I've talked with the Sponsor of this Bill some time ago and indicated to him that I must reluctantly rise in opposition to his Bill. Obviously, what he's talking about is one of the most hideous chapters in world history and God help us if it ever happens again. But if I might, Mr. Speaker, let me quote to you from a letter that I received from a school

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teacher. And it simply says, 'I think the Legislature needs to realize before they proceed to further encumber the teacher's instructional day, that time is already pressed. Teachers are presently required to teach so many special topics in the course of the school year, that it is sometimes a strain just to make time to work them all in. Furthermore, logic must tell you that if a teacher has to take a hundred minutes per week teaching special units of mandated study, no matter how worthy, that is one hundred minutes per week not spent on basic core subjects. Teaching about the Holocaust is fine, if we can work it into the curriculum. However, to make it a special unit, just for that and then to require it to be taught, again taking more minutes out of the school year and away from basic study, is an infringement on the classroom day. Isn't it ironic that in an era when we school teachers are constantly being told how much better our Japanese counterparts do at educating the children in their country than we do at educating our kids, that we as educators continue to be given less time to teach subjects like Geography, Math and Science, that our American students consistently rank so low on in international comparisons. Why do we have less time to teach these basic subjects? Because we teach so many other topics that sometimes we simply can't work the time in spending teaching the basics that we should be teaching.' And that's why I must rise, and I'd be more than happy to share this letter with the Sponsor in opposition to his Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 80

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'ayes', 32 'nos', this Bill having received a Constitutional Majority is hereby declared passed. House Bill 18, Representative Stern. Has this Bill been read a second time?"

Clerk Leone: "House Bill 18 is on the Order of Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Leone: "House Bill 18, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."

Speaker Madigan: "Representative Stern."

Stern: "Mr. Speaker and Members of the House, House Bill 18 is a truly Republican Bill. It is a Bill that asks that we take government off our backs. It is a Bill which asks us to repeal the premarital AIDS and syphilis test, which people are going miles out of their way to avoid taking by marrying in other states. A year ago, we had a similar Bill to this before us and those who opposed the Motion, said, 'let's keep this testing in effect for a year, so we can have some statistics from which to judge'."

Speaker Madigan: "Representative Stern, could you please be brief."

Stern: "I'll be as brief as I can..."

Speaker Madigan: "It's a simple Bill."

Stern: "Okay. Alright. It is a simple Bill. Can I say I know of no opposition?"

Speaker Madigan: "No. Representative Pullen is seeking to speak. Not yet. Please conclude your remarks, Representative Stern."

Stern: "I'll be very quick..."

Speaker Madigan: "Representative Stern..."

Stern: "I just want to add there is an economic component to this. Those who rent tuxedos, those who do catering, those who do floral arrangements for weddings have lost

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twenty-five percent of their business in the last year. The county clerks in the surrounding counties that edge out into other states have lost about twenty-two percent of their business this year. The State of Indiana has raised the cost of a marriage license to fifty dollars and is thinking of raising it to a hundred dollars. They spend...they spend so much time with Illinois couples and do so well with them they figure they might as well fund the entire state budget on the marriage licenses from Illinois couples. There are plenty of reasons to vote to repeal this, not to mention the support for this repeal by the State Board of Health, the local boards of health, the State Medical Society and numerous others. I urge you to vote 'aye'."

Speaker Madigan: "Representative Stern has spoken in favor of the Bill. The Chair recognizes Representative Pullen. Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Public Health Department of this state, the public health director of this state have never supported premarital testing; are now seeking to repeal not only AIDS premarital testing but also syphilis premarital testing. At a time when the syphilis, when syphilis in this country is rising by fifty percent. They have never understood that it is not a matter of the numbers of infections found through this procedure, it is a matter of giving life saving information to people who are about to enter into a relationship with state sanction which will include activity which will transmit the virus if it is present in one of them. They have never understood that it is in order to try to prevent the conception of infected babies. It is said that this law has not been affective because it hasn't found very many. It's not a matter of how many it's

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found, it's a matter of preventing unknowing infections. Nothing in this epidemic has got better to lead us to think that we can relax our standards or any programs that we have put into place. With respect to the percentage of marriage license applicants who have been reported infected, and I mean reported, because I think many have been told they are infected who have not been reported, it is a higher prevalence of infection than five of the six newborn programs that this state pays for, newborn testing programs. It is also a slightly higher percentage of infection than among California blood donors. I do not believe that anyone, even a public health official would seriously suggest to banning the testing of California blood donors, and yet this program is just as affective in preventing infections. It covers a population that is very similar to California blood donors and we have the hue and cry to remove this. The state has spent 17,000 dollars implementing this law. People in Illinois have saved substantial sums of money if they have acted rationally in responding to the news that one of them is infected in entering upon marriage, because the average cost for medical care for someone becoming infected is over a hundred thousand dollars for an adult and four hundred thousand dollars for a baby. This week we learned that the most recent study being done shows that one in five hundred college students in this country are infected. Today's college students are tomorrow's marriage license applicants. There is no good reason to turn back and there is very good reason to continue. What we have learned about marriage license applicants' infections in 1988, we won't know any more in 1989 or '90 or '91, when this population is becoming more and more infected, if we repeal this law now. Legislators from across the country are

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paying attention to what we are doing with this, not to see what we think of premarital testing, but to see whether Illinois Legislators believe that Il...that AIDS isn't so important as we thought it was when we passed this requirement. Please, Ladies and Gentlemen, for the sake of the future, vote 'no'."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. The Chair recognizes Representative Didrickson to explain her vote."

Didrickson: "Thank you, Mr. Speaker. The Lady on the other side of the aisle is absolutely correct, my Democratic colleague from Lake County. I was made to feel very guilty for not having a Republican response a number of years ago when I opposed this measure. She's absolutely correct. We're looking at studies today that suggest 'AIDS spread not an explosion' today's newspaper. The right vote is a green vote."

Speaker Madigan: "Have all voted who wish? Mr. Hultgren to explain his vote."

Hultgren: "Thank you, Mr. Speaker. I may have a potential conflict of interest here, but I will be voting according to the dictates of my conscience."

Speaker Madigan: "Have all voted who wish? Mr. Levin to explain his vote."

Levin: "Mr. Speaker, in explaining my 'aye' vote; a hundred and sixty thousand people last year took this test. A total of twenty-four tested positive. We need to join the only other state in the country that ever had this test, Louisiana, in repealing it."

Speaker Madigan: "Mr. Kirkland to explain his vote."

Kirkland: "Just very quickly to say it's a terrible misallocation of resources, whether public or private resources, not to

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aim...the money we need to put toward AIDS to target populations. And this is a...is not a target population. We know what those populations are and we should make every effort to put our resources toward those folks."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 63 'ayes', 49 'nos', Representative Pullen."

Pullen: "Mr. Speaker, I don't want to do this, but this is to important. And you're not going to be able to dissuade me, not you, these persons are not going to be able to persuade me by shouting, Mr. Speaker. I request a verification of the Affirmative Roll Call."

Speaker Madigan: "Mr. Flinn."

Flinn: "Well, Mr. Speaker, I was opposed to the Bill but in the interest of saving time, change me to 'aye' please."

Speaker Madigan: "Record Mr. Flinn as 'aye'. Mr. Clerk, poll the absentees."

Clerk O'Brien: "A poll of those not voting. Keane, no further."

Speaker Madigan: "Record Mr. Keane as 'aye'. Mr. Clerk, read the names of those voting in the affirmative."

Clerk O'Brien: "Balanoff. Barnes. Bowman. Breslin. Brunsvold. Countryman. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Didrickson. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Harris. Hartke. Hasara. Hensel. Hicks. Homer. Hultgren. Lou Jones. Keane. Kirkland. Kulas. Lang. Laurino. LeFlore. Leitch. Leverenz. Levin. Matijevec. Mautino. Mays. McAuliffe. McPike. Morrow. Myron Olson. W. Peterson. Phelps. Preston. Richmond. Ronan. Ropp. Saltsman. Satterthwaite. Shaw. Stange. Steczo. Stern. Sutker. Trotter. White. Williams. Williamson. Woolard. Anthony Young. Wyvetter Younge. Mr. Speaker."

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Speaker Madigan: "Representative Pullen, any questions?"

Pullen: "Mr. Stange?"

Speaker Madigan: "Mr. Stange? He's in the front of the chamber."

Pullen: "Mr. Olson? Myron Olson?"

Speaker Madigan: "Myron Olson is in the rear of the chamber."

Pullen: "Mr. Farley?"

Speaker Madigan: "Farley..."

Pullen: "Representative Farley?"

Speaker Madigan: "Is in his chair."

Pullen: "Representative Williamson?"

Speaker Madigan: "Williamson? Is Representative Williamson here?"

The Lady is in the rear of the chamber."

Pullen: "Representative Giorgi?"

Speaker Madigan: "Giorgi? Is in the chamber."

Pullen: "Representative Leverenz?"

Speaker Madigan: "Mr. Leverenz? Is in the rear of the chamber."

Pullen: "I have no further questions."

Speaker Madigan: "On this question there are 65 'ayes', 48 'nos',
this Bill having received a Constitutional Majority is
hereby declared passed. House Bill 400, Mr. Ropp. Mr.
Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 400, this Bill appears on Third
Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 400, a Bill for an Act relating to the
cancellation of the driver's license and permits of
dropouts. Third Reading of the Bill."

Speaker Madigan: "Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. One of
the most serious issues we have been dealing with the last
several years is that of attempting to place education as
our number one priority. We have in fact a program in the
State of Illinois that would adequately allow people to

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prepare themselves for the world of work opportunity. Tragically enough, according to Senator Alan Dixon, thirty-five thousand high school students drop out of school each year. In fact, we are ungraduating a group of people into the world of unemployment, public aid and prison residency. The State of Illinois should send a clear message to these young people, how important we feel education is and the fact that employers, having a choice of selecting someone who is a high school graduate or who isn't, I can assure you that they're going to hire someone who has a diploma. It is in the best interest of those young people in the State of Illinois to adequately prepare themselves for this work opportunity. So that they can earn a living. So that they can in fact prepare for their families..."

Speaker Madigan: "...Mr. Ropp, could you be brief please."

Ropp: "Yes, Sir. The State of West Virginia has already passed this Bill. It has worked very successfully. I ask for your support in passing a Bill that will get the attention of young people so that they will in fact stay in school so that we can better educate them. I ask for your favorable support. Thank you."

Speaker Madigan: "Mr. Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. I think you will have exactly the opposite effect intended. Educators indicate that...that to suspend or to take away the driver's license of a youngster for a purpose nonrelated to driving, has an opposite effect than that of which is intended. All over downstate of Illinois, we shouldn't have the dropouts, but we do have them. If they don't have a car, they can't get to work. Sometimes they are married, they can't get to the doctor for proper medical care. If they don't have

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transportation, a lot of them will turn to crime and drugs. I've talked to my probation officials in my county, they agree with this. This is not a good concept. We should defeat this legislation and my analysis says the Secretary of State even is opposed to this legislation. I urge a 'no' vote."

Speaker Madigan: "One person has spoken for the Bill, another one has spoken against the Bill. Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Mr. Mulcahey to explain his vote. Have all voted who wish? Have all voted who wish? Mr. Mulcahey to explain his vote. Have all voted who wish? Representative Cowlshaw to explain her 'no' vote. There are now 57 'no' votes. Representative Cowlshaw."

Cowlshaw: "Thank you. The Bill seems to be suffering, the fate it so richly deserves. Thank you, Mr. Sponsor...Mr. Speaker."

Speaker Madigan: "...Okay, the Clerk shall take the record. On this question there are 52 'ayes', 58 'nos', the Bill...Mr. Ropp request the Bill be placed on the order of Postponed Consideration. The Bill shall be placed on the order of Postponed Consideration. Mr. Black. House Bill 2106. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 2106, the Bill has been read a second time previously. Amendments #1, 2 and 4 were adopted in committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Representative Anthony Young on Amendment #5."

Anthony Young: "Withdraw Amendment #5."

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Speaker Madigan: "Withdraw Amendment #5. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative DeLeo."

Speaker Madigan: "Mr. DeLeo on Amendment #6."

DeLeo: "Thank you, Mr. Speaker, Members of the House. Amendment #6, gives the authority of the governing commission to select appraisers that appraise the property on behalf of the commission. It also allows the commission to select real estate brokers once a notice of intent is made against the property. Also allows contiguous existing programs to join the program... a precinct that's contiguous to an existing program by referendum and approved by the governing commission. I ask for the adoption of Amendment #6."

Speaker Madigan: "Mr. Williams."

Williams: "Thank you, Mr. Speaker, would the Spons...quest...I'll just...to the Amendment. I rise in opposition to this Amendment. Last week, we adopted an Amendment that took part of what they're trying to put back in and I also, stand here in all sincerity. I know we went through a long battle last year on the question of home equity. We went through a very emotional battle and in all honesty, I truly had hoped not to readdress all of the issues that we are about to rehash right here today. I believe that this Amendment, by adding on the contiguous precincts, puts the City of Chicago into a state of continual racial turmoil, one where block by block, precinct by precinct, fears of racism, fears of unfounded, what I would call beliefs being protected by the state will begin to creep and grow and the racism and the other things that go along with this will become a real, just danger on our community. Secondly, the Bill itself or the other aspect of the Amendment creates a

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sheltered market for giving individuals chosen by a commission preventing other individuals and preventing a free market from operating. What the Bill does in essence, or what the Amendment does in essence is say that only good realtors, only good appraisers, only people who want to do exactly as they are told by this commission will have an opportunity to sell properties in these areas. Now, I know that this Body has heard from me time and time again. Many of you on both sides of the aisles have talked to me, have talked about this issue. You know in my heart I mean what I say when I say that I believe the Sponsor's doing what he believes is best in his community, but I also say that this particular Bill and this particular Amendment expands upon something that just isn't right. I would hope that we stand for what's right today and I would hope that we defeat this Amendment. It's not right to let this...I mean, they have provisions already to expand the program. They can create new districts. We've even suggested the districts could merge. But this just isn't right. We came together last week, we passed an Amendment. This Bill strips that Amendment. This Amendment strips the Amendment that we passed. And you know...all I can do is ask you to vote 'no'. There is no need in me...you know the issue. You know the times. You know what we're arguing over here today. I ask, as a black person, as a person, as an American that we try not to foster racial fears in this nation. They have the Bill. We gave them the Bill last year. We gave them the right. And as I argued last year, once we gave them the right, once it didn't do what they wanted it to do, once they found out that peoples fears don't go away, they'd be right back here today, trying their best to give us more, and more, and more, and more, and more. And that's what this is. That told you last

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year that this thing wouldn't work financially. They need tax anticipation notes now because it does not work financially. I told you last year that if we didn't, we took out the brokers they wouldn't be satisfied. They're back again this year to put back in the brokers. I told you last year that if one community wasn't enough and it didn't proceed their fears, that they would come back to add on more communities. Everything that I said would happen is starting to happen. And all I'm telling you is that this, as well meaning as it may be, is absolutely the wrong thing to do. And I urge a 'no' vote on Amendment #6."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #6, in an essence tries to repeal Amendment #4 which this Body put on, simply restores the freedom of the homeowner anywhere, but it specifically within the City of Chicago to select the broker of his choice and by restoring the safeguards in the selection of program appraisers. I think we should not set this terrible precedent. We should allow people to be able to use any broker of real estate they choose. I ask for the defeat of this Amendment."

Speaker Madigan: "The question is the adoption of the Amendment. Those in favor of the Amendment will signify by voting 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Mr. McAuliffe to explain his vote."

McAuliffe: "Mr. Speaker, Ladies and Gentlemen of the House, I would ask some of the Republicans on my side of the aisle to help me on this. I wanna vote with Representative DeLeo. These people are from our district. This is the way they want the program to run. There isn't a person on

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the floor on the Republican side that hasn't come to me, whether they're downstate farmers or wherever they're from and ask me to help them, and I always have. This is for my district. This is for Jimmy DeLeo's district. And this is for the south side of Chicago, the southwest side of Chicago, and we urgently need a green vote on this."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 52 'ayes' and 51 'nos'. The Amendment is adopted. Mr. Williams. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative DeLeo."

Speaker Madigan: "Mr. DeLeo."

DeLeo: "I'd like to withdraw Amendment #7."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative DeLeo."

Speaker Madigan: "Mr. DeLeo."

DeLeo: "I'd like to withdraw Amendment #8."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative DeLeo."

DeLeo: "Same Motion."

Speaker Madigan: "Withdraw the Amendment."

Clerk O'Brien: "Floor Amendment #10, offered by Representative Anthony Young."

Speaker Madigan: "Mr. Young, Amendment #10."

Young: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, what Amendment #10 would do is, there's two issues involved in these Bills in terms of the size of these commissions. One is the familiar hole in the donut issue as to whether the

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commission can go back to precincts that were originally attempted to be put into a program and circulate petitions and add those by vote again. I originally opposed that the Amendment I withdrew earlier was withdrawing my opposition to including the hole in the donut. What this Amendment would do was to leave the provisions for contiguous precincts saying that all you had to do was circulate petitions to let the commission keep growing. We think commissions should be formed to get away from the problem of some people joining the commission in year one, others joining the commission in year four, year five and also to get away from the constant racial strife this would cause in those neighborhoods where you have battle precinct by precinct each election time. I think it's reasonable to allow the hole in the donut to be filled. This Amendment doesn't affect that, it just says do it commission by commission to avoid a lot of strife. I think it's reasonable and I'd ask for its adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2106, a Bill for an Act to amend the Home Equity Assurance Act. Third Reading of the Bill."

Speaker Madigan: "Mr. DeLeo."

DeLeo: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. As we said in debate, Amendment #6 became the Bill. House Bill 2106 is some clean up language, makes some changes concerning appraisers, brokers, the commission. We debated this at great, great length last year, the Home Equity Bill. It's as Roger McAuliffe mentioned, this is for areas in the City of Chicago who opted to join in this program.

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We're adding some precincts that are contiguous. It's...It's...I just ask for an affirmative Roll Call on House Bill 2106."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Because Amendment #6 has gone on this Bill, the integrity of the real estate community in Illinois is at jeopardy. We are setting a terrible precedent and therefore I shall ask everyone to vote 'no' on the Bill and I rise and oppose it."

Speaker Madigan: "Mr. Williams."

Williams: "I also rise in opposition to House Bill 2106."

Speaker Madigan: "The question is, 'Shall the Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? have all voted who wish? Mr. McAuliffe to explain his vote."

McAuliffe: "Well, Mr. Speaker, this Bill...and Ladies and Gentlemen of the House. This Bill only affects a small section of Chicago. It doesn't affect anybody downstate and it's not going to bankrupt the real estate industry. We need your help on this Bill. Absolutely need your help. The people from our district came down here for two years and begged us to pass this Bill. Last year we got it passed. We're trying to make a few small changes in it this year and I earnestly solicit your support. This is for our area, doesn't affect anybody downstate at all. Please give us a green vote."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 57 'ayes', 50 'nos'. The...Mr. DeLeo requests a poll of the absentees. Mr. Clerk, poll the absentees."

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

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Shirley Jones and Van Dyne. No further."

Speaker Madigan: "Mr. DeLeo. Mr. DeLeo."

DeLeo: "Thank you, Mr. Speaker. I'd ask leave of the House to put this on Postponed Consideration."

Speaker Madigan: "The Bill shall be put on the Order of Postponed Consideration. House Bill 2339, Mr. Giorgi. Mr. Clerk, has this Bill been read a second time?"

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

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 permits the sale of Class E fireworks from June 30th through July 5th of each calendar year and targets revenue raised from the licensing of fireworks dealers for the Fire Prevention Fund instead of the General Revenue Fund. I move for its adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2339, a Bill for an Act relating to fireworks. Third Reading of the Bill."

Speaker Madigan: "Mr. Giorgi."

Giorgi: "I refer to Mr. Tate."

Speaker Madigan: "Mr. Tate. Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2339 would permit the sale of Class E fireworks, again, from 15 days in the State of Illinois. It would only allow persons of the age of 21 or older to purchase

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these fireworks. It would generate additional sales tax and licensing fees projected up to millions of dollars. We have earmarked that funding for the Fire Marshal's office and for fire protection. I move for the adoption of the...or, I move..."

Speaker Madigan: "Mr. Black."

Black: "Thank you very much, Mr. Speaker. I told my colleague a few days ago I was going to rise and speak against this Bill and Ladies and Gentlemen of the House, this Bill does some things...let there be no misunderstanding to what it does. First of all, it legalizes fireworks. A progressive step forward, okay? Secondly, if my analysis is correct, it would add 41 new employees to the office of the State Fire Marshal and I don't believe any fees coming from this Bill is even going to pay for the salaries of those new employees. Thirdly, and most importantly, and maybe some of you in Chicago have the same problem, I have two commercial fireworks manufacturers in my district. They both are in strong, staunch opposition to this Bill. Let me tell you one of the things this Bill does. It does away with the definition of a fireworks plant. Now if you do away with the definition of a fireworks plant, the two people in my district who are in the business of producing commercial fireworks displays wonder how it is they're going to operate. Because they're inspected not only by the state, but also by the federal government. Also what that does is, it does away with the definition of a powder magazine. Now you have to do that because these people that are going to sell Class 3 fireworks have to have a place to store these fireworks, be it a trunk of a car or an outbuilding or whatever. If you're going to go to a...some kind of a ceremony over Memorial Day, if you'll look elsewhere in the Bill, we think that it outlaws an

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aerial bomb or an announcer, the bomb that goes off to announce the starting of the Indianapolis 500, which is in Indiana, but nonetheless, they wouldn't be able to do it if they moved it to the Chicago 500. In retrospect and in closing Mr. Speaker, this...I'm sure that the Sponsor of this Bill and my colleague who spoke in favor of it so eloquently remembers the days when he was a youngster and he could go out and shoot fireworks and have a really good time over the fourth of July. But he's much older now. And he's much wiser now. And besides that, if this Bill passes, you're going to put two major fireworks manufacturers in my district out of business. And if for no other reason, I stand in opposition on that ground alone."

Speaker Madigan: "Mr. Johnson. Mr. Johnson."

Johnson: "Well, that's just silly. Doesn't even make sense, Bill. What this does is make Illinois competitive with surrounding states. It does a lot for tax revenues, it does a lot for a lot of businesses in Illinois and the net revenue picture, if you want to look at that from that standpoint would be greatly enhanced in Illinois. It raises a whole lot more money than necessary to pay for inspectors. It would help fund our Fire Prevention Fund. It help fund services generally in Illinois. The fourth of July is a special occasion. It's an American holiday. Illinois isn't competitive with Kentucky or Missouri or Indiana around us and this simply brings Illinois into conformance with those other states. It's realistic, it's modest and maybe other than the one mutual constituent that Representative Black and I had, it imminently makes all kinds of good sense. It really ought to be a reverse Roll Call from the Bill we had the other day. It's a good Bill and I urge a 'yes' vote."

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Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. Mr. Giorgi."

Giorgi: "Would you please put this Bill on Postponed Consideration?"

Speaker Madigan: "The Bill shall be placed on the Order of Postponed Consideration. House Bill 2030, Mr. Mautino. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 2030. This Bill is on the Order of Third Reading."

Speaker Madigan: "Place the Bill on the Order of Second Reading for the purpose of an Amendment. Mr. Clerk, are there any Amendments filed?"

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

Speaker Madigan: "Mr. Mautino."

Clerk O'Brien: "No. No. Floor Amendment #3, offered by Representative Mautino."

Speaker Madigan: "Mr. Mautino on Amendment #3."

Mautino: "Thank you very much, Mr. Speaker. Amendments 3, 4, 5 and 6 all address concerns and questions that were raised by the superintendents, the school boards of the IEA, the financial questions, et cetera. I would be most happy to discuss all of them. These Amendments address their concerns and by the passage of this Bill, if it's the feeling of this General Assembly, continual talks will occur in the Senate as it pertains to accountability in the educational arena and vocational education. Specifically, I'd be happy to answer questions on Amendment #3. In fact, if it's possible Mr. Speaker, I'd like to have Amendments

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3, 4, 5 and 6 taken on the same Roll Call because they are comprehensive and address all concerns."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. Question of the Sponsor. Has the Section of the original Bill which eliminated the reading program been removed?"

Mautino: "They want to discuss that further? The answer to your question is yes, it's been removed by these Amendments."

Hoffman: "You mentioned that the Amendments had been adopted pursuant to discussions with various groups. Are any of the groups to which you alluded have agreed with the legislation in its present form?"

Mautino: "I think almost everyone is neutral on it with the adoption of these Amendments. Including...there is opposition by the State Board, which they want some other things addressed as the talks continue. But everyone else, I think, is...we've resolved our problems."

Hoffman: "Excuse me. Then, you are assuring this Body that what we are moving across to the Senate is an improved shell Bill and..."

Mautino: "Yes, Sir."

Hoffman: "...that they will be continuing to work on it over there. Thank you very much."

Speaker Madigan: "Mr. Young."

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

Speaker Madigan: "The Sponsor yields."

Young: "Did I hear correctly, is this basically a shell Bill at this time?"

Mautino: "Well, most of the concerns of everybody has been addressed and there's not much left in it, yes Sir."

Young: "I heard you talk about the ongoing negotiations. I know there were provisions in this Bill regarding the Chicago public school system."

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Mautino: "They've been taken out."

Young: "There are no...there are no provisions in the Bill..."

Mautino: "That's one of the things that they are going to address in the other Body, yes, Sir."

Young: "Can I ask who from the Chicago public school system has been involved in the negotiations? In this process?"

Mautino: "I don't have the slightest idea."

Young: "But at this time there's nothing in the Bill regarding the Chicago school system?"

Mautino: "If there is, that's one of the concerns that has been raised to me and I agreed not to agree to anything in the Senate discussions that wasn't agreeable with you and others on that question."

Young: "So is the answer to that that there is something... could you tell us what it is?"

Mautino: "It's the Business Education Partnership and the monitoring thereof."

Young: "So there still is a provision in the Bill as it stands now that involves setting up a commission to monitor the Chicago public schools?"

Mautino: "They monitor all schools, not only Chicago. It's the implementation of change that we're addressing."

Speaker Madigan: "Mr. Young, anything further?"

Young: "The only thing I'd say at this time, Mr. Speaker, is I think I have to be in opposition to the Bill until somebody from the Chicago public schools gets involved in the process even though it's not complete yet."

Mautino: "I'll be happy to make your request known to those that are discussing it, Representative Young."

Speaker Madigan: "Representative Davis."

Davis: "Mr. Speaker, will the Sponsor yield?"

Speaker Madigan: "The Sponsor yields."

Davis: "Yes, Representative. Is there a Section on one of your

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Amendments that states that you, too, will be monitoring the reform for the Chicago public schools? The implementation of that reform?"

Mautino: "What do you mean by me too?"

Davis: "Well , I mean there are about five levels of monitoring for that school reform Bill and I just wondered, are you the number six? Is this Bill creating number six level to monitor the implementation of the Chicago public school reform?"

MAutino: "No. It addresses the business review accountability provisions. I'd like to be able to respond to you. Right now I've got about three Amendments that we're addressing concerns with and I'd certainly like to have those talks continue. I will guarantee you that whatever happens in the Senate on these continuing discussions and I think it will probably take two years for this stuff, I'll bring it back to all of you."

Davis: "Okay. Alright. Representative, is there anything in one of those Amendments that states that there's certain school districts that will not be able to bargain with collective bargaining units?"

Mautino: "That's been taken out by Amendment."

Davis: "Oh, you took that one out."

Mautino: "I took out...I was trying to take out almost everyone's concerns. I couldn't get to all of them by the time frame before me, but..."

Davis: "Representative, is there still a Section in there that teachers who get merit pay will get about five thousand dollars per year?"

Mautino: "They get a stipend that's built into there, yes."

Davis: "The teachers who do what they're normally paid to do will get an additional five thousand dollars if they're lucky enough to be assigned a bright class."

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Mautino: "There is a recognition stipend for outstanding teachers. In the original Bill, yes."

Davis: "Well Representative, I'm sorry, but I too, will have to vote 'no' at this time."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Yes. We shall strike what was just said. Leave having been granted, Mr. Mautino moves for the adoption of Amendments 3, 4, 5 and 6. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendments are adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2030, a Bill for an Act in relation to educational accountability. Third Reading of the Bill."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you very much. I believe everyone understands what I've just explained in those Amendments. This is the IMA package for accountability. I appreciate your assistance and your support so they can continued discussions."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 94 'ayes', 13 'nos'. This Bill having received a Constitutional Majority is hereby declared...Mr. Morrow. Mr. Morrow."

Morrow: "Thank you, Mr. Speaker. I would like to be recorded as voting 'no'."

Speaker Madigan: "Mr. Clerk, record Mr. Morrow as 'no'. On this question there are 93 'ayes', 14 'nos'. This Bill having received a Constitutional Majority is hereby declared

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passed. House Bill 629, Mr. Flinn. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 629. This Bill is on Third Reading."

Speaker Madigan: "The Bill is on Third Reading, read the Bill."

Clerk O'Brien: "House Bill 629, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Madigan: "Mr. Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, this is the last of three Bills in a package which would remove the possible obstacle in the state statutes so we may build the Scott Air Force Joint Use Airfield. I...We have discussed this pro and con and I don't want to waste the time. We've talked about Amendments and I think that all I need to do is ask for a favorable vote. It would be quite a shot in the arm for southwestern Illinois economy-wise."

Speaker Madigan: "Mr. Stephens."

Stephens: "No doubt the Gentleman is right that the expansion of Scott Air Force base may be a great shot in the arm for southwestern Illinois. I do not stand in opposition to the expansion of Scott Air Force Base to joint use because it may be the biggest capital development, economic development project ever, south of I-80. However, I need to inform the Members of the General Assembly that St. Clair County Board is in favor of this. The St. Clair County Farm Bureau is absolutely, unequivocally opposed to this Bill. Quick-take is a very serious, and at times very unfair procedure. The...it is not necessary. There's some vague reference to the...some bonding attorney somewhere in America who suggests that this is absolutely necessary. We know that it's not. There are procedures in the statutes now that will allow for the proper procedure in taking the land. If it is necessary, the United States

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Air Force has not declared the...environmental impact favorably for the expansion to decide...the...you go to joint use at this time is obviously premature. The Gentleman is very well intentioned. I think that's honorable. However, this Bill is premature, unfair to those few people that we have referred to time and time again. And again, Ladies and Gentlemen, especially on this side of the aisle and those of you downstate, the Farm Bureau from St. Clair County is opposed."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 73 'ayes', 38 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 2117, Mr. Capparelli. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "This Bill appears on Third Reading."

Speaker Madigan: "Read the Bill. Mr. Capparelli, are you prepared to call the Bill on Third Reading? Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. 2117 is a vehicle Bill for the Highway Maintenance Board on billboards and there's nothing in the Bill that puts a time except the Amendment that McCracken had put on which is an innocuous Amendment and I would ask for a favorable Roll Call."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'."

Clerk O'Brien: "House Bill 2117, a Bill for an Act to amend the Highway Advertising Control Act. Third Reading of the Bill."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the

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record. On this question there are 66 'ayes', 39 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. The Chair recognizes Mr. Hicks for the purpose of a Motion. Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. I'd ask to take from the Interim Study, House Bill 1146 and for it to be placed on the Order of Second Reading and I'd move for immediate consideration of the Bill."

Speaker Madigan: "Is there leave for the Gentleman's Motion? Leave is granted, the Motion is adopted by using the Attendance Roll Call. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1146, a Bill for an Act to amend the Illinois Coal and Energy Development Bond Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Hicks."

Hicks: "Yes, Mr. Speaker, I believe there's an Amendment."

Speaker Madigan: "Mr. Clerk, what order is the Bill on?"

Clerk O'Brien: "The Bill appears on the order of Third Reading, Short Debate."

Hicks: "Then I would move to return the Bill to Second Reading for the purposes of Amendment."

Speaker Madigan: "The Bill shall be placed on the order of Second Reading."

Clerk O'Brien: "Floor Amendment #1 to House Bill 1146."

Speaker Madigan: "Mr. Clerk, where are we? Floor Amendment #1, by Mr. Hicks. Mr. Hicks."

Hicks: "Thank you, Mr. Speaker. Amendment #1, House Bill 1146 was a shell Bill. Amendment #1 is a Bill...an Amendment that was asked by Mines and Minerals. The Amendment simply authorizes the Illinois Coal Development Board to create a consortium or a center that will conduct and coordinate coal desulfurization research. It's something we're already doing and we're simply trying to clear up the law

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in regard to this. I think it's cleared on both sides."

Speaker Madigan: "Representative Deuchler."

Deuchler: "Sir, has this Amendment been printed and distributed?"

Speaker Madigan: "Has the Amendment been printed and distributed?"

Mr. Hicks, the Amendment has not been printed and distributed."

Hicks: "Take it out of the record. Out of the record."

Speaker Madigan: "Take this matter out of the record. This matter is out of the record. The next Bill is House Bill 788. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 788. This Bill's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any other Amendments?"

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

Speaker Madigan: "Representative Didrickson on Amendment #2."

Didrickson: "Amendment...What Amendment #2 does is, it says that the real estate transfer tax addition that we are raising...doubling...the state portion would instead of going into a statewide fund to be distributed at whose ever discretion, those dollars would stay within each county and in the County of Cook, those dollars would then be divided between suburban Cook and the City of Chicago, and I move for its adoption."

Speaker Madigan: "The Lady moves for adoption of the Amendment. Mr. Turner. Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise in opposition to Amendment #2. The objective of this Affordable Housing Bill is that it is a statewide Bill and is not restricted to any one part of the state and for that reason I ask that we oppose Amendment #2

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to this Bill."

Speaker Madigan: "The question is on the Amendment. Those in favor of the Amendment vote 'aye'. Representative Didrickson."

Didrickson: "I would like to close on this Bill, please."

Speaker Madigan: "Representative Didrickson."

Didrickson: "...and I would particularly like to direct my comments to Representative Turner and many of his colleagues. I happen to live out in suburban...south suburban Cook County. There are many communities out there, in fact the Cardinal Bernadin has been out there in front of 800 people with regards to affordable housing. I'm willing to support your initiative, Representative Turner, but only if there's a sense of fairness in this. I have just as much at stake in this whole as do you, considering where I come out of, out of South Cook County and I would ask for you to reconsider your opposition to this Amendment, because if you don't I'm going to oppose your Bill."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor of the Amendment signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 54 'ayes', 59 'nos'. Record Mr. Preston as 'no'. He's already recorded as 'no'. 54 'ayes', 60 'nos'. The Amendment fails. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ewing. Amendment #3. Mr. Ewing. Mr. Ewing."

Ewing: "Which Amendment is that?"

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Speaker Madigan: "It's Amendment #3. 3."

Clerk O'Brien: "The LRB number ends in 06."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, this deletes the requirement that auctioneers be licensed real estate brokers to sell real estate at auction. I move for the adoption of the Amendment."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Mr. Turner."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I think the Gentleman explained the wrong Amendment. I think he should take another look at Amendment #3."

Speaker Madigan: "Mr. Ewing."

Ewing: "I want to withdraw Amendment 6. Ours is listed as 6, whichever you have 3 and go to the next Amendment, which is mine also."

Speaker Madigan: "Withdraw Amendment #3. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ewing."

Ewing: "This does what I just explained on the last one and that deletes the requirement that auctioneers be licensed real estate brokers to sell real estate at auction."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment."

Ewing: "No. It deletes that from the law."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Mr. Turner."

Turner: "Thank you, Mr. Speaker. I question the...a question of the Parliamentarian. Is this Amendment germane to this Bill? Mr. Speaker, I withdraw my objections and we will accept Amendment #4 to this Bill. I will withdraw my

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objection and I would like to defer...let's defeat Amendment #4 to this Bill."

Speaker Madigan: "Those in favor of Amendment #4 vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Ewing to explain his vote."

Ewing: "On this Amendment, let me tell you that the Department is not opposed to this Amendment. The realtors have signed off on this Amendment. This is by all the parties an agreed Amendment to take the auctioneers out of this Bill and I would ask for some more green votes up there."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "I'm confused. I think the Gentleman just now said auctioneers and I think he misspoke. Who is being taken out?"

Speaker Madigan: "Mr. Ewing."

Ewing: "This Amendment removes from the Bill the requirement that auctioneers have a realtors license. That's all it does. Everybody is in agreement. If you don't want...if you want auctioneers to have to get a license and charge your constituents more money, then vote 'no'. Otherwise vote 'yes'."

Speaker Madigan: "Mr. Turner, did you wish to speak to this question? Mr. Turner."

Turner: "We will accept this Amendment."

Speaker Madigan: "You will accept the Amendment. This is now an agreed Amendment, so the proper vote is 'aye'".

Turner: "Right. I was told this would bring a few Republican votes on, so we will accept this Amendment."

Speaker Madigan: "Right. Sure. Yeah. The tooth fairy's outside, too. Have all voted who wish? The Clerk shall take the record. On this question there are 109 'ayes', 5 'nos' and the Amendment is adopted. Are there any further

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Amendments?"

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

Speaker Madigan: "Mr. Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. As we all know, this Bill basically has two parts. One is the extension of the real estate license. The second one is the affordable housing. What this Amendment does is simply take out the provision with regard to the affordable housing. It makes it very clear cut. This Bill would be alone and exclusively the realtors license and I would ask for your support."

Speaker Madigan: "Mr. Turner. Mr. Turner."

Turner: "Thank you, Mr. Speaker. I oppose the Amendment #5 and I ask for a favorable..."

Speaker Madigan: "Those in favor of the Amendment vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Hallock."

Hallock: "Well, to explain my vote, I'd like to point out to the Sponsor that he'd get some Republican support if he didn't take this Amendment."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 47 'ayes', 65 'nos', the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Regan."

Speaker Madigan: "Mr. Regan."

Regan: "Thank you Mr. Speaker, Members of the House. Amendment #6 simply takes the transfer real estate tax increase of 25 cents and funnels it directly where it's needed most, right to the City of Chicago and I urge for its adoption."

Speaker Madigan: "Mr. Turner. Mr. Turner."

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Turner: "Thank you Mr. Speaker and Ladies and Gentlemen of the Assembly. One of the problems that we have with this Bill is some misconceptions. First of all, we think that this is a Bill that's designed to help minorities and in particular Blacks and Hispanics. This Bill is designed to help those who are in need of shelter throughout the entire state and not within...not limited to the City of Chicago. For that reason, I oppose this Amendment."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say...those in favor of the Amendment vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 40 'ayes', 70 'nos', the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Currie."

Speaker Madigan: "Representative Currie. Amendment #7. Representative Currie on Amendment #7. Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Steczo and Turner."

Speaker Madigan: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. Amendment #8 provides some technical cleanup in the Act. It provides for maintenance of DCCA as the state agency that will develop and maintain affordable housing programs and corrects technical deficiencies in the administration of the program. It changes the composition of the affordable housing advisory commission from 11 to 15 members. It clarifies the duties of DCCA with regard to affordable housing programs. Defines an operative...inoperative, I should say, as a status of licensure in the rewrite

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Section. It changes the conditions whereby members are appointed to the real estate administration and disciplinary board to insure that a member of the real estate appraisal committee is on the board and that the member of the...public members is increased from 2 to 3. Provides for five dollars of the branch office fee shall be deposited in the Real Estate Research and Education Fund, one dollar of which will fund a minority scholarship program. Adds a provision that requires the department, upon recommendation of the board to suspend, revoke a license when there has been an adjudication in the civil or criminal proceeding that a licensee has illegally discriminated in providing brokerage services. It exempts CPAs from the licensure for purposes of doing appraisals and also creates the Open Space Land Acquisition and Development Fund and The Natural Areas Acquisition Fund that will be funded by the current funds that are provided by the state Real Estate Transfer Tax to the...to what is currently the General Revenue Fund. This fund would work beginning in FY '91. Five cents of the 25 cents each year would be transferred into a fund that would either go for the purchase of natural acquisitions...natural land acquisitions, or to open space land acquisition, which as we all know are programs and projects that are currently applied for by cities and park districts and the like for park development, park acquisition, marina development, flood control and various other kind of projects. Mr. Speaker, I move for the adoption of Amendment #8."

Speaker Madigan: "Mr. Piel."

Piel: "First of all, a question of the Clerk, Mr. Speaker. Do we have...has this been printed and distributed?"

Speaker Madigan: "Yes."

Piel: "A question of the Sponsor, Mr. Speaker."

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Speaker Madigan: "The Sponsor yields."

Piel: "What...I notice on this Amendment takes out the state's share of the transfer tax. Real Estate Transfer Tax over the next six fiscal years. What is the cost to the State of Illinois?"

Steczo: "Representative Piel, the cost to the State of Illinois in the next fiscal year is zero, because the program does not begin until fiscal year '91. In fiscal year '91, five cents of the twenty-five cents will be transferred to the OSLAD fund and the Natural Land Acquisition Fund. That will cost approximately two and a half million dollars and there'll be an additional two and a half million dollars every fiscal year thereafter until the entire fund is transferred. We're talking about probably 12.8 to 13 million dollars at that time."

Piel: "So in other words this Bill, we're losing 13 million dollars by this Amendment here?"

Steczo: "You are losing nothing next fiscal year. You are losing two and a half...the state is losing two and a half million dollars in general revenue the following fiscal year and an additional..."

Piel: "I've got a fiscal year...19...1990. So it'd be about 13 million dollars over the..."

Steczo: "After six years."

Piel: "What are we getting? I mean, obviously the state's losing 13 million, what are we gaining by it?"

Steczo: "We are gaining the opportunity of local governments, local park districts and others to be able to purchase park land, to be able to develop that park land for recreational purposes. Part of the OSLAD Act as presently contained in the statutes allows various other kind of recreational land purchase, et cetera. Will provide...can provide some floodway types of maintenance and improvement, so various

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kind of improvements that would go to local governments could be funded by OSLAD."

Piel: "One final question on this. You've turned over the authority to administer this to DCCA. What's the cost going to be to DCCA to administer this?"

Steczo: "It maintains. It currently maintains...are you talking about affordable housing or OSLAD or the licensure?"

Piel: "No. I mean affordable housing area. You say that DCCA's going to administer the affordable housing and obviously they're going to have to hire people to administer this and I was just wondering what type of cost you're talking about.

Steczo: "It currently maintains DCCA as the agency that would develop and maintain the policies and I'll defer to Representative Turner on the cost."

Piel: "What's the cost, Art?"

Turner: "On the fiscal note that DCCA gave me, they said that the administrative cost would probably be a million and a half. We anticipate that this program would raise 15 million dollars."

Piel: "So in other words this one's cost...this Amendment will be a million and a half dollars to DCCA and then once it starts, it'll be two million dollars out of the Real Estate Transfer Tax Fund. Now Ladies and Gentlemen, here's another Bill that's going to cost us a minimum of three to three and a half million dollars a year and I would move for rejection of House Amendment #8. I ask for a Roll Call, Mr. Speaker."

Speaker Madigan: "The question is the adoption of the Amendment. The Amendment is Sponsored by Mr. Steczo who moves for the adoption of the Amendment. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who

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wish? Have all voted who wish? Have all voted who wish?
The Clerk shall take the record. On this question there
are 67 'ayes', 44 'nos', the Amendment is adopted. Are
there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, has this Bill been
read a second time?"

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

Speaker Madigan: "Read the Bill for a third time. Mr.
McCracken."

McCracken: "A fiscal note was filed as to Amendment #8."

Speaker Madigan: "Yes. You're correct."

McCracken: "So?"

Speaker Madigan: "Well, you said the fiscal note was filed."

McCracken: "No, no. No, no, no. The fiscal note as amended by
Amendment #8 has been requested."

Speaker Madigan: "Yes. And Mr. Clerk, has that been filed?"

Clerk O'Brien: "A fiscal note has been filed."

McCracken: "As to Amendment #8?"

Clerk O'Brien: "As to Amendment #8."

McCracken: "You guys are quick."

Speaker Madigan: "Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 788. A Bill for an Act in relation to
real property. Third Reading of the Bill."

Speaker Madigan: "Third Reading. Mr. Turner, on the Bill. Mr.
Turner on the Bill. Third Reading."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
Assembly. This Bill has been around for a couple of years,
as many of you know. It's called the Illinois Affordable
Housing Act. The purpose of this Bill is to provide funds
for the acquisition, construction and the rehab of both
single family and multi-family units for low and very low

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income households in the State of Illinois. It will be done through grants and mortgages and other loans at no interest or below market interest rates. It is specifically targeted for special needs population such as the homeless, single family parents, the elderly and the disabled, the conversion of public housing to tenant ownership, manufactured housing projects and a demonstration of congregate housing and rehabilitation projects. The funding source we've already talked about. It would double the Real Estate Transfer Tax, which is currently 25 cents to 50 cents per 500 dollars. Those families that would qualify for this program in the Chicagoland area would be those... a family with an income of 31,700 dollars for a family of four. Outside of the Chicagoland area it would...a family with an income of 32,400 dollars with a family of four would also qualify for this program. I would bring to your attention, Ladies and Gentlemen of this Assembly, that earlier tonight we voted on House Bill 1000, which provide all kind...which provided a program..."

Speaker Madigan: "Mr. Turner, are you ready to conclude?"

Turner: "Thank you, Mr. Speaker. I ask for your favorable vote on this vote."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall...Mr. McCracken. The Clerk shall take the record. Mr. McCracken requests a verification. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting. Capparelli and Laurino. No further."

Speaker Madigan: "Mr. Clerk, read the names of those voting

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'aye'.

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugelski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hartke. Hicks. Homer. Hultgren. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Trotter. Turner. Van Duynes. White. Williams. Wollard. Anthony Young. Wyvetter Young and Mr. Speaker."

Speaker Madigan: "Mr. Hannig."

Hannig: "Would you please record me as 'aye', please?"

Speaker Madigan: "Record Mr. Hannig as 'yes'."

Speaker Madigan: "Mr. McCracken, any questions? Mr. McCracken."

McCracken: "Representative Hicks."

Speaker Madigan: "Mr. Hicks. In the rear of the Chamber."

McCracken: "Representative Kulas."

Speaker Madigan: "Mr. Kulas. In the Chamber. No further questions. On this question there are 63 'ayes' and 43 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. Mr. Clerk, the next Bill is House Bill 1555. I think that Mr. McCracken's point is well taken. As is normally the case. So let's take 1555 out of the record and let's call House Bill 744. Mr. Clerk, has this Bill been read a second time?"

Clerk O'Brien: "House Bill 744. This Bill has been read a second time previously."

Speaker Madigan: "Mr. McCracken. Representative Pullen. House Bill 744. Mr. Clerk, has this Bill been read a second time?"

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

Amendment #1 was adopted in Committee."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill deals with requiring the Department of Corrections to provide HIV tests for prisoners who are leaving state prisons. The Amendment expands the Bill to include prisoners who are entering state prisons and for those currently in state prisons to be tested at their next regular medical exams. The purpose for this Amendment is to provide appropriate medical care for those who are infected and are in the trust of our prison system and to provide protection to those prisoners who are not yet infected. In a prison system where activity does take place, which can transmit this virus from those who do not currently know they are infected to those who are not infected. The Department of Corrections has done a study without identifiers, which has shown them that about 900 prisoners in the Illinois State Prison System are infected with this virus, but they don't know who they are. This Bill is to...this Amendment is to seek to find out who they are, so that the other prisoners can be protected from infection and so that those who are infected can be given appropriate medical treatment. I move its adoption."

Speaker Madigan: "Mr. Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, we had testimony, I think it was about a year ago, from Dr. Ron 'Shansky', Medical Director of the Department of

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Corrections, on this issue. And the Department of Corrections was very much in opposition to testing prisoners who were currently in the prison system because they felt it would be disruptive to discipline in following the rules. Their view was at that point, and this Body has agreed with them, that it is better for every prisoner to think every other prisoner has AIDS and to act accordingly in following the rules of the prison, than for them to think that they are safe and they don't have to follow the rules. Accordingly, I would rise in opposition to Amendment #2, because I believe the Department of Corrections has not changed its position in opposition to this Amendment."

Speaker Madigan: "The question is on the adoption of the Amendment. Those in favor of the Amendment signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 83 'ayes', 17 'nos', the Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment simply says, 'the department shall not house a committed person who is HIV infected in a cell with a person who is not so infected. And the department shall, to the extent possible, segregate all committed persons who are HIV infected from all other committed persons'. Our prison system does have a system of double celling inmates, and putting inmates that are infected with those that are not infected can cause the transmission of this virus. I think that it is only fair and just that

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people who are in our prison systems should not receive an unadjudicated death sentence, because of the department's housing policies and I urge adoption of Amendment #3."

Speaker Madigan: "Mr. Levin."

Levin: "I have an analysis from the Department of Corrections that indicates that cost of this Amendment, to do the construction to implement the Amendment, is estimated to range between 13.1 million and 53.7 million dollars. In addition, operating costs for the low estimate would be 1.7 million dollars annually and 6.4 million dollars for the high estimate. It looks like we'll need another tax increase to fund Amendment #3. If you don't want another tax increase, I would urge a 'no' vote."

Speaker Madigan: "Those in favor of the Amendment vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. There are 78 'ayes', 18 'nos', the Amendment...please record Mr. Morrow as 'aye'. Representative Didrickson. Didrickson."

Didrickson: "Thank you, Mr. Speaker. I know it's late at night and we are going through a call that a lot of us don't want to be going through, but there is no capacity for a Bill such as this and I think we ought to start understanding and recognizing what it is that we are doing here."

Speaker Madigan: "Mr. DeJaegher, 'aye'. Mr. Piel, 'aye'. Has everybody been recorded? Munizzi, 'aye'. Take the record. On this question, there are 81 'ayes', 18 'nos', the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "There was a request for a fiscal note and the fiscal note has been filed. Mr. Bowman."

Bowman: "My understanding is the fiscal note was filed with respect to Amendment #1, but not Amendment #2."

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Speaker Madigan: "Mr. Clerk, was there a fiscal note filed relative to Amendment #2?"

Clerk O'Brien: "A fiscal note has been filed for Amendment 2 and Amendment 3."

Speaker Madigan: "The Bill shall be placed on the Order of Third Reading. Mr. Clerk, has this Bill been read a Second time?"

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

Speaker Madigan: "Read the Bill...place the order on...the Bill's on the Order of Third Reading. Read the Bill."

Clerk O'Brien: "House Bill 744, a Bill for an Act to amend certain Acts in relation to testing of certain purposes. Third Reading of the Bill."

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill is as it was described on the Amendment process and I urge an 'aye' vote."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, may we ask that the Clerk inform us what the impact is from those fiscal notes?"

Speaker Madigan: "Mr. Clerk, is it possible for you to inform the Body as to what the fiscal note says? Representative Pullen."

Pullen: "I seek to close the debate."

Speaker Madigan: "Well, why don't you proceed to do that. Close, please."

Pullen: "After the fiscal note?"

Speaker Madigan: "I see. Okay. Mr. Clerk."

Clerk O'Brien: "House Bill 744, Amendment 2. The total cost to implement this Amendment is estimated in the range between 1.2 million and 1.4 million during the first year. After the first year, the annual cost is estimated to be between

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1.0 and 1.2 million. Twenty-two new staff would also be required."

Speaker Madigan: "Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, and I thank the Clerk for reading the fiscal note. As you all know, the fiscal note came from the Department of Corrections. I have never suggested that the department supports this Bill. I think the fiscal note is an indication of that. And I urge the adoption of this Bill."

Speaker Madigan: "Those in favor of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Turner to explain his vote."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. I rise in support of this Amendment. I don't believe the fiscal requirements as mentioned by the Department of Corrections is necessary. I think that the inmates can be segregated within the facility and I ask and encourage as many Members as we can to vote 'aye' on this Bill."

Speaker Madigan: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 74 'ayes', 29 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 1555. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "House Bill 1555. This Bill appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 1555. A Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. In some of the downstate regions we have set up a educational

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service center. This basically provides for guidance to the school districts in areas such as gifted education, computer technology, math, science and reading, coordination of assessments and many of the things that basically go into the teaching experience. What this Bill proposes is that five of the eleven members of that board be made up of school teachers. What we've found in many of the downstate areas is that about thirteen percent of those members presently are teachers and we're requesting that five of those eleven, not a majority but a significant amount, by law be given to the teaching profession. Teachers have asked me to introduce this Bill on their behalf because they feel that in many cases, the regional superintendents who make these appointments have not given them due consideration. So the Bill is supported by, naturally, the teachers groups, the IEA and of course the State Board of Education has no opposition to the Bill. I'd be happy to answer any questions and I'd ask for a 'yes' vote."

Speaker Madigan: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I rise in opposition to this Bill. This Bill requires that five of the eleven members of the governing board of were regional service center shall be...there is no choice...they shall be public school teachers nominated by the local bargaining representative.

What that tells us of course is that the person who is supposed to be making these appointments can't just choose any public school teacher to serve as five of the eleven members of this group. But no, those people must be the ones who in fact are chosen by the local bargaining representatives. It seems to me that we ought to...even if we are going to go so far as to say that five of the eleven members of this governing board must be teachers, at least

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we ought to leave the selection of the teachers, which teachers, to the person making the appointments, and for that reason I rise in opposition to this Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Clerk shall take the record. On this question there are 78 'ayes', 30 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. The next Bill is House Bill 2634. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "This Bill appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 2634, a Bill for an Act in relation to public school courses of study. Third Reading of the Bill."

Speaker Madigan: "Mr. Hannig."

Hannig: "Yes. Thank you Mr. Speaker, Members of the House. This Bill provides that sex education course material shall emphasize abstinence as the expected norm. It requires that the State Superintendent of Education develop a method of measuring the effectiveness of the family life courses and requires that comprehensive health education programs include instructions on sexual abstinence until marriage. Mr. Speaker and Members of the House, unfortunately, a Bill that was passed along these lines two or three years ago by my seatmate Mr. McNamara, was inadvertently repealed by a Bill that I sponsored last year. Some of the drafting overlapped and it caused a problem, so actually what we're trying to do today is reinstate the provisions of legislation we enacted in this House about two years ago and I think that if you take a look at the Bill you'll find that it's an outstanding piece of legislation and I'd ask

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for a 'yes' vote."

Speaker Madigan: "Mr. Johnson. Mr. Johnson. Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 98 'ayes', 3 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 2048. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "This Bill has been returned to Second Reading and held."

Speaker Madigan: "Are there any Amendments filed?"

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

Speaker Madigan: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Amendment #1 is offered to make this gas tax formula revenue neutral so that there's no difference in where the money currently goes right now. It is made at the suggestion of the Department of Transportation that indicates there was a slight glitch in the original Bill, although they did not originally spot that. So I move for the adoption of Amendment #1."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, has the Bill been read a third time?"

Clerk O'Brien: "No. House Bill 2048. A Bill for an Act in relation to disposition of certain state taxes and fees. Third Reading of the Bill."

Speaker Madigan: "The Bill's on Third Reading. Those in favor of

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the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 108 'ayes', 4 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 1147. House Bill 1147. Representative Didrickson. What is the status of this Bill?"

Clerk O'Brien: "This Bill appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 1147. A Bill for an Act to amend an Act to create the Bureau of the Budget. Third Reading of the Bill."

Speaker Madigan: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. I'd like permission to bring this back to second for an Amendment."

Speaker Madigan: "Place the Bill on the Order of Second Reading. Are there any Amendments filed?"

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

Speaker Madigan: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Amendment #1 in essence becomes the Bill. It creates the Illinois Retirement Savings Act. Provides for a double tax exempt retirement investment program for Illinois citizens so that they may achieve a dignified retirement. People are living longer. We are not a saving nation and this provides an incentive for them to do that. It also provides for the State of Illinois an alternative for a low cost method of borrowing for our state's infrastructure needs. It has a 300 million dollar total aggregate amount and due to the success of the college fund program where many people were using those funds in that allocation for investment purposes it was

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suggested and has been put together by the Bureau of the Budget, the Department of Aging...Thank you."

Speaker Madigan: "Those in favor of the Amendment will say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Has the Bill been read a Third time?"

Clerk O'Brien: "No. House Bill 1147, a Bill for an Act to amend an Act to create the Bureau of the Budget. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 111 'ayes', one person voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 225. Mr. Clerk, what is the status of that Bill?"

Clerk O'Brien: "House Bill 225. The Bill is on Second Reading."

Speaker Madigan: "Has the Bill been read a second time?"

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

Speaker Madigan: "Are there any Amendments filed?"

Clerk O'Brien: "Committee Amendment #1 has been adopted."

Speaker Madigan: "Is there a Motion?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Members of the House. This Amendment becomes the Bill. This reflects a years work of subcommittee hearings of different locations throughout the

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state. It makes changes that have been accepted, I think, by both sides of the aisle and I move for its approval."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 225, a Bill for an Act to amend an Act... to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 110 'ayes', 3 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 89. Mr. Clerk, what is the status of that Bill?"

Clerk O'Brien: "House Bill 89. This Bill appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 89, a Bill for an Act to amend an Act relating to disaster relief. Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. This would provide that the state would pick up the twelve and a half percent that local units of government have to pay now. I would ask for your approval of the Bill."

Speaker Madigan: "Mr. Weaver."

Weaver: "Thank you, Mr. Speaker. I rise in opposition to this Bill. The estimated cost is about two and a half million dollars. The Governor has already indicated that we don't have the money and intends to veto this Bill, so it's

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really headed nowhere. I appreciate the attitude of the Sponsor. He's got the best interest at heart, but the Bill needs a rethink. I think we need to vote it down."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 78 'ayes', 35 'nos', this Bill having received a Constitutional Majority is hereby declared passed. Representative Zickus."

Zickus: "I'd like to be recorded as voting 'yes' on that, please."

Speaker Madigan: "Please record Representative Zickus as 'yes'. House Bill 1125. Mr. Clerk, what is the status of that Bill?"

Clerk O'Brien: "House Bill 1125. The Bill appears on Second Reading."

Speaker Madigan: "Has the Bill been read a second time?"

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

Speaker Madigan: "Are there any Amendments filed?"

Clerk O'Brien: "Amendments #1 and 2 were adopted in Committee."

Speaker Madigan: "Are there any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Mr. White. Amendment 3."

White: "I'd like to withdraw Amendment #3."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Ryder and Currie."

Speaker Madigan: "Mr. Ryder."

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Ryder: "Thank you, Mr. Speaker. This is an agreed Amendment worked out with the advocates of the group..."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1125, a Bill for an Act in relation to nursing home care. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority...record Representative Stern as 'aye'. This Bill having received a...Stern 'aye'...this Bill having received a Constitutional Majority is hereby declared passed. House Bill 88. Mr. Clerk, what is the status of that Bill? Mr. Ryder, did you seek recognition? 88, what is the status of that Bill?"

Clerk O'Brien: "The Bill appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 88, a Bill for an Act concerning air transportation and noise abatement. Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. This Bill would provide for the insulation program for those homes, schools, et cetera that are impacted by O'Hare noise. I ask for your 'aye' vote to pass the Bill."

Speaker Madigan: "Mr. Stephens."

Stephens: "Will this benefit the residents around the Scott Air Force Base expansion project?"

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Leverenz: "If it gets real noisy there."

Stephens: "Great. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114...115 voting 'aye', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. House Bill 1110. Mr. Clerk, what is the status of that Bill?"

Clerk O'Brien: "House Bill 1110 is on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 1110. A Bill for an Act in relation to health and nutrition. Third Reading of the Bill."

Speaker Madigan: "Mr. White."

White: "Mr. Speaker..."

Speaker Madigan: "Mr. White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, the purpose of this Bill is to provide for statewide coordination of outreach activities for federal food assistance programs. What has happened is that Federal Government has brought a lot of programs into the State of Illinois, and there's no agency that is set up to coordinate this effort, and this Bill designates the Department of Public Health as the person...as the agency to coordinate this effort. And I move for its passage."

Speaker Madigan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 108 voting 'aye', 5 people voting 'no'. This Bill, having received the Constitutional Majority is hereby declared passed. House Bill 366. Mr. Clerk, what is the status of that Bill?"

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Clerk O'Brien: "This Bill appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 366, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I would simply ask that we get the Bill over to the Senate. We have finally gotten the social workers and the staff together and we think we will have an agreement, but we don't have the exact language yet."

Speaker Madigan: "Those in favor of the passage of the Bill...Mr. Hicks."

Hicks: "Yes, Mr. Speaker. Representative, we've talked about this. How close are we to an agreement?"

Satterthwaite: "Well, the social workers are apparently meeting tomorrow to ratify the language that has been presented. We think they are going to accept it."

Hicks: "Okay."

Speaker Madigan: "Those in favor of the passage of the Bill, signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 94 'ayes', 10 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2262. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "This Bill appears on Second Reading. It's been read a second time previously."

Speaker Madigan: "Are there any Committee Amendments?"

Clerk O'Brien: "This Bill...Amendment #1 was adopted previously."

Speaker Madigan: "Is there a Motion filed?"

Clerk O'Brien: "No Motions filed."

Speaker Madigan: "Are there any further Amendments?"

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

Speaker Madigan: "Anthony Young."

Young: "Withdraw Amendment #2."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2262, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. This Bill would amend the Juvenile Court Act to allow a court to find a child neglected if it has controlled substance in its blood at birth. There was medical evidence that there are substantial...substantially increased risks to the health of the child as a result of that. The Amendment was put on the Bill this morning. I move its passage."

Speaker Madigan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 115 voting 'aye', no one voting 'no'. This Bill, having received a Constitutional Majority is hereby declared passed. House Bill 694. Mr. Clerk, what is the status of that Bill?"

Clerk O'Brien: "This Bill appears on Third Reading."

Speaker Madigan: "Again."

Clerk O'Brien: "It appears on Third Reading."

Speaker Madigan: "Read the Bill."

Clerk O'Brien: "House Bill 694, a Bill for an Act to amend an Act in relation to stormwater management. Third Reading of the Bill."

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Speaker Madigan: "Mr. Leverenz. Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker. This would provide for speed limits on flood waters coming into Cook County. We've discussed it. It is amended. I'd ask for your 'aye' vote to pass the Bill."

Speaker Madigan: "Those in favor of the Bill...Mr. McCracken."

McCracken: "Thank you. This creates the speed limits in favor of Cook County. Anybody from other than Cook County in the metropolitan area should not be for this Bill. IDOT's against the Bill. The Home Builders are against the Bill. The Realtors are against the Bill. We're against the Bill, if that means anything. And I believe it takes 71 votes to pass."

Speaker Madigan: "Mr. Leverenz, as is normally the case, Mr. McCracken's point is well taken. This Bill will require 71 votes to pass. Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? This will require 71 votes. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 60...Mr. Cullerton."

Cullerton: "Mr. Speaker, I think that we had a parliamentary inquiry on this Bill before and there might have been a ruling. I know it preempts home rule, but I think there's some question as to whether or not it requires 71."

Speaker Madigan: "Mr. Clerk, record Mr. McNamara as 'aye'. Mr. Cullerton, your point is not well taken. The Bill will require 71 votes to pass. Record Representative Davis as 'aye'. Davis, 'aye'. Any further changes? Parcells, 'aye'. Any further changes? Novak, 'aye'. Any further changes? Edley, 'aye'. Brunsvold, 'aye'. Hartke, 'aye'. Hicks, 'aye'. Anyone else? Mr. Matijevich, 'aye'. Mr. Curran, 'aye'. Mr. Ronan. Leave Mr. Ronan as is. On this

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question there are 71...Parcells wishes to be recorded as 'no'. 'No' for Parcells. Mr. Ronan, 'aye'. Mr. McAuliffe, 'no'. Anything further? Mr. Ronan, 'no'. Record Mr. Ronan as 'no'. There are 69 'ayes' and 46 'nos'. The matter shall be placed on the Order of Postponed Consideration. House Bill 2264, Mr. Parke. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "House Bill 2264 appears on Second Reading."

Speaker Madigan: "Has the Bill been read a second time?"

Clerk O'Brien: "The Bill has been read a second time. No Committee Amendments."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Countryman, Amendment #1."

Countryman: "Thank you, Mr. Speaker. Withdraw Amendment #1."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Countryman."

Countryman: "Thank you, Mr. Speaker. Amendment 2 would change the period of time in which an arrest record be expunged from two years to five years. Under the original Bill it was for retail theft only; under this Amendment it would be for any offense. It's my belief that if we're going to change that period of time, that public policy should dictate that we be consistent. Additionally, the Amendment would change the direction so that the circuit clerk would have to forward the expungement order once it's entered to the Department of State Police."

Speaker Madigan: "Those in favor of the Amendment will vote 'aye'...or say 'aye' and those opposed will say 'no'. The

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'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2264, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Madigan: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 2264 deals with habitual offenders, those individuals who have clearly demonstrated a continuing lack of respect for the law. Thus only those in those instances where persons found guilty of retail theft for a second time during a five year period will court supervision be unavailable. I ask for passage of this good Bill."

Speaker Madigan: "Those in favor of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 99 'ayes', 8 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. The last Bill shall be House Bill 692, Mr. Farley. Mr. Clerk, what is the status of this Bill?"

Clerk O'Brien: "This Bill..."

Speaker Madigan: "After this there will be a Motion."

Clerk O'Brien: "This Bill appears on Second Reading."

Speaker Madigan: "Has the Bill been read a second time?"

Clerk O'Brien: "It's been read a second time previously."

Speaker Madigan: "Are there any Amendments?"

Clerk O'Brien: "No Committee Amendments. Floor Amendment #1, offered by Representative McPike."

Speaker Madigan: "Mr. McPike moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are

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there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Read the Bill."

Clerk O'Brien: "House Bill 692, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 110 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. The Chair recognizes Mr. McPike for a Motion."

McPike: "I move to suspend Rule 83(d) and bypass the Committee on Rules for the immediate consideration of House Resolution 554. House Resolution 554 changes the date for introduction of Senate Bills in the House from May 30th until May 31st."

Speaker Madigan: "Is there leave to use the Attendance Roll Call? Leave is granted; the Motion is adopted. Mr. McPike moves for the adoption of the Resolution. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it; the Resolution's adopted...using the Attendance Roll Call. Before people begin to leave, I want to thank all of you for the fine work you've done over the last several days and especially today. We have one day remaining to consider House Bills. Those people serving in the Chair tomorrow will attempt to move Bills as quickly and expeditiously as possible, but that will require the cooperation of all Members, which means that we must curtail unneeded debate. So if we all cooperate, we can maximize the number of Bills which will be considered tomorrow. In Perfunctory Session we will read all Bills a

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second time so that all Bills will be in a position to be passed tomorrow. Mr. Clerk, do you have anything further? If there's nothing further, Mr. McPike moves that the House stands adjourned till 9:00 a.m. tomorrow morning. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The House stands adjourned till 9:00 a.m. tomorrow morning."

Clerk Leone: "Second Reading of House Bills. House Bill 74, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 566, a Bill for an Act to provide for the registration of foreign interests. Second Reading of the Bill. House Bill 716, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Second Reading of the Bill. House Bill 915, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 933, a Bill for an Act to amend an Act concerning conveyances. Second Reading of the Bill. House Bill 1044, a Bill for an Act to amend an Act in relationship to injuries caused by police officers' performances...performance. Second Reading of the Bill. House Bill 1131, it's been read a second time previously. House Bill 1403, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. House Bill 1492, a Bill for an Act for the purpose of establishing a home equity protection. Second Reading of the Bill. House Bill 1493, a Bill for an Act to improve health care services in rural areas. Second Reading of the Bill. House Bill 1502, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1622, a Bill for an Act to amend the Legislative Commission Reorganization Act. Second Reading of the Bill. House Bill 1639...House Bill 1639, a Bill for an Act to amend the School Code. Second Reading of the

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Bill. House Bill 1691, a Bill for an Act to amend the Uniform Code of...Commercial Code. Second Reading of the Bill. House Bill 1890, a Bill for an Act to amend an Act in relationship to the rate of interest. Second Reading of the Bill. House Bill 2066, a Bill for an Act to amend the Illinois Coal Technology Development Assistance Act. Second Reading of the Bill. House Bill 2183, a Bill for an Act to amend the Asbestos Abatement Act. Second Reading of the Bill. House Bill 2186, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 2193, a Bill for an Act to amend the Electronic Fund Transfer Transmission Facility Act. Second Reading of the Bill. House Bill 2243, a Bill for an Act in relationship to consumer credit reports. Second Reading of the Bill. House Bill 2245, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 2288, a Bill for an Act to amend the Local Mass Transit District Act. Second Reading of the Bill. House Bill 2338, a Bill for an Act to amend an Act in relationship to multiple-county public health department. Second Reading of the Bill. House Bill 2342, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. House Bill 2363, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 2366, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 2367, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill...House Bill 2387, a Bill for an Act to amend the Illinois Professional Engineering Act. Second Reading of the Bill. House Bill 2393, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 2405, a Bill for an Act to amend the Real Estate

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License Act. Second Reading of the Bill. House Bill 2406, a Bill for an Act to amend the Illinois Structural Engineering Act. Second Reading of the Bill. House Bill 2407, a Bill for an Act to amend the Illinois...Illinois Architectural Act. Second Reading of the Bill. House Bill 2408, a Bill for an Act to amend the Illinois Liquor Control Act. Second Reading of the Bill. House Bill 2409, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 2415, a Bill for an Act to amend the General Not For Profit Corporation Act. Second Reading of the Bill. House Bill 2416, a Bill for an Act to amend the Business Corporation Act. Second Reading of the Bill. House Bill 2430, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 2446, a Bill for an Act in relationship to anabolic steroids. Second Reading of the Bill. House Bill 2697, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 2735, a Bill for an Act to amend the Health Maintenance Organization. Second Reading of the Bill. House Bill 2768, a Bill for an Act in relationship to State finance. Second Reading of the Bill. House Bill 2812, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Second Reading of the Bill. House Bill 125, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill 168, a Bill for an Act to amend an Act concerning assistance to medical students. Second Reading of the Bill. House Bill 249, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 289, a Bill for an Act to revise the law in relationship to counties. Second Reading of the Bill. House Bill 361, a Bill for an Act relating to State finances. Second Reading of the Bill.

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House Bill 402, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Second Reading of the Bill. House Bill 469, a Bill for an Act to amend the Illinois Insurance Tax Act. Second Reading of the Bill. House Bill 476, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 516, a Bill for an Act in relationship to certain records. Second Reading of the Bill. House Bill 562, a Bill for an Act in relationship to state purchases. Second Reading of the Bill. House Bill 581, a Bill for an Act to amend an Act in relationship to conditions of probation and supervision. Second Reading of the Bill. House Bill 596, a Bill for an Act to amend an Act in relationship to civic center finances. Second Reading of the Bill. House Bill 691, a Bill for an Act to amend the Workers' Compensation Act. Second Reading of the Bill. House Bill 722, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 743, a Bill for an Act to amend the Emergency Medical Services Systems Act. Second Reading of the Bill. House Bill 752, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 767, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. House Bill 891, a Bill for an Act to amend the Local Governmental and Governmental Employees Tort Immunity Act. Second Reading of the Bill. House Bill 894, a Bill for an Act to amend the Municipal Code. Second Reading of the Bill. House Bill 919, a Bill for an Act to amend an Act in relationship to bonds of contractors. Second Reading of the Bill. House Bill 960, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 1029, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House

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May 25, 1989

Bill 1043, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. House Bill 1053, a Bill for an Act to amend the Mobile Home Local Services Tax Act. Second Reading of the Bill. House Bill 1054, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 1098, a Bill for an Act to amend an Act in relationship to compensation of county officers. Second Reading of the Bill. House Bill 1115, a Bill for an Act to amend an Act concerning certain rights of medical patients. Second Reading of the Bill. House Bill 1141, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. House Bill 1272, a Bill for an Act in relationship to sending of facsimiles of certain documents. Second Reading of the Bill. House Bill 1359, a Bill for an Act concerning express warranties for rebuilt motor vehicle parts. Second Reading of the Bill. House Bill 1396, a Bill for an Act to amend an Act relating to State Fire Marshal. Second Reading of the Bill. House Bill 1420, a Bill for an Act to amend the law concerning the Judicial Circuit of Cook County. Second Reading of the Bill. House Bill 1456, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1578, a Bill for an Act relating to registration. Second Reading of the Bill. House Bill 1734, a Bill for an Act to amend the Illinois Agriculture Act. Second Reading of the Bill. House Bill 1805, a Bill for an Act in relationship to abandoned vehicles. Second Reading of the Bill. House Bill 1821, a Bill for an Act in relationship to driving under the influence of alcohol or drugs. Second Reading of the Bill. House Bill 1828, a Bill for an Act to amend an Act in relationship to Legislative Information System. Second Reading of the Bill. House Bill 1850, a Bill for an Act to provide for support services to prevent

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homelessness. Second Reading of the Bill. House Bill 1853, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 1934, a Bill for an Act to amend the Highway Advertising Control Act. Second Reading of the Bill. House Bill 1969, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the court. Second Reading of the Bill. House Bill 1983, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. House Bill 2079, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 2156, a Bill for an Act to amend the Public Community College Act. Second Reading of the Bill. House Bill 2173, a Bill for an Act in relationship to interior design profession. Second Reading of the Bill. House Bill 2178, a Bill for an Act to amend an Act to revise the law in relationship to counties. Second Reading of the Bill. House Bill 2192, a Bill for an Act to amend an Act to authorize the distribution of food stamp benefits. Second Reading of the Bill. House Bill 2312, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2360, a Bill for an Act in relationship to taxes. Second Reading of the Bill. House Bill 2420, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 2445, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2515, a Bill for an Act to amend the Retailers' Occupation Tax Act. Second Reading of the Bill. House Bill 2519, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 2536, a Bill for an Act to establish the East St. Louis Public Works Capital Development and Investment Board Program. First Reading of the Bill. Correction, that's Second Reading of the Bill. House Bill 2541, a Bill for an

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Act to provide for the establishment of pilot Enterprise High School. Second Reading of the Bill. House Bill 2628, a Bill for an Act to amend the Metropolitan Civic Center Support Act. Second Reading of the Bill. House Bill 2779, a Bill for an Act in relationship to radiation. Second Reading of the Bill. House Bill 2806, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No further business, the House will now stand adjourned till Friday, May 26th, at the hour of 9:00 a.m."

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